

**Decision Maker:**        **DEVELOPMENT CONTROL COMMITTEE**

**Date:**                    **Thursday 25th January 2018**

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

**Title:**                    **BROMLEY'S RESPONSE TO THE DRAFT LONDON PLAN  
CONSULTATION**

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**Chief Officer:**        Chief Planner

**Ward:**                    (All Wards);

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1.    Reason for report

The Mayor of London published the New Draft London Plan for public consultation at the beginning of December 2017. When adopted, the new Plan will replace the current London Plan (2016) and, as part of Bromley's Development Plan, will be used in decision making on planning applications along with the UDP/ Local Plan and Bromley Town Centre Area Action Plan. Appendix 1 to this report summarises key aspects of the Consultation Draft and includes officers' comments. Bromley's response, based on these comments, will be prepared for Executive approval on 7<sup>th</sup> February 2018 and submitted before the deadline of Friday 2<sup>nd</sup> March.

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2.    **RECOMMENDATIONS**

**Development Control Committee is requested to note the key aspects of the New Draft London Plan set out in Appendix 1 and recommend the suggested comments to the Executive to form the basis of Bromley's formal response**

### Impact on Vulnerable Adults and Children

1. Summary of Impact: No impact
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### Corporate Policy

1. Policy Status: Existing Policy:
  2. BBB Priority: Quality Environment:
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### Financial

1. Cost of proposal: No Cost:
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre: Planning Division Budget (Excl. Building Control, Land Charges)
  4. Total current budget for this head: £1.525m
  5. Source of funding: Existing revenue budget for 2017/18
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### Personnel

1. Number of staff (current and additional): 64ftes
  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: Not Applicable:
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### Procurement

1. Summary of Procurement Implications: No implications
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All residents in the Borough as well as those making planning applications for development in the Borough.
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: N/A

### 3. COMMENTARY

#### **Background**

- 3.1 The Mayor of London published his New Draft London Plan for public consultation at the beginning of December 2017. As with the current London Plan, this is a Spatial Development Strategy which has been produced in accordance with the Greater London Authority Act 1999 (as amended). When adopted, it will replace the current London Plan which was originally published in 2011 and amended through a number of formal alterations up until March 2016. It will be the overall strategic plan for London, setting out an integrated economic, environmental, transport and social framework for the development of the Capital for the next 20 to 25 years (that is 2019 to 2041).
- 3.2 Following this consultation period, which concludes on Friday 2nd March 2018, it is anticipated that an Examination in Public, led by an independent Panel, will take place in autumn 2018. The Panel will produce a report recommending changes to the Plan which the Mayor can decide to accept or reject. Subsequent to that, the Secretary of State can direct changes, the London Assembly can decide to reject the whole plan but otherwise the Mayor intends to publish the New London Plan in autumn 2019.
- 3.3 Bromley's Draft Local Plan, which will replace the Unitary Development Plan (UDP), is currently under Examination, with public Hearing sessions having taken place in December 2017. The Council is currently waiting for further instruction from the Inspector, but it is expected that a period of consultation will be required on Proposed Modifications arising from discussion at the Hearings and other matters as advised. Once the Inspector has considered the response to that consultation she will prepare her final report including recommendations for changes to make the plan sound. The Council can then withdraw the UDP and adopt the Local Plan for use in determining planning applications.
- 3.4 Until the New Draft London Plan is adopted, the current London Plan 2016 is the strategic plan with which the Draft Local Plan should be in conformity and which is to be taken into account when making planning decisions.
- 3.5 The sections below summarise the key aspects of the consultation draft new London plan with further details in Appendix 1 with officer's initial comments which it is proposed that these form the basis of the Council's response to the consultation. The deadline for responses is Friday 2<sup>nd</sup> March and further analysis of the draft documents (including the evidence base) and the implications for the borough is being undertaken and will be reported to Members of DCC and the Executive to inform their considerations. The concerns highlighted by officers will form the basis of any Council objections to policies or parts of policies if these aren't addressed through discussions with the Mayor and the GLA..
- 3.6 Initial key areas of objection relate to the increase in housing supply and the policies as to how the increase has been calculated and the removal of the flexibility of residential parking standards for outer London secured previously through the minor alterations to the London Plan.

