

Decision Maker: DEVELOPMENT CONTROL COMMITTEE

Date: Wednesday 4 October 2017

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

Title: BROMLEY COUNCIL'S RESPONSE TO CROYDON COUNCIL'S STRATEGIC POLICIES PARTIAL REVIEW (PROPOSED SUBMISSION) AND DETAILED POLICIES AND PROPOSALS (MAIN MODIFICATIONS) AND SEVENOAKS DISTRICT COUNCIL ISSUES AND OPTIONS CONSULTATIONS.

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Chief Officer: Chief Planner

Ward: All Wards

1. Reason for report

This report advises Members of the current request to respond to consultations from the London Borough of Croydon (Section A.) and Sevenoaks District Council (Section B.) and seeks Members agreement to the proposed responses set out in the appendices having regards to Bromley's Local Plan requirements, as part of the Duty to Cooperate. Croydon's consultation is on the Main Modifications which arose as a result of Examination to its *Strategic Policies (Partial Review) Submission Version* and to the *Detailed Policies and Proposals (2017)*. Sevenoaks District Council is consulting on its Issues and Options (2017), an early stage in the preparation of its Local Plan. The Localism Act 2011 introduced the Duty to Cooperate on Local Planning Authorities to engage constructively and on an ongoing basis on cross boundary matters.

2. **RECOMMENDATION(S)**

2.1 That the Development Control Committee:

2.2 Agree the suggested response to the London Borough of Croydon's Local Plan Main Modifications consultation as set out in Appendix 1.

2.3 Agree the suggested response to Sevenoaks District Council's Local Plan Issues and Options consultation as set out in Appendix 2.

Impact on Vulnerable Adults and Children

1. Summary of Impact: None
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Corporate Policy

1. Policy Status: Consultation on Croydon's proposed Local Plan for adoption (anticipated in late 2017) and to Sevenoaks's Issues and Options consultation (anticipated in 2018).
 2. BBB Priority: Quality Environment:
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Financial

1. Cost of proposal: No Cost: Officer Time
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Not Applicable
 4. Total current budget for this head: £Not Applicable
 5. Source of funding: Not Applicable
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Personnel

1. Number of staff (current and additional): Not Applicable
 2. If from existing staff resources, number of staff hours: Not Applicable
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Legal

1. Legal Requirement: Statutory Requirement:
 2. Call-in: Not Applicable:
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Procurement

1. Summary of Procurement Implications: Not Applicable
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Not Applicable
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: Not Applicable

3. COMMENTARY

A. Croydon's Consultation on the Main Modifications to the Local Plan Strategic Policies Partial Review (Proposed Submission) and Detailed Policies and Proposals (Main Modifications).

A.1 Background

- 1 The Croydon Local Plan: *Strategic Policies – Partial Review (Proposed Submission)* and the *Croydon Local Plan Detailed Policies and Proposals (2017)* were approved and submitted to the Secretary of State on 3 February 2017. As part of the undergoing Examination process, the Council is now consulting on Main Modifications which the Inspector appointed by the Secretary of State considers are necessary to make the plan sound. Responses to the consultation are requested by 10 October 2017.
- 2 Responses to the Main Modifications consultation will inform the inspector's final Conclusions in a report which will recommend adoption or some modifications prior to adoption or withdrawal of the Local Plan. The London Borough of Croydon aims to adopt their Local Plan in early 2018.
- 3 Consultation on the *Strategic Policies Partial Review* and on the *Detailed Policies and Proposals* was previously undertaken in September/October 2016. The review was notably undertaken to reflect the adoption of a new *London Plan* (March 2016) which at the time substantially increased the Borough's housing targets amongst other things. It also reflected the necessity of extending the life of the plan.

A.2 Strategic Issues and Relevant Consultation Points for Bromley Council

- 4 The *Strategic Policies Partial Review* document signposts changes made in relation to Housing provision (SP2), office requirements in Croydon Town Centre (SP3.13), emission savings (SP6) and Metropolitan Open Land boundaries (SP7). It is proposed to only comment on those strategic matters which significantly affect Bromley. Croydon's proposed increase in housing supply at this stage from 31,850 in 2016 to 32,880 homes in 2036 is marginal and supported by the London Plan (2016).
- 5 The *Detailed Policies and Proposals Document* mostly include amendments which are non-strategic to Bromley being to the boundaries of some Areas of Proposed Intensification and to the Croydon Town Centre Opportunity Area Boundary, the deletion of all Local Green Space sites and amendments to place-specific, urban design and community facilities policies.

A.2.1 Education

- 6 Notwithstanding the point made by the Croydon Council that government funding is required to deliver new school places through the Free School system and that expanding schools in the centre of the Borough is difficult, Croydon's Planning inspector during the examination considered that this would not be impossible as need relates to later stages in the plan period where there is less certainty in numbers. The inspector's conclusions are reflected through the withdrawal of a number of sites allocated for educational uses or their allocation to other uses.
- 7 The officer's suggested response included in the proposed response letter to Croydon's consultation is included in Appendix 1. The proposed deletions of sites identified to accommodate secondary schools need would be a concern for Bromley as the lack of appropriate education provision (which takes several years to bring through the planning system) could lead to increased cross borough pressure on schools in Bromley.

