

London Borough of Bromley

Draft Five Year Housing Land Supply April 2019



LB BROMLEY FIVE YEAR HOUSING LAND SUPPLY (5YHLS, 2019)

1.0 NATIONAL AND LONDON-WIDE POLICIES AND GUIDANCE

NATIONAL PLANNING POLICY FRAMEWORK (NPPF) (February 2019)

- 1.1 Paragraph 11 of the NPPF entitled ‘The Presumption in favour of sustainable development’ sets out how plans and decisions should apply a presumption in favour of sustainable development. Clauses c) and d) set out that in decision-taking this means:

“c) approving development proposals that accord with an up-to-date development plan without delay;

or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:

i the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or

ii any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

- 1.2 Footnote 7 of the Framework sets out the following; *“This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.”* Transitional arrangements from 2018 - 2020 for the Housing Delivery Test are set out in Annex 1, paragraph 215 of the Framework.

- 1.3 Paragraph 215 clarifies that for the purposes of Footnote 7 in the Framework, delivery of housing which was substantially below the housing requirement means where the Housing Delivery Test results published in:

a) November 2018 indicate that delivery was below 25% of housing required over the previous three years;

b) November 2019 indicate that delivery was below 45% of housing required over the previous three years;

c) November 2020 indicate that delivery was below 75% of housing required over the previous three years.

- 1.4 Footnote 6 of the Framework sets out the following: “The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those in paragraph

176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change.”

- 1.5 Paragraph 33 of the Framework specifies that relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future.
- 1.6 Paragraph 59 of the NPPF states that to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 1.7 Paragraph 60 sets out that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. The definition of local housing need in the Framework reflects this.
- 1.8 Paragraph 65 states that strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.
- 1.9 The Framework specifies in paragraph 67 that strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account availability, suitability and likely economic viability. Planning policies should identify a supply of:
 - a) specific, deliverable site for years one to five of the plan period (with an appropriate buffer) and
 - b) specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan.
- 1.10 Paragraph 70 of the Framework states that where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of

supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends. Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

1.11 Paragraph 73 sets out that Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies (deliverable sites for Travellers to be assessed separately) or against their local housing need where the strategic policies are more than five years old (unless these strategic policies have been reviewed and found not to require updating). The supply of specific deliverable sites should in addition include a buffer (moved forward from late in the plan period) of:

a) 5% to ensure choice and competition in the market for land; or

b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan (a plan adopted between 1 May and 31 October will be considered recently adopted until 31 October of the following year; and a plan adopted between 1 November and 30 April will be considered recently adopted until 31 October in the same year – Footnote 38) to account for any fluctuations in the market during that year; or

c) 20% where there has been significant under delivery of housing over the previous 3 years, to improve the prospect of achieving the planned supply (From November 2018 this will be measured against the Housing Delivery Test where this indicates that delivery was below 85% of the housing requirement).

1.12 Annex 2 of the Framework defines Deliverable as follows:

'Deliverable: To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:

a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.'

- 1.13 Paragraph 74 specifies that a five year supply of deliverable housing sites, with the appropriate buffer, can be demonstrated where it has been established in a recently adopted plan, or in a subsequent annual position statement which:
- a) has been produced through engagement with developers and others who have an impact on delivery, and been considered by the Secretary of State; and
 - b) incorporates the recommendation of the Secretary of State, where the position on specific sites could not be agreed during the engagement process.
- 1.14 The Framework advises in paragraph 75 that to maintain the supply of housing, local planning authorities should monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority's housing requirement over the previous three years, the authority should prepare an action plan to assess the causes of under-delivery and identify actions to increase delivery in future years.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG) (February 2019 and September 2018)

