

**Decision Maker:** DEVELOPMENT CONTROL COMMITTEE

**Date:** Thursday 4<sup>th</sup> April 2019

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

**Title:** BROMLEY'S RESPONSE TO BEXLEY'S DRAFT LOCAL  
PLAN REGULATION 18 CONSULTATION

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**Chief Officer:** Chief Planner

**Ward:** All Wards

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## 1. REASON FOR REPORT

This report advises Members of the London Borough of Bexley's consultation on its Local Plan preparation: Preferred approaches to planning policies and land-use designations (Regulation 18 consultation paper) and seeks Members' agreement to the proposed responses having regard to Bromley's Local Plan requirements, as part of the Duty to Cooperate.

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## 2. RECOMMENDATION

### 2.1 That the Development Control Committee:

Agree the suggested response to the London Borough of Bexley's Local Plan Regulation 18 'Preferred approaches to planning policies and land-use designations' consultation paper (2019), as set out in Appendix 1.

## Impact on Vulnerable Adults and Children

1. Summary of Impact: None
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## Corporate Policy

1. Policy Status: N/A
  2. BBB Priority: Quality Environment:
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## Financial

1. Cost of proposal: Not applicable
  2. Ongoing costs: Not applicable
  3. Budget head/performance centre: Planning
  4. Total current budget for this head: £32.4k
  5. Source of funding: Existing Revenue Budget for 2018/19
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## Personnel

1. Number of staff (current and additional): 64fte
  2. If from existing staff resources, number of staff hours:
- 

## Legal

1. Legal Requirement: Not applicable
  2. Call-in: Not applicable
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## Procurement

1. Summary of Procurement Implications: None
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## Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
- 

## Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not applicable
2. Summary of Ward Councillors comments:

### **3. COMMENTARY**

#### **Background**

- 3.1 The London Borough of Bexley is consulting on preferred approaches to planning policies and land use designations to inform the preparation of its emerging Local Plan (under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012). The intent of this consultation is to seek feedback on preferred approaches to policies and land use designations, including site assessments, ahead of the preparation of, and consultation on, a comprehensive draft Local Plan. This later stage (Regulation 19 consultation stage) will be supported by a number of detailed assessments not currently available.
- 3.2 Bexley has adopted a Core Strategy (2012) and Growth Strategy (2017) in the preliminary stages of its Local Plan preparation. Bromley provided comments on an earlier Preferred Approaches Paper in 2013. Since this time, alterations have been made to the London Plan and a new National Planning Policy Framework (NPPF) has been published.
- 3.3 The Regulation 18 consultation paper has been prepared in the context of the current NPPF and both the current and draft London Plans (the latter of which is undergoing Examination in Public and to which Bromley raises strong objections). The Mayor expects the draft London Plan to be adopted in Autumn 2019, also the time Bexley anticipates publication of its draft Local Plan for Regulation 19 consultation.
- 3.4 This consultation paper contains three main components: strategic and development management policies; spatial policies including land use designations; and recommendations for land use designations for sites put forward through Bexley's 'call for sites' exercise and from other sources, including the GLA's strategic housing land availability assessment study.
- 3.5 Under the Localism Act 2011 and NPPF, Bexley has a legal Duty to Cooperate with other local planning authorities and organisations, including Bromley, to seek to address strategic planning matters that are driven by larger than local issues likely to have an impact beyond its immediate boundaries. Section 33A of the Planning and Compulsory Purchase Act 2004 also sets out that to maximise effective working on strategic matters throughout the preparation of Local Plans, authorities have a duty "...to engage constructively, actively and on an ongoing basis".

#### **Cross-boundary implications**

- 3.6 Bromley shares a boundary with Bexley in the north-east partially defined by the A20, but further east including shared areas designated as Strategic Industrial Location and Metropolitan Green Belt.
- 3.7 Previous Duty to Cooperate meetings between the two boroughs have identified the following issues of cross-boundary strategic importance: housing; gypsies and travellers accommodation; employment land; Strategic Outer London Development Centres (SOLDCs); Renewal Areas; green infrastructure; transport; and communities facilities. Bromley's response to Bexley's consultation should consider potential impacts of the preferred approaches contained in the consultation paper relevant to these issues