B. Sevenoaks' consultation on the Local Plan Issues and Options (2017)

B.1 Background

- 8 Sevenoaks District Council is consulting on its *Local Plan Issues and Options (2017)*, the first stage in preparing a new Local Plan. Sevenoaks' *Core Strategy* was adopted in 2011 and the associated *Allocations and Development Management Plan* in 2015. Sevenoaks anticipates that a number of policies and non-implemented site allocations will be carried forward into the next iteration of the Plan. The *Issues and Options* document is an early stage in the process whereby Sevenoaks identifies the key issues it faces and consults on the policy options/approach it should take to meet the objectives it has set. This includes promoting housing choice for all, promoting well designed, safe places and safeguarding and enhancing the District's distinctive high quality natural and built environments, supporting a vibrant local economy, promoting healthy living opportunities and promoting a greener future.
- 9 Responses to the current consultation are requested by 5 October 2017.

B.2 Strategic Issues and Relevant Consultation Points for Bromley Council

B.2.1 Housing Supply

- 10 Sevenoaks is 93% Green Belt with significant towns including Sevenoaks, Swanley, Edenbridge and Westerham.
- 11 The District anticipates a population growth of 20000 over the plan period 2015-2035. The Strategic Housing Market Assessment (SHMA) identifies that 12400 new homes are required within Sevenoaks over the plan period (620 per year) to accommodate the housing Objectively Assessed Need (AON) of the District over the plan period, mainly for first time buyers and families with a high proportion of affordable homes and specialist accommodation for older people.
- 12 Sevenoaks preferred approach to meeting housing need is to maximize supply without encroaching on the Green Belt as a starting point, providing around 5000 new homes over twenty years. In order to meet the remaining housing need, the preferred option set out in the document is to consider the sustainable development of 'brownfield' sites in the Green Belt, which could provide an additional 1500 dwellings and as well as the inclusion of large Green Belt sites where a convincing case examples of Exceptional Circumstances could be made, offering a convincing case of substantial community benefit alongside well-developed place-making opportunity. Whilst the District Council is stated to be monitoring a number of potential sites/initiatives included in masterplans, Neighbourhood Plans and estate regeneration projects, the development potential of these sites is not confirmed at this stage.
- 13 Overall this preferred approach can deliver approximately 6500 housing units, falling short of meeting Sevenoaks' housing Objectively Assessed Need over the plan period.
- 14 We note that para. 5.4 of the consultation document states that "*Clearly there will be a balance between how much can be achieved from options within the highly constrained Sevenoaks District and what might be achieved elsewhere in neighboring authorities through the Duty to Cooperate.*" This indicates Sevenoaks' intention to enter discussions with adjacent Local Authorities so that they absorb some of the District's housing need over the plan period.
- 15 In section 6.18 Sevenoaks identifies two sites in the Green Belt which may benefit from exceptional circumstances to be developed as housing and are relatively close to Bromley's boundary. These are:

- The Quarry site to the north of Sevenoaks identified in the Sevenoaks Town Draft Northern Masterplan and circa 5 miles from the Borough boundary, which could have the potential to accommodate up to 800 housing units, employment and community infrastructure and facilities.
 - The Squerrys Estate identified in the Which Way Westerham proposals, circa two miles from the Borough Boundary which could accommodate 600 homes, new public open space, community facilities and a relief road to divert the A25 around the town centre.
- 16 The development of these sites would not appear to have a significant highways impact upon Bromley and the wider Borough. Whilst the type and mix of residential properties is still to be confirmed, the proximity of the Borough and the availability of good transport links by way of M25, M26 Southeastern and Thameslink rail services from Sevenoaks, Bat & Ball to Bromley South (and other stations within the Borough) London and cross London are likely to achieve significant mitigation of car borne traffic towards London and Bromley.
- 17 The suggested officer's response included in Appendix 2 is for Bromley to support Sevenoaks's objective to *promote a housing choice for all* as well as its general approach to meeting its housing need by maximising supply in built up areas however the development of Brownfield sites in the Green Belt and release of additional Green Belt sites for development should be subject to the very clear demonstration of exceptional circumstances. Sevenoaks should identify a sufficient supply of sites to meet as much of its OAN as possible within its own boundaries. The London Borough of Bromley would be unable to accommodate any of Sevenoaks's future housing need considering its own constrained nature.

B.2.2 Gypsies and Travellers

- 18 The Development Control Committee on July 9th 2014 agreed detailed comments to the Sevenoaks Gypsy and Traveller Plan Site Options Consultation 2014.
- 19 Sevenoaks District Council now propose to address their Gypsy and Traveller need through their Local Plan rather than a separate Development Plan Document, and have produced an up to date Sevenoaks District Gypsy and Traveller and Travelling Showpersons Accommodation Assessment (GTAA) 2017, on which Bromley were consulted. The GTAA identifies a need for an additional 51 permanent pitches over the plan period 2015-35.
- 20 Sevenoaks propose that the identified need can likely be accommodated by making suitable existing sites with temporary permission permanent and by accommodating additional pitches on suitable existing sites. The suggested response as set out in Appendix 2 is that Bromley supports that approach.