Housing Need Assessment February 2019

- 1.15 Clarification is provided in paragraph 002 of the PPG that the standard method for assessing local housing need uses a formula to identify the minimum number of homes expected to be planned for, in a way which addresses projected household growth and historic under-supply. The guidance states that the standard method identifies a minimum annual housing need figure and does not produce a housing requirement figure.
- 1.16 Guidance is given in paragraph 013, in relation to the calculation of local housing need where plans cover more than one area, in particular where strategic policies are being produced jointly, or where spatial development strategies are prepared by elected Mayors, or combined authorities with strategic policy-making powers. In such cases the housing need for the defined area should at least be the sum of the local housing need for each local authority within the area. It will be for the relevant strategic policy-making authority to distribute the total housing requirement which is then arrived at across the plan area. Where a spatial development strategy has been published local planning authorities should use the local housing need figure in the spatial development strategy and not seek to re-visit the local housing need figure when preparing strategic and non-strategic policies.

Paragraph 016 of the PPG states that there is separate guidance on how the standard method for assessing local housing need applies to calculating 5 Year Land Supply and the Housing Delivery

Test. The guidance links to the PPG on housing and economic land availability assessment (September 2018).

Housing and economic land availability assessment (HELAA) September 2018

- 1.17 Paragraph 028 sets out that a 5 year land supply (5YHLS) is a supply of specific deliverable sites sufficient to provide 5 years' worth of housing against a housing requirement set out in adopted strategic policies, or against a local housing need figure where appropriate in accordance with paragraph 73 of the NPPF. Paragraph 029 states that's the purpose of the 5YHLS is to provide an indication of whether there are sufficient sites available to meet the housing requirement set out in adopted strategic policies for the next five years.
- 1.18 Paragraph 030 clarifies that housing requirement figures identified in strategic policies should be used as the starting point for calculating the 5YHLS figure for the first five years of the plan, and where the strategic housing policies plans are more than five years old, but have been reviewed and are not in need of updating.
- 1.19 Paragraph 030 also advises that authorities can use evidence such as a Strategic Housing Land Availability Assessment (SHLAA) / Housing and Economic Land Availability Assessment (HELAA) which will identify sites which may be suitable, available and achievable for housing development and also provide some evidence as to their deliverability. Sites should be reviewed and their status updated each year in the Authority Monitoring Report and Annual Position Statement (if the five year position is being confirmed).
- 1.20 Further advice is presented in paragraph 030 that in order to demonstrate 5 years' worth of deliverable housing sites, strategic policy-making authorities will need to provide robust, up to date evidence to support plan preparation. Judgments on deliverability of housing sites, including windfall sites, will need to be clearly and transparently set out. Authorities may also consider how they can involve people with an interest in delivery in assessing the deliverability of sites. They may develop benchmarks and assumptions based on evidence of past trends for development lead-in times and build-out rates. Testing these assumptions with developers and using them to inform assessments of deliverability can also make deliverability assessments more robust.
- 1.21 Reference is made in paragraph 33 of the guidance to stepped trajectories. Paragraph 34 sets out that a stepped requirement may be appropriate where there is to be a significant change in the level of housing requirement between emerging and previous policies and/or where strategic sites will have a phased delivery or are likely to be delivered later in the plan period. Strategic policy makers will need

to set out evidence to support using stepped requirement figures, and not seek to unnecessarily delay meeting identified development needs.

1.22 Paragraph 036 helps to clarify what a deliverable site is as defined in Annex 2 of the Framework. It states that for sites with outline planning permission, permission in principle, allocated in a development plan or identified on a brownfield register, where clear evidence is required to demonstrate that housing completions will begin on site within 5 years, this evidence may include:

- Any progress being made towards the submission of an application
- Any progress with site assessment work; and
- Any relevant information about site viability, ownership constraints or infrastructure provision.

It sets out that for example this could be a statement of common ground between the local planning authority and the site developer (s) which confirms the developers' delivery intentions and anticipated start and build-out rates. Additionally, another example could be a hybrid planning permission for large sites which links to a planning performance agreement that sets out the timescale for conclusion of reserved matters applications and discharge of conditions.

