

PART ONE – PUBLIC

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<b>Decision Maker:</b>	<b>DEVELOPMENT CONTROL COMMITTEE EXECUTIVE</b>		
<b>Date:</b>	<b>Tuesday 7 January 2014 Wednesday 15<sup>th</sup> January 2014</b>		
<b>Decision Type:</b>	NonUrgent	Non-Executive	Non-Key
<b>Title:</b>	<b>DEVELOPING BROMLEY'S LOCAL PLAN - DRAFT POLICIES AND DESIGNATIONS FOR CONSULTATION</b>		
<b>Contact Officer:</b>	Mary Manuel, Head of Planning Strategy and Projects Tel: 020 8313 4303 E-mail: mary.manuel@bromley.gov.uk		
<b>Chief Officer:</b>	Chief Planner		
<b>Ward:</b>	(All Wards);		

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**1. Reason for report**

- 1.1 This report seeks Development Control Committee's (DCC) endorsement of Appendix 1 as the consultative 'Draft Policies and Designations' stage in the preparation of Bromley's Local Plan. DCC is asked to consider the report and refer it to the Executive for approval for the purpose of consultation with residents, partner organisations, and the wider community.
- 1.2 In line with the Local Development Scheme approved by the Executive in October 2013 the consultation is scheduled for early 2014. Site allocations will form part of the next stage of the process when Bromley's 'Draft Local Plan' for consultation is produced. Appendix 1 therefore includes draft policies and designations and includes an invitation to comment on the draft policies and designations and identify potential sites for consideration for the next stage.
- 1.3 The report highlights where, and why there has been a revision to the Preferred Options and the designations included in the consultation, potential issues of non-conformity with the London Plan, the changing national and regional context and the proposed format for consultation.

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**2. RECOMMENDATION(S)**

**That Development Control Committee:**

- 2.1 **Endorse Appendix 1 as the 'Draft Policies and Designations' document for the Executive to agree for public consultation.**

**That the Executive:**

- 2.2 Consider the comments from Development Control Committee with regard to the Draft Policies and Designations document, and**
- 2.3 Agree Appendix 1 as the Draft Policies and Designations document for consultation, subject to the Director of Regeneration and Transformation, in consultation with the Chairman, being authorised to make any minor alterations to the document as required prior to publication.**

## Corporate Policy

1. Policy Status: New Policy:
  2. BBB Priority: Children and Young People Excellent Council Quality Environment Safer Bromley Supporting Independence Vibrant, Thriving Town Centres
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## Financial

1. Cost of proposal: Estimated cost for the current consultation £3k
  2. Ongoing costs: Non-Recurring Cost
  3. Budget head/performance centre: Planning and Renewal
  4. Total current budget for this head: £2.689m
  5. Source of funding: Existing revenue budget 2013/14
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## Staff

1. Number of staff (current and additional): 62ftes
  2. If from existing staff resources, number of staff hours:
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## Legal

1. Legal Requirement: Statutory Requirement
  2. Call-in: 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? Ward Councillors have been invited to participate in earlier stages of the plan preparation and will be consulted as part of the wider consultation process.
2. Summary of Ward Councillors comments:

