

Decision Maker: Development Control Committee

Date: 14th October 2010

Decision Type: Urgent Non-Executive Non-Key

Title: 2009 Draft Replacement London Plan Housing SPG EiP Draft

Contact Officer: Stephanie Turner, Planner
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Chief Officer: Bob McQuillan

Ward: N/A

1. Reason for report

- 1.1 The Draft Replacement London Plan is currently going through an Examination in Public (EiP). An EiP draft Supplementary Planning Guidance (SPG) on housing has been produced to provide guidance on how to implement the policies in the Draft Replacement London Plan (DRLP). This initial draft of the Housing SPG for the EiP focuses on relatively few DRLP policies and is intended primarily to inform the Draft Replacement London Plan Examination in Public by illustrating how particular policies should be implemented. A full version of the draft Housing SPG will be published for consultation at the earliest opportunity following the completion of the London Plan EiP.
- 1.2 The EiP draft Housing SPG has been informed by the Mayor's Housing Strategy and its associated London Housing Design Guide. The draft Housing SPG will eventually replace the existing London Plan SPG (2005 & interim 2010 version).
- 1.3 The reason for this report is to advise Members of the formal consultation of the Draft Replacement London Plan Housing SPG (EiP Draft) and to agree the Council's formal response in respect of the consultation.
- 1.4 A copy of the 2009 Draft Replacement London Plan Housing SPG EiP Draft has been placed in the Members room and can also be found on the Mayors Web site at www.london.gov.uk.
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2. **RECOMMENDATION(S)**

- 2.1 Members are asked to endorse the report as the basis of the Council's response to the GLA's consultation.

Corporate Policy

1. Policy Status: New policy. (amended)
 2. BBB Priority: Quality Environment.
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Financial

1. Cost of proposal: No cost
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: Planning
 4. Total current budget for this head: £3.3m
 5. Source of funding: N/A
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Staff

1. Number of staff (current and additional): 98
 2. If from existing staff resources, number of staff hours: N/A
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Legal

1. Legal Requirement: Statutory requirement.
 2. Call-in: Call-in is not applicable.
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Borough wide
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

- 3.1 The Council's formal response to the Draft Replacement London Plan (DRLP) was agreed by the Development Control Committee on 1st Dec 2009 and the Executive on 9th Dec 2009.
- 3.2 A Draft Housing SPG produced primarily to inform the Examination in Public (EiP) was produced in August 2010 and the Council submitted officer level comments to the EiP on the 3rd September 2010.
- 3.3 The Council must however also formally submit comments in response to the consultation of the EiP draft Housing SPG to ensure that these are taken into consideration as part of the consultation process. It should be noted that the EiP draft housing SPG focuses on relatively few DRLP Policies and it is intended that a full version of the draft SPG will be published at the earliest opportunity following completion of the London Plan EiP and will be subject to full public consultation.
- 3.4 The officer level comments which were submitted to the EiP focus of five main subject areas;
- Housing supply target
 - Garden land development
 - The density matrix
 - Car parking
 - Quality and design.

The officer level comments are set out below.

3.5 Housing Supply Target

In accordance with Para 1.1.12 of the EiP SPG, the London Borough of Bromley has provided further evidence to the EiP relating to the proposed housing target. A list of 6 sites which LBB consider unlikely to come forward within the next 10 years has been submitted to the GLA and it is requested that these sites be removed from the SHLAA for the purpose of calculating Bromley's monitoring target. In addition, the phasing of some of the sites in the Bromley Town Centre AAP has changed and they are now no longer expected to be delivered within the 10 year period. LBB has requested that these sites also be removed from the SHLAA for the purpose of calculating Bromley's target. The further evidence that Bromley has submitted suggests that Bromley's monitoring target in Table 3.1 should be reduced to 472. However, further analysis of local context and density has now also been carried out to reflect recent changes to PPS3 (removal of minimum density) and this evidence concludes that the monitoring target should be further reduced so that new development better reflects the local character.