## **Strategic Issues and Relevant Consultation Points for Bromley Council**

### **Housing Supply**

- 3.8 The consultation paper highlights that the current London Plan target for Bexley is 4,457 new homes between 2015 and 2025 and 446 new homes per year, but that a new target, expected to be significantly higher, will be set by the Mayor when his draft London Plan is adopted.
- 3.9 The preferred approaches to housing policy have been prepared in this context. However, it is noted that Bexley is preparing a borough-specific Strategic Housing Market Assessment (SHMA) and Housing Strategy and that the outcomes of these, as well as detailed calculations on densities and capacities are not available.
- 3.10 The consultation paper also includes an assessment of over 100 sites for potential for designation for a number of purposes and to provide new uses including housing. In the absence of a completed SHMA and Housing Strategy though, and ahead of the adoption of the new London Plan, it is unclear whether some of these sites will be reassessed, or new sites considered, to take into account the outcomes of these documents once finalised.
- 3.11 No concerns are raised regarding the policy wording approach contained in this consultation paper, however a detailed response on potential cross-boundary implications cannot be made until Bexley's SHMA and Housing Strategy are completed.

### **Gypsies and Travellers**

- 3.12 Similarly to the issue of housing supply above, Bexley's preferred approach to planning for gypsies and travellers accommodation is largely contingent on the preparation of the SHMA, which will include an assessment of need for this type of accommodate.
- 3.13 Bexley's preferred detailed policy approach states that Bexley's existing provision will be protected while demand exists and that the determination of locations for future gypsies and travellers sites will need to consider requirements for flood risk and designated areas including Green Belt and the character, residential amenity and infrastructure of the surrounding area.
- 3.14 As with housing supply, there are no concerns raised in response to the preferred approach to policy wording for gypsies and travellers accommodation, however the completion of the SHMA will provide a clearer picture of potential cross-boundary implications for Bromley.

### **Employment land**

- 3.15 Planning for employment and economic growth is a significant cross-boundary issue, given the shared designation of Foots Cray and Ruxley Corner as Strategic Industrial Location (SIL), proximity of Sidcup District Centre to the borough boundary and the location of the A20 between the two boroughs.
- 3.16 Bexley's preferred industrial policy approach is largely consistent with the current London Plan and Bromley's Local Plan. It updates terminology of its designated areas to include SIL and Locally Significant Industrial Locations and uses a SIL policy wording similar to Bromley's corresponding Local Plan Policy 81. This approach is supported in principle.
- 3.17 Bexley also makes separate allowance for office development specifically in the Footh Cray SIL, in addition to safeguarding this land for industrial use, in recognition of existing business park-style office development in the area. Although it is acknowledged that Bexley is conducting an Employment Land Review and that this will inform the next stage

of the Local Plan preparation, it is also noted that Bexley's 2017 Growth Strategy identifies capacity for 1,000 new jobs in Foots Cray, with expected densification on current sites. It is not clear at this stage of the Local Plan preparation how much development Bexley expects in the Foots Cray SIL and what proportion of this is expected to be office rather than industrial or warehouse-based development. Further, whilst the current London Plan assigns the lighter SIL sub-category of Industrial Business Park to Foots Cray and Ruxley Corner SIL, the draft London Plan omits this sub-category and discourages office development in industrial areas. In this regard, any encouragement to intensify office development in this area would be inconsistent with the draft London Plan. Further detailed comments on this matter can be made following the completion of Bexley's Employment Land Review.

- 3.18 It is noted that several sites adjacent to or in close proximity to the Bromley boundary are included in the site assessments. Of these, one site is proposed to be designated as new SIL land, the B&Q and DFS site to the north-west of the A20 roundabout junction with Sevenoaks Way and Edgington Way. This site currently contains retail warehouse uses and so there is an inconsistency with the London Plan SIL Policy (2.17). However, it is accepted that the land is closely aligned with the neighbouring SIL land and its designation for industrial purposes could deter further out of centre retail expansion.
- 3.19 Bexley proposes to promote land around Sidcup Station to Local Centre status (in addition to retaining Sidcup District Centre to the south). This new designation could help to relieve out of centre retail pressures on the Cray Business Corridor, but may also have infrastructure-related implications. Bromley would expect Bexley's evidence base to consider transport implications for the road network to the south of the proposed Local Centre.