### **3. COMMENTARY**

- 3.1 The Local Development Scheme (LDS) agreed in October 2013 by the Executive sets an ambitious programme for the Local Plan in recognition of the importance of the Borough having an 'up to date plan' as required by Government guidance.
- 3.2 Consultation on the 'Options and Preferred Strategy' document was undertaken in Spring 2013. DCC considered the response to the 'Options and Preferred Strategy' document consultation undertaken in Spring 2013 at its June 2013 meeting and agreed that the Preferred Options be progressed to draft policies and site allocations, with key issues and areas of potential non-conformity with the London Plan brought back to the Local Development Framework Advisory Panel (LDFAP) and DCC for further discussion.
- 3.3 The Planning Strategy Team lead the Local Plan preparation, working with officers across the Council and partner organisations, producing further evidence where necessary and developing the draft policies and designations in line with the 'Vision and Objectives' and Council priorities. The LDFAP has met several times since the Options and Preferred Strategy consultation to oversee and guide the preparation of this stage of the Local Plan preparation. The LDFAP has considered the main policy areas, and noted that some of the detailed draft policies and designations include the areas of potential non-conformity with the London Plan. The proposed consultation is an 'informal' stage under regulation 18. It plays an important role in ensuring the early and ongoing engagement of the community and partners in the plan making process as required by Government. It provides a timely opportunity for residents, statutory and other partners to respond to, and comment on the draft policies and designations and help ensure that the draft plan when finalised is a robust and 'sound' plan.
- 3.4 Appendix 1 comprises the basis of the consultative 'Draft Policies and Designations', a key stage in the development of Bromley's Local Plan and meets the LDS programme of consultation in January /February 2014.
- 3.5 Development Control Committee is asked to consider and comment on Appendix 1 in advance of the Executive being asked to endorse the document for consultation. Comments from the DCC meeting will be reported to the Executive.
- 3.6 The Local Plan sets out the vision and objectives, and the policies against which planning applications will be determined (together with the London Plan) and the priorities against which the plan will be monitored and reviewed. The Local Plan is the spatial expression of Bromley 2020 as the borough's Community Strategy and extends the vision to 2030.
- 3.7 Bromley's Local Plan, together with the London Plan, when adopted, will form the Development Plan for the Borough. The Local Plan has to be in general conformity with the London Plan (July 2011) and with the National Planning Policy Framework published in March 2012.
- 3.8 The preparation of the Local Plan has to meet the requirements of planning legislation and regulations, including the Duty to Co-operate introduced in the 2011 Localism Act, (amending the 2004 Planning and Compulsory Purchase Act). Planning legislation and regulations set out procedures to be followed in the preparation of development plans and for the plan to be 'legal and sound'. The Duty to Co-operate places a legal duty on the Council to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation relating to strategic cross boundary matters. This has been met to date through meetings and dialogue with individual boroughs and partners and sub-regional officer groups and is ongoing..
- 3.9 The National Planning Policy Framework 2012 sets out the four 'Tests of Soundness' against which Bromley's Local Plan will be assessed by the Planning Inspectorate when examined. To demonstrate that the plan is 'sound' the Council the Plan will be:-

- Positively prepared –based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

Potential non-conformity with the London Plan

3.10 The Local Plan is required to be in ‘general conformity with the London Plan. The GLA raised concerns with regard to the Preferred Options in relation to housing supply figures, parking standards for residential development, the level of protection of offices and waste.

*Parking*

3.11 The GLA raised objections to the Preferred Option (PO52) of having minimum parking requirements for residential development, however, Development Control Committee agreed that the preferred option should be progressed. Whilst officers examined other approaches including a hybrid of minimum and maximum requirements, the LDFAP advised that the minimum parking approach should be progressed in light of local circumstances and this is reflected in the draft policy in the ‘Getting Around’ Chapter. The draft policies use the London Plan parking standards for all other developments, and types of parking.

*Housing Supply*

3.11 The draft policy ‘Housing Supply’ in Appendix 1 sets out that ‘the Council will make provision for at least 470 additional homes per annum over the fifteen year Plan period’, and then details how this will be facilitated. This takes forward the Preferred Option 1 ‘Seek to deliver a realistic annual housing target of 470 homes’. The GLA raised issues of non-conformity with the London Plan (2011) which sets out an annual average housing provision monitoring target of 500 homes for Bromley and also that the figure of 470 is insufficient to meet need within the Borough. The latter concern was raised by a number of other respondents to the Options and Preferred Strategy consultation.

3.12 Whilst the Council agreed its five year housing land supply paper in June 2013 and has demonstrated it can meet the London Plan requirements for the next 5 years the concern is that a figure higher than 470 per annum throughout the plan period would be unsustainable.