3.6 Garden Land Development

The inclusion of a definition of private garden land development within the SPG is supported, however, it is noted that the definition in Para 1.2.19 is not reflected in Para 1.2.21 which refers to presumptions against development on back gardens (rather than private garden land). Policy 3.5 of the DRLP will need to be amended to refer to a presumption against development on private garden land so that the SPG and DRLP Policy 3.5 are consistent.

3.7 The Density Matrix

Section 1.3 of the EiP SPG gives guidance on Policy 3.4 Optimising Housing potential. The emphasis on optimising rather than maximising housing potential is supported.

Para 1.3.19 states that DRLP Policy 3.4 requires LDFs to develop policies in line with the SRQ approach and within the broad residential density ranges set out in Table 3.2.

LBB object to the inclusion of the minimum density of 35 units per ha within Table 3.2 for two reasons;

- The minimum density of 30 dwellings has been removed from PPS3 to allow local authorities to take the decisions that are best for them, and decide for themselves the best locations and types of development in their areas
- In an outer London context the constraints imposed by topography, tree cover, site size and configuration mean that it is not always possible to impose a minimum density without causing detriment to the existing environmental standards. This is particularly the case for small sites where existing street scene, massing, and design of the surrounding built environment are important determinants of appropriate density.

The removal of the minimum density from PPS3 allows Councils to decide the appropriate density levels and to require developments to go below the 30 dph figure wherever necessary. This will deliver a better mix of homes for the local community and would encourage more family homes. An analysis carried out by Bromley of the sites identified through the SHLAA would on this basis require a reduction in numbers allocated. The density matrix and the EiP SPG should be amended so that it is more appropriate for an outer London borough and so that it reflects the recent change to PPS3.

3.8 Car parking

The car parking standards in DRLP Table 6.1 include reference to the number of bedrooms. The EiP SPG states that all developments should conform to London Plan policy on car parking provision however; it includes an Annex (Annex 2.4) which shows the relationship between car parking provision, public transport accessibility and dwelling type. Whilst this approach is considered to be more flexible than DRLP Table 6.1, it does not take into consideration the requirements of PPS3 which states that Local Planning Authorities should develop residential parking policies, taking account of expected levels of car ownership, the importance of promoting good design and the need to use land efficiently. The DRLP and the EiP SPG should take account of this guidance.

3.9 Quality and Design

LBB consider that the use of standards as set out in Section 2 of the Draft EiP SPG is overly prescriptive and inappropriate for this type of document and also for the DRLP itself and duplicates advice contained elsewhere such as in the Building Regulations. Representations were previously made (in response to DRLP and draft Housing Design Guide) suggesting that these matters are more suitably considered at a local level. There is a concern that the use of minimum standards (for example for the provision of private outdoor space) may be used as a maximum standard and could therefore become counterproductive. Concerns are also raised regarding the implications on staff resources when checking the compliance of each application against the standards.

4. **POLICY IMPLICATIONS**

4.1 The draft alterations to the London Plan are the subject of an Examination in Public which is currently taking place. Following this, a new London Plan will be published to replace the current 2008 London Plan. The new London Plan will form part of the Development Plan for all London Boroughs. It will set the framework for preparing our own Local Development Framework which will in due course replace the existing Unitary Development Plan. Bromley's Core Strategy when prepared will be required to conform to the London Plan.

4.2 A full version of the Housing SPG will be published for formal consultation following the completion of the Examination in Public. The Housing SPG will not set new policies but will provide guidance on how to implement the policies in the DRLP once adopted.

Non-Applicable Sections:	Financial, Legal, Personnel
Background Documents	<p>The London Plan (Spatial Development Strategy for Greater London) Consultation draft replacement plan; October 2009.</p> <p>Report to DCC 1st Dec 2009 “Consultation on the Draft Replacement London Plan”</p>