#### **Summary of key aspects of the Consultation Draft New London Plan.**

- 3.7 A summary of key aspects of each Chapter of the Consultation Draft is set out in Appendix 1. Many policies are similar to those in the current London Plan but significant changes, with implications for Bromley, are set out below. It is important to note that, as part of the Borough's Development Plan, there is no requirement for the policies to be repeated at the local level before they can be implemented, but some policies do allow for a local approach to be taken. Para 0.0.22 states that "*This Plan provides the framework to address the key planning issues*

*facing London. This allows boroughs to spend time and resources on those issues that have a distinctly local dimension and on measures that will help deliver the growth London needs. This includes area-based frameworks, action plans and Supplementary Planning Documents, site allocations, brownfield registers and design codes”.*

### General spatial development patterns

- 3.8 “Growth Corridors”, including Opportunity Areas (such as Bromley Town Centre) and other town centres are the focus for growth. There is less emphasis on the retail elements of town centres and more about seeking opportunities for mixed use and residential development. Out-of-town centres should include residential when redeveloped. See Appendix 1, Chapter 2, comments on Policies SD1 (Opportunity Areas) and SD6 to 9 (Town Centres).

### Protection of Green Belt and other open space

- 3.9 The protection of Green Belt and other open space is retained - see Annex 1, Chapter 1 comments on Policy GG2 Making the best use of land, and policies in Chapter 8). However, the clause in current Policy 3.5 which allows boroughs to adopt a presumption against the development of garden land has been removed. See Appendix 1, Chapter 3 comments on Policy D4 (Quality and Design). The London Plan introduces an urban greening formula to inform the provision of green infrastructure.

### Housing supply

- 3.10 The current London Plan minimum target of 641 dwellings per annum for the borough is proposed to be raised to 1,424 dwellings per annum. This figure is the result of the Strategic Housing Land Availability Assessment which the GLA carried out in 2017. 72% of the proposed higher figure is assumed to be the delivery of units on small sites. Objections are raised to the significant increase in the Council’s draft annual housing target including the methodology used in the GLA’s 2017 SHLAA to calculate the small sites target. See Appendix 1, comments on Chapter 4, Policies H1 Increasing Housing Supply and H2 Small Sites.
- 3.11 The Sustainable Residential Quality Matrix (Table 3.2) of the current London Plan has been removed. The proposed new policy guiding density focuses instead on “optimising” sites, that is, “more efficient use of land”. See Appendix 1, comments on Chapter 3, Policy D6 Optimising housing density.
- 3.12 Policies on affordable housing are focussing on delivering more affordable housing across London. A need of 43,500 new affordable homes across per annum has been identified within the plan. A minimum threshold of 35% is initially set for relevant sites, a 50% threshold is set for public land and industrial sites deemed appropriate for release for other uses. The tenure for appropriate sites is split between the following; 30% low cost rented homes, 30% intermediate products and 40% to be determined by the borough for genuinely affordable products based on identified need.
- 3.13 A new policy sets out criteria for Large Scale purpose built shared living (Policy H18). This form of accommodation, involving communal space and concierge facilities for tenancies of 3 months plus is not of itself affordable but will be required to contribute either a payment in lieu or an ‘in perpetuity annual payment to the local authority’

## Education

- 3.14 The plan moves away from the position of ‘strong support for establishment new schools’ (current London Plan Policy 3.18) and introduces specific criteria in relation to education development. See Appendix 1, Chapter 5 comments on Policy S3 Education and childcare facilities).