*Offices*

3.13 The preferred options continued the UDP approach of resisting the loss of all offices across the Borough. However, factors have led to this approach being reviewed and reported to the Local Development Framework Advisory Panel. These include the GLA issue of potential non-conformity with the London Plan if an overly protective stance is taken, and evidence from the planning process suggesting redevelopment solely for office use may be unviable in some circumstances , and the recently introduced permitted development rights for change of use from office to residential impacting on the Council’s ability to control change. The work commissioned by the Council (Michael Rogers) into the office market in Bromley town centre again highlights the position.

- 3.14 The draft policies in 'Working in Bromley' therefore start with the highest protection for offices in the three proposed Business Improvement Areas in Bromley Town Centre (building on the existing two in the BTCAAP), protection of employment floorspace in the designated business areas; Strategic Industrial Locations, Locally Significant Industrial Locations, and increased flexibility outside these areas. This responds to both the most up to date evidence and the GLA's issues of potential non-conformity.

#### *Waste*

- 3.15 The GLA raised concerns that the South East London Waste Partnership Technical Paper does not satisfy the London Plan policy .The South East London Technical Paper is being amended and the commitment of the borough groups is being reinforced. It is hoped that this shows a sustainable approach. It has been supported by Inspectors for those Core Strategies already adopted.

#### Evidence

- 3.16 Where necessary, further work will be undertaken for the Draft Plan to ensure information is up to date and this may include:
- 3.17 The updated Strategic Flood Risk Assessment as required by the NPPF and will be expected in the spring.
- 3.18 A review of the Bromley Town Centre Office Market completed late 2013 and has contributed to the revised approach to office development/redevelopment outlined \above and detailed in 'Working in Bromley' in Appendix 1.
- 3.19 The work into delivering economic growth in the three strategic areas of Bromley Town Centre, Biggin Hill and the Cray Business Corridor is underway and will contribute to the Draft Local Pplan.
- 3.20 In addition it is expected that the following will be finalised and available as supporting evidence to this consultation.

The audit of public open space.

Public House Assessment

Update to Gypsy and Traveller Evidence Base

A characterisation study of the Borough

Elderly Person Accommodation Needs Paper

Completed evidence will normally be published on the Council's website.

- 3.21 The collaborative work between the Council and the GLA in relation to Sites of Importance for Nature Conservation will form part of the consultation process together with the suggested minor changes to the open space designations of Green Belt, Metropolitan Open Land and Urban Open Space. In addition the new Local Green Space designation is included in a draft policy and sites can be put forward for consideration and assessment for LGS designation. The NPPF outlines the purpose and approach in paragraphs 76-77.

- 3.22 A set of background papers is available in the Members' Room.

#### The National and Regional Context

- 3.23 Since the Options and Preferred Strategy consultation the Government has introduced new permitted development (PD) rights, particularly relevant are the change of use from office to

residential use and the flexibilities relating to schools. The Government is considering further PD rights including a change of use from retail to residential

3.24 The Government has issued draft national planning policy guidance to run alongside the NPPF, however, this still has to be finalised, and until it has, the former guidance (other than that specifically cancelled previously) is still extant. However, the Council needs to be mindful of the draft guidance, as albeit subject to potential revision, it is likely to be published formally in the New Year.

3.25 The GLA adopted its Revised Early Minor Alterations to the London Plan. It is expected that the GLA will issue draft Further Alterations to the London Plan early in the New Year. The Mayor's draft SPG Town Centres is still to be finalised. Transport for London's 2013 Business Plan published in December 2013 and set out to 2020/21 refers to consideration to a coordinated approach of infrastructure investment proposals including 'options such as a possible extension of the Bakerloo line, the DLR or the Overground'.

## **Consultation**

3.26 It is proposed that the consultation on the 'Draft Policies and Designations' follows the format used for the Options and Preferred Strategy (and previously the Core Strategy Issues Document) as outlined below. This consultation as outlined above, forms an informal stage of consultation in the Local Plan preparation, but a very important one. It will comply with the Council's adopted Statement of Community Involvement (2006).