B.2.3 Education

- 21 Section 9.3 acknowledges that the Local Plan "*will need to balance education provision within the District against the eventual scale of growth identified via the Local Plan, consideration will be needed of how this development pressure could affect schools outside the District boundaries, in particular secondary education places, and that due to an increased number of children travelling to and from school, this may have a knock on impact on public transport and highway capacity*".
- 22 The suggested officer response included in Appendix 2. is for Bromley to welcome Sevenoaks' intention to give consideration to accommodating secondary school requirements in the context

of growth and pressure on capacity in adjacent authorities but encourage the District, through collaboration with the Kent County Council, the Local Education Authority, to identify enough sites to enable supply within the boundaries of the District and at the scale of the County Council.

4. POLICY IMPLICATIONS

25 The Council has a Duty to Co-Operate with its neighbouring authorities, including Croydon and Sevenoaks, in relation to cross borough strategic matters. Croydon's Local Plan is required in line with all London boroughs to be in conformity with the London Plan which will form part of its Development Plan.

5. LEGAL IMPLICATIONS

26 The Duty to Co-Operate was created in the Localism Act 2011 and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities, county councils and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of cross boundary matters.

6. FINANCIAL IMPLICATIONS

Not Applicable

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| <p>Non-Applicable Sections:</p> | <p>Impact on Vulnerable Adults and Children Personnel Implications Procurement Implications</p> |
| <p>Background Documents: (Access via Contact Officer)</p> | <p>Croydon's Strategic Policies Main Modifications Consultation (2017). Link to Croydon's Detailed Policies and Proposals Main Modifications Consultation (2017). https://www.croydon.gov.uk/planningandregeneration/framework/localplan/clpproposals Sevenoaks' Issues and Options Consultation (2017). https://www.sevenoaks.gov.uk/info/20014/planning_policy/349/local_plan_-_issues_and_options_consultation Bromley's response to Sevenoaks' District Council Gypsy and Traveller Plan Site Options Consultation July 2014. http://cds.bromley.gov.uk/ieListDocuments.aspx?CId=133&MId=4794 Sevenoaks Town Draft Northern Masterplan (May 2017) https://sevenoaksndp.files.wordpress.com/2017/04/2017-05-12-northern-sevenoaks-masterplan.pdf Which Way Westerham Main Report (July 2017) https://www.sevenoaks.gov.uk/downloads/file/980/which_way_westerham_main_report</p> |

Appendix 1: Bromley Council's Proposed Response to Croydon Council's Consultation on the Main Modifications to its *Local Plan Strategic Policies (Partial Review) Submission Version and Detailed Policies and Proposals (2017)*.

Bromley Council welcomes the opportunity to comment on the London Borough of Croydon's consultation on the Main Modifications to the *Local Plan Strategic Policies Partial Review (Proposed Submission)* and *Detailed Policies and Proposals (Main Modifications) 2017*.

With regards to the proposed deletions of sites identified to accommodate secondary schools need from Appendix 5 of the Strategic Policies Partial Review consultation document, Bromley is concerned as the lack of appropriate education provision (which takes several years to bring through the planning system) could lead to increased cross borough pressure on schools in Bromley.

Bromley looks forward to continue engaging with the London Borough of Croydon in relation to cross borough strategic matters as part of the Duty to Co-operate in the future.

Appendix 2: Bromley Council's Proposed Response to Sevenoaks' *Issues and Options Consultation (2017)*.

Bromley Council welcomes the opportunity to comment on Sevenoaks District Council's *Issues and Options Consultation (2017)*.

Bromley to support Sevenoaks' objective to *promote a housing choice for all* and the general approach to meeting its housing need by maximising supply in built up areas, however the development of Brownfield sites in the Green Belt and release of additional Green Belt sites for development should be subject to the very clear demonstration of Exceptional Circumstances. Sevenoaks should identify a sufficient supply of sites to meet as much of its Objectively Assessed Need as possible within its own boundaries. The London Borough of Bromley would be unable to accommodate any of Sevenoaks's future housing need considering its own constrained nature.

The Council supports the District's approach to accommodate their Gypsies and Travellers need by making suitable existing sites with temporary permission permanent and by accommodating additional pitches on suitable existing sites.

Bromley welcomes Sevenoaks' intention to give consideration to accommodating secondary school requirements in the context of growth and pressure on capacity in adjacent authorities and encourage the District, through collaboration with the Kent County Council to identify enough sites to enable supply within its own boundaries and at the scale of the County Council.

Bromley looks forward to continue engaging with the Sevenoaks District Council in relation to cross borough strategic matters as part of the Duty to Co-operate in the future.