1.23 Paragraph 039 states that if an authority cannot demonstrate a 5 year land supply, plus any relevant buffer, the presumption in favour of sustainable development will apply, as set out in Footnote 7 of the Framework to enable the development of alternative sites to meet the policy requirement.

1.24 Paragraph 044 clarifies that any deficit or shortfall will need to be calculated from the base date of the adopted plan and should be added to the plan requirements for the next five year period (Sedgefield approach). If a strategic-policy making authority wishes to deal with past under delivery over a longer period, then a case may be made as part of the plan-making and examination process rather than on a case by case basis at appeal.

1.25 The guidance states in paragraph 045 that where areas deliver more completions than required the additional supply can be used to offset any shortfalls against requirements from previous years.

1.26 Paragraph 048 sets out what information annual reviews of 5 year land supply are expected to include (including annual position statements) as follows:

- For sites with detailed planning permission details of numbers of homes under construction and completed each year; where delivery has either exceeded or not progressed as expected; commentary indicating reasons for acceleration or delays to commencement on site or effects on build out rates;

- For small sites details of current planning status and record of completions and homes under construction by site;
- For sites with outline consent or allocated in adopted plans (or with PiP identified on Part 2 of brownfield land registers and where included in 5YHLS) information and clear evidence that there will be housing completions on site within 5 years including current planning status, timescales and progress towards detailed permission;
- Permissions granted for windfall development by year and how this compares with the windfall allowance;
- Details of demolitions and planned demolitions which will have an impact on net completions;
- Total net completions from plan base date by year (broken down into types of development including affordable housing) and
- The 5YHLS calculation clearly indicating buffers and shortfalls and the number of years of supply.

1.27 Paragraph 49 of the guidance states that if strategic policy-makers choose to confirm their 5 year supply under paragraph 74 of the NPPF through the examination of a plan, they will need to indicate that they are seeking to do so at Regulation 19 stage, and will need to ensure they have carried out a sufficiently robust assessment of the deliverability of sites. The Inspector's report will provide recommendations in relation to the land supply and will enable the authority, where the authority accepts the recommendations, to confirm that they have demonstrated a 5 year land supply in a recently adopted plan.

1.28 The 5YHLS may then be refreshed annually following adoption (provided the plan remains up to date), through the preparation of an Annual Position Statement. In both these circumstances, it will only be possible to establish a confirmed 5 year supply if an appropriate buffer has been applied and the authority's assessment of its supply has been tested sufficiently through the examination or Annual Position Statement processes.

1.29 The guidance specifies in paragraph 065 that, in relation to the Housing Delivery Test, local planning authorities covered by a Spatial Development Strategy will be monitored against their requirement as set out in the individual borough for the purposes of the test where this requirement is less than five years old. Housing Delivery Test consequences will therefore apply to local planning authorities individually.

LONDON PLAN (2016)

- 1.30 The adopted London Plan (Spatial Development Strategy) forms part of the development plan for all London boroughs and has been found sound. A two-tier system of planning applies within London. The London Plan housing policy used the GLA Strategic Housing Land Availability Assessment (SHLAA, 2013) to assess housing land availability (providing minimum targets for the Boroughs) and the GLA Strategic Housing Market Assessment (SHMA, 2013) to assess housing need within London as a whole as opposed to a borough level. The London Plan Policy 3.3 and Table 3.1 set out the minimum housing supply monitoring target of 641 dpa (352 for small sites and 289 for large sites) for 2015-2025 for Bromley. The monitoring period for the target of 641 units commenced in 2015/16.
- 1.31 The 2014 Further Alterations to the London Plan Inspector under his Issue 2, assesses that in London housing need, supply and distribution are strategic London-wide matters and that there is no requirement for Boroughs to produce their own assessments of housing need. The Borough level objectively assessed housing need (OAN) was known to be around 1320 in 2014 but the London Plan (2016) policy was based on the London-wide OAN from the London SHMA (2013) and the Borough level distribution of capacity was then informed by the SHLAA (2013) (641 units per annum). In 2014 a sub-regional SHMA was undertaken to inform unit sizes and tenure at a borough level. It was not the intention of the sub-regional SHMA to set need at a borough level that would replace the work and intentions of the London-wide SHMA.
- 1.32 This approach is clarified by the Inspector reporting on Croydon's Draft Local Plan in January 2018. He stated that:

61 '...Many representations on Croydon's Partial Review express the view that the plan is unsound because it has not set its target or requirement in line with government policy stated in paragraph 47 of the NPPF. That requires local plans to meet the full objectively assessed need for housing.