3.27 Evidence of the consultation and engagement undertaken during the plan-making process will be required to demonstrate the Local Plan has followed the prescribed process, as set out in planning legislation and regulations, and the NPPF. This will be a matter for the Inspector at the Examination into the 'soundness' of the Local Plan.

3.28 The proposed consultation, as previously will be web based to minimise the costs to the Council and facilitate the analysis of responses. However, to maximise the awareness of the opportunity to respond it will include:

- Emails/ letters to around 1500 contacts on the planning database advising of the consultation details. This includes statutory consultees, adjoining boroughs and other partner agencies, residents associations and individuals, businesses and developers who have registered their interest in being consulted.
- A dedicated webpage and link from the Council's home page.
- Press releases and articles in the local papers and community newsletters.
- Poster and flyers placed in Council offices (including the Civic Centre, Mottingham and Cotmandene Outreach Centres and libraries).
- Article and link to the webpage in Community Links Bromley e-bulletin to over 500 voluntary and community organisations.
- Article and link to the webpage in the Council's business bulletin sent to over 2500 businesses.
- A display promoting the consultation within the Civic Centre
- Inclusion in 'Update' circulated to all residents associations.

3.29 In addition copies of the consultation document will be made available for inspection at the Civic Centre, Mottingham and Cotmandene Outreach Centres and Bromley Community Links.

## **3.30 Format of the Consultation Document**

The **Introduction and Strategic Context** explain the purpose of the document and set the scene in relation to the scale and nature of the Borough.

3.31 The **Spatial Strategy** is then set out which highlights in particular:

- Bromley Town Centre – a focus for sustainable growth for retail, office, homes, and leisure and cultural activities
- Cray Business Corridor - the main industrial and business area within the borough, providing accommodation for a full range of businesses, and improving the offer for modern business
- Biggin Hill SOLDC a cluster of businesses focused on aviation and high tech related industries
- Protecting and enhancing the quality and character of all Bromley's Places
- Protecting and enhancing the Borough's varied open spaces and natural environment
- Improvement of Renewal Areas
- Maintaining and enhancing the network of town centres, local centres and neighbourhood parades.

**The Vision and Objectives**, developed from Bromley 2020, the Borough's Sustainable Community Strategy, continue as for the 'Options and Preferred Strategy' document with the exception of two additional objectives and one amended objective under the Transport Vision. Changes are shown below in italics.

- Reduce road congestion at peak times through better management of the network and encouraging patterns of development that reduce the need to travel *and by improving road junctions and layouts whenever and wherever possible.*
- *Ensure the efficient movement of freight, whilst minimising its impacts on the transport network.*
- *To secure investment in critical public transport infrastructure to improve transport connectivity and orbital movements to East London.*

3.32 The six thematic chapters set out the draft policies and relevant designations. The policies have been developed reflecting the Preferred Options and the guidance from the LDFAP. These chapters comprise: ***Living in Bromley, Supporting Communities, Getting Around, Valued Environments, Working in Bromley, and Environmental Challenges.***

3.33 The last chapter covers ***Implementation and Monitoring.*** This includes the draft policy on implementation and monitoring which covers the Infrastructure Delivery Plan, planning obligations and other funding mechanisms, the Duty to Co-operate and monitoring through the Authority Monitoring Report.

3.34 A series of appendices will be attached. For this Committee the 5 year housing land supply paper, the Call for Sites Pro-forma, Designations Schedule and London Parking Standards are included. Others will be included in the final consultation document.

#### Draft Designations

3.35 The Table 1 summarises the designations forming part of the consultation process. While the majority of these designations are established and exist within the UDP 2006 there are several which have been introduced either through the NPPF, for example, Local Green Space and the requirement to define town centre boundaries, or the London Plan which identifies Biggin Hill as an Outer London Strategic Development Centre and the Renewal Areas (which incorporate the Mayor's Areas of Regeneration').

3.36 The consultation document will include maps where appropriate for comment, but where there are many and large in terms of complexity and electronic size they will be provided via a separate link to the information.