### **SOLDCs**

- 3.20 Table 2.1 of the current London Plan identifies two potential SOLDCs in Bexley borough: Bexley Riverside (for Industry/green enterprise) and "parts of Bexley" (for Logistics). The Mayor's Town Centres Supplementary Planning Guidance elaborates upon both, highlighting that the latter applies particularly to the Thames Road corridor. In this regard, there does not appear to be any intent to add a further SOLDC designation to the Foots Cray SIL in the vicinity of the Bromley boundary. The draft London Plan does not recognise any potential SOLDCs in Bexley borough and to date, Bexley has not proposed that any sites be designated as SOLDC. No cross-boundary issues are raised.

### **Renewal Areas**

- 3.21 Bexley expressed support at Regulation 19 consultation stage of Bromley's Local Plan for the Cray Valley Renewal Area, which adjoins the Bexley boundary. The current and draft London Plans recognise this land, as well as some land in Bexley borough, as Strategic Areas for Regeneration. However, Bexley has not identified this land within its borough as either Renewal Area or Regeneration Area. Clarification should be sought as to whether Bexley intends to defer to the London Plan policy (currently 2.14), rather than preparing a local policy on this matter.

## **Green Infrastructure**

- 3.22 Noting that a Green Infrastructure Study is being prepared, Bexley has adopted a protective stance towards its existing green space designations. Whilst a comprehensive review of Green Belt will not be undertaken, “minor factual updates” may be made in the proposals map at Regulation 19 consultation stage. Assessments of sites containing Green Belt or Metropolitan Open Land, including several in close proximity to the Bromley boundary, contain recommendations not to redesignate these sites. This approach is supported. However, clarification should be sought as to whether some sites will be revisited in light of the completion of needs assessments currently underway and in the event these studies conclude that there is a clear need for further allocations or redesignations.

## **Transport**

- 3.23 Bexley proposes to review its current transport infrastructure safeguarding and identify potential new areas in its proposals map at Regulation 19 consultation stage. There are no current safeguarded areas in the vicinity of the Bromley boundary, although the completion of housing and employment related needs assessments may precipitate new infrastructure upgrades and area safeguarding with potential cross-boundary implications. In particular, potential densification of out of centre office uses in Foots Cray SIL may have an impact on the local road network and parking near and across the borough boundary. Bexley also notes that its Infrastructure Delivery Plan, Community Infrastructure Levy and Planning Obligations Supplementary Planning Documents are to be regularly reviewed. The outcomes of the aforementioned studies will likely influence the content of these documents once reviewed. Bromley will welcome the opportunity to review and comment on this detail as it becomes available.

## **Community facilities**

- 3.24 Bexley has not yet allocated any sites or identified any specific need for social infrastructure near Bromley’s boundary. The consultation paper states that a local assessment of overall need for educational facilities across the borough is to be carried out, which will inform the designation and protection of educational land on the proposals map at Regulation 19 consultation stage. Bromley will welcome the opportunity to respond to any matters of cross-boundary significance as they arise at the next consultation stage.

## **4. POLICY IMPLICATIONS**

- 4.1 The Council has a Duty to Co-operate with its neighbouring authorities, including Bexley, in relation to cross borough strategic matters. Bexley’s emerging 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**

- 5.1 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.

<b>Non-Applicable Sections:</b>	Impact on Vulnerable Adults and Children Personnel Implications Procurement Implications
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<p>Background Documents: (Access via Contact Officer)</p>	<p>Bexley's Preferred approaches to planning policies and land-use designations (Regulation 18 consultation paper): <a href="https://www.bexley.gov.uk/services/planning-and-building-control/planning-policy/local-plan-review">https://www.bexley.gov.uk/services/planning-and-building-control/planning-policy/local-plan-review</a></p> <p>Bromley Local Plan Duty to Cooperate Statement (including past consultations with Bexley): <a href="https://www.bromley.gov.uk/downloads/file/3032/sd9_duty_to_cooperate_statement">https://www.bromley.gov.uk/downloads/file/3032/sd9_duty_to_cooperate_statement</a></p> <p>Excerpt containing Bexley's Regulation 20 Representation to Bromley Local Plan (DLP94): <a href="https://www.bromley.gov.uk/downloads/file/3157/dlp_84-104_representations">https://www.bromley.gov.uk/downloads/file/3157/dlp_84-104_representations</a></p>
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