## Economy

- 3.15 Bromley’s town centre status and office guideline are unchanged. There is strategic level support to implement Article 4 Directions to remove Permitted Development Rights for conversion of Class B uses to residential where viable.
- 3.16 New policies are included to support low-cost workspace, including through planning obligations. The plan also supports use of planning obligations to secure local employment and skills development opportunities.
- 3.17 There is now a broader range of borough-level groupings for industrial land management. Bromley is assigned a category of “Retain capacity”, roughly equivalent to its current grouping of “Restricted”. Industrial Land Release Benchmarks are replaced by a principle of no net loss of capacity in designated areas across London.
- 3.18 Foots Cray and St Mary Cray are retained as Strategic Industrial Locations wholly or partly within Bromley Borough.
- 3.16 The plan includes a new policy and criteria for “intensification, co-location and substitution” of industrial and related uses. This expands upon concepts included in the Mayor’s Land for Industry and Transport SPG.
- 3.17 The current policy for Strategic Outer London Development Centres (SOLDC) has been incorporated into a broader policy E8 Sector growth opportunities and clusters, but is largely unchanged in intent. Biggin Hill is now the only recognised SOLDC in London, whilst Crystal Palace is not referenced Boroughs are encouraged with the Mayor to identify and promote the development of SOLDCs.
- 3.19 The plan features new policies for hot food takeaways, including an exclusionary buffer of 400m between new Class A5 uses and current or proposed schools.

## Heritage and Culture

- 3.20 The London Plan Policy HC7 ‘Protecting Public Houses’ requires a longer marketing period than Bromley’s draft Policy 23 Public Houses. This longer marketing period (24 months), may have a negative impact the character of the locality and on the vitality and viability of town centers.

## Sustainable Infrastructure

- 3.21 There is a greater emphasis on improving air quality throughout the plan, with an “air quality positive” standard being required in some areas (see Appendix 1, comments on Policy SI1). Carbon Reduction targets for non-residential development are increased to “zero carbon” in line with residential and a minimum contribution from energy efficiency is introduced. Waste management policy remains largely the same with boroughs still being able to collaborate to meet their revised apportionment targets.

## Transport

3.22 Reference to the Mayor's ambition for enhanced rail access to Bromley via an extension of the DLR has been removed. The Bakerloo Line extension remains a strategic priority for the Mayor, with a possible extension from Lewisham to Bromley (see Appendix 1, Chapter 10, comments on Policy T1 and T3). Bromley Town and Orpington have been identified as areas where higher cycling minimum parking standards should apply (see Appendix 1, Chapter 10, comments on Policy T5). There have been significant changes to parking standards. This has led to parking standards being more restrictive in nature, and there is less flexibility for outer London boroughs. (see Appendix 1, Chapter 10, comments on policies T6 to T6.5).

## Funding

3.23 Chapter 11 'Funding the London Plan' incorporates Policy Delivery of the Plan and Planning Obligation, but chiefly in the text focuses on the London Infrastructure Plan 2050, a 2014 document which outlined investment required between 2016-2050. Featured is the aim of the Mayor for fiscal devolution with new fiscal tools to fund infrastructure that will unlock growth and new homes.

## **4. POLICY IMPLICATIONS**

4.1 When adopted, the New Draft London Plan will replace the current London Plan (2016) and will form part of Bromley's Development Plan. It will therefore be used for decision making on planning applications alongside the Local Plan (when adopted) and the Bromley Town Centre Area Action Plan. The new London Plan will also influence any new planning policy documents produced by Bromley (such as a reviewed Area Action Plan or a revised Local Plan) as these are required to be "in general conformity" with it.

## **5. FINANCIAL IMPLICATIONS**

5.1 Although there are no financial implications at this stage, it should be noted that should a higher housing figure be adopted in the future, this may have implications for the Council, with a greater demand for public services due to an increased population.

5.2 There could be future costs associated with the preparation and submission of the Council's representation and attendance at any subsequent hearing sessions into the new London Plan. Any costs will have to be contained within the existing planning budget.

<b>Non-Applicable Sections:</b>	Impact on vulnerable adults and children Personnel Procurement
Background Documents: (Access via Contact Officer)	The London Plan (2016) <a href="https://www.london.gov.uk/what-we-do/planning/london-plan/current-london-plan">https://www.london.gov.uk/what-we-do/planning/london-plan/current-london-plan</a> The London Plan – Draft for Public Consultation (December 2017) <a href="https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan">https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan</a>