3.37 A schedule based on Table 1 will form an Appendix within the consultation document.

**Table 1 Draft Designation Schedule**

<b>Designation</b>	<b>Location within Document</b>	<b>Consultation position</b>
Town Centre Boundaries	Maps in Working in Bromley	The NPPF and London Plan require boundaries of town centres to be defined. This applies to Metropolitan, Major and District Centres.
Primary /Secondary Frontages	Maps in Working in Bromley schedule in Appendix	Existing primary/secondary frontages (UDP) reviewed with amendment to Orpington in light of changed circumstances, in particular, the 'Tesco's development.'
Local Neighbourhood Centres and Shopping Parades	Schedule in Appendix	Carried forward as in the UDP.
Green Belt, MOL and UOS, Green Chain	To be accessed via a separate link on the consultation portal due to the size of the maps.*	Minor revisions agreed by DCC 2012 to some UDP 2006 designations. Also further minor changes primarily reflecting changes in circumstance for instance, Southwark joining the Green Chain, development or change of use or minor boundary changes.
Locally Significant Industrial Locations	Maps in Working in Bromley	Minor amendments to existing Business Areas (UDP) to be identified as LSIL. Those in the Cray Corridor will form part of the SIL.
Strategic Industrial Location	Maps in Working in Bromley	London Plan identifies a Strategic Industrial Location (Industrial Business Park) within the Crays. Suggested boundary is the primary industrial areas in the Cray Business Corridor incorporating the majority of the UDP business areas in this part of the Borough.
Biggin Hill Strategic Outer London Development Centre	Maps in Working in Bromley	London Plan identifies Biggin Hill as a Strategic Outer London Development Centre. Boundary suggested reflecting the previously Major Developed Site and the industrial areas.
Renewal Areas	Maps in 'Living in Bromley', and 'Places Map'	The London Plan identifies Regeneration Areas within the Borough, and in adjoining boroughs. The 'Places' within which these lie, or adjoin where outside the borough are identified as Renewal Areas
Large Housing	Requirement to	5 Year supply paper agreed June 2013,

Sites	demonstrate 5 year supply of deliverable sites and developable sites and broad locations up to 6-15 years	and other known large sites will be included.
Sites of Interest of Nature Conservation	To be accessed via a separate link on the consultation portal due to the size of the maps.*Changes to existing designations in UDP 2006 can be found at xxxx.	Suggested changes following a GLA survey in 2008/9 and assessed by the Council's Countryside and Biodiversity Manger to UDP designations. All affecting open land and almost all currently with designations.
Local Green Spaces	None identified in the consultation document. Draft policy in Bromley's Valued Environments.	New designation introduced by the NPPF. LGS are to be identified and will form part of the consultation process.
Areas of Special Residential Character	Map showing existing ASRC	Three areas have been suggested for consideration as new ASRCs through and will be assessed together with any others identified through the consultation process. (Chelsfield Park/Marlings Drive and part of central Beckenham). Existing ASRC to be shown.
Education Land	Not shown on map. description in draft policy and justification in 'Supporting Communities',	Will be referenced in policy and not shown on maps
Travellers' Sites	Site allocations and boundaries to be included in the Draft Local Plan. Draft policy in 'Living in Bromley' Site allocations will be included in the Draft Local Plan later in 2014.	National Planning Policy for Travellers
Business	Map in 'Working	Elmfield Road and London Road are

Improvement Areas	in Bromley' page addresses in Appendix Y	identified as BIA in the BTCAAP. Development Control Committee agreed an Article 4 direction (non-immediate) on the existing and proposed draft BIA boundaries removing the permitted development rights to change from office to residential use. The boundaries taken to the 25/9/13 LDFAP will be used in the consultation document.
Bromley North (former Opportunity Site A in BTCAAP)	Expect site allocation to be in the Draft Local Plan. Approach set within Designation Schedule.	Formerly Opportunity Site A in the Bromley Town Centre AAP. This may form a Site Allocation in the Draft Local Plan for comprehensive development for a mix of uses reflecting the site's location as a major transport interchange, an important gateway to the Town Centre and within a proposed Business Improvement Area.
Bromley Civic Centre Site (Opportunity Site F in BTCAAP)	Currently within the BTCAAP and expected to be revised in the Draft Local Plan. Approach in Designation Schedule.	BTCAAP Policy OSF suggested expansion of appropriate uses to include 'retail'. May form a Site Allocation in the Draft Local Plan.

\*Copies available in the Members' Room.

- 3.38 The consultation process will include the opportunity for comments on any of the designations, and these will be reported to Members as part of the analysis of responses.
- 3.39 Designations which will be shown within the Local Plan but which aren't subject to the Local Plan process comprise Conservation Areas, Sites of Special Scientific Interest, Kent North Downs Area of Outstanding Beauty, Local Nature Reserves, Biggin Hill Airport Public Safety Zone and Biggin Hill Public Safety Zone –Individual Risk.
- 3.40 As indicated earlier the Local Plan process requires particular stages and steps to be followed to be found 'sound' at the Examination in Public. This also applies to associated documents including the Infrastructure Delivery Plan and supporting documents to introduce a Community Infrastructure Levy to help deliver the Local Plan. The Council has to pay the costs of the Examination in Public together with the cost of the further consultation stages of the plan preparation and the production of evidence where gaps need to be addressed or updates required as circumstances change.

#### 4. POLICY IMPLICATIONS

- 4.1 Bromley 2020 as the Sustainable Community Strategy for the Borough was the starting point for developing the Core Strategy Issues Document in 2011 and for the Vision and Objectives in the Options and Preferred Strategy stage of the Local Plan preparation. The Local Plan will extend this vision until 2030 and contributes to all the priorities within Building a Better Bromley. The Local Plan together with the London Plan will form the development plan for the borough. Local Plan, once adopted will replace the saved policies of the UDP.

- 4.2 The Local Plan has to be in general conformity with the London plan (July 2011) and with the National Planning Policy Framework published in March 2012. Importantly the Local Plan sets out the vision and objectives, and the policies against which planning applications will be determined (together with the London Plan) and the priorities against which the plan will be monitored and reviewed.

## **5. FINANCIAL IMPLICATIONS**

- 5.1 The cost of the consultation process for this stage of the Local Plan is estimated to be in the region of £3k which will be funded from the local plan budget within Planning.
- 5.2 The Executive agreed a carry forward sum of £60k to fund the preparation of the Council's Local Plan. The revised timetable in the Local Development Scheme agreed by the Executive in October 2013 indicates that the examination of the Plan will now take place in early 2015. A request will be made to the June Executive to carry forward the £60k in order to meet the future costs of the examination in public and to undertake any further evidence work required.

## **6. LEGAL IMPLICATIONS**

- 6.1 The proposals are consistent with the planning legislation and regulations.

<b>Non-Applicable Sections:</b>	Personnel Implications
Background Documents: (Access via Contact Officer)	<p>Report No DR12/069 to DCC 28/6/12 Review of Green Belt, Metropolitan Open Land and Urban Open Space Boundaries</p> <p>Report No DRR13/016 DCC 29/1/13 Bromley's Local Plan – Options and Preferred Strategy for Consultation</p> <p>Report to Executive 12/6/13 Growth and Delivery Plans for Bromley Town Centre, Biggin Hill and Cray Corridor Employment Areas</p> <p>Report No DRR13/082 DCC Report on Local Plan 'Options and Preferred Strategy' consultation June 2013</p> <p>Bromley 2020 Bromley's Community Strategy</p> <p>National Planning Policy Framework March 2012</p> <p>London Plan (July 2011)</p> <p>LBB UDP 2006 (Saved)</p> <p>Local Plan Evidence Base</p> <p><a href="http://www.bromley.gov.uk/info/1004/planning_policy/153/local_development_framework_IdfGL">http://www.bromley.gov.uk/info/1004/planning_policy/153/local_development_framework_IdfGL</a></p> <p>TfL Business Plan 2013</p>