62. Such a view is inconsistent with the legislation which applies to London, as explained in paragraphs 18-23 of the report dated November 2014 by Mr A Thickett to the Mayor of London on the examination in public into the Further Alterations to the London Plan. Statute requires the London Boroughs' Local Plans to be in general conformity with the London Plan. London is a single housing market. Other than some fine tuning regarding local need relating to the size and type of property and tenure, there is no need for each London Borough to duplicate the work done by the Greater London Authority by producing their own individual assessments of overall need. Mr Thickett recommended changes to the London Plan to reflect this approach by

removing references to London Boroughs needing to identify objectively assessed need with regard to the quantum of new housing in their areas...'

This reiterated that OAN should be considered at a London-wide level.

- 1.33 The London Plan para 3.14A and Policy 3.3 specifies that minimum housing supply targets for each borough are set out from 2015 until 2025. For Bromley Borough, this target is 641 dwellings per annum. These targets are informed by the GLA's SHMA (2013) and London's housing land capacity as identified through the 2013 SHLAA. The GLA SHLAA 2013 forms part of the evidence supporting the updated London Plan (2015, 2016). Consistent with the NPPF this approach takes account of London's locally distinct circumstances of pressing housing need and limited land availability and aims to deliver sustainable development. Paragraph 3.17 sets out that on the supply side, the London SHLAA is designed to address the NPPF requirement to identify supply to meet future housing need as well as being 'consistent with the policies set out in this Framework' (para. 47 NPPF) not least its central dictum that resultant development must be sustainable.
- 1.34 The Inspector's report for the Examination into the Further Alterations to the London Plan (2014) specified that there is a need for housing above the targets set out in Table 3.1 of the London Plan. Policy 3.3 of the London Plan and subsequent new policies seek to ensure the delivery of suitable sites. Policy 3.3B of the London Plan, 'Increasing Housing Supply', states that the Mayor will seek to ensure housing need identified in paragraphs 3.16a and 3.16b is met through providing at least an annual average of 42,000 net additional homes per annum across London. Paragraph 3.17A of the London Plan refers to Table 3.1, which shows that over the period 2015 to 2025, London has capacity for at least 420,000 additional homes, or 42,000 per annum.
- 1.35 Policy 3.3Da states that boroughs should draw on housing benchmarks in Table 3.1 in developing their LDF housing targets, augmented where possible with extra housing capacity to close the gap between identified housing need and supply in line with the requirement of the NPPF. Policy 3.3E sets out that boroughs should identify and seek to enable additional development capacity to be brought forward to supplement these targets, having regard to the other policies of this Plan and, in particular, the potential to realise brownfield housing capacity. The GLA's Supplementary Planning Guidance on Housing (2016) sets out advice on the use of targets in Local Plans (para 1.1.3) and 'Reconciling local and strategic housing need' (paras 1.1.4 – 1.1.8).
- 1.36 The London Plan (para 3.19A) observes that national policy requires boroughs to identify a supply of specific deliverable sites sufficient to provide 5 years' worth of housing against their requirements with an additional buffer of 5% moved forward from later in the plan period. In compiling their 5 year

supply estimates boroughs should demonstrate that they have maximised the number of identified sites. However, given London's reliance on recycled land currently in other uses and the London SHLAA's evidence, it must be recognised that in addressing this national objective, capacity which elsewhere in the country would be termed "windfall" must here form part of the 5 year supply. In order to support the range of activities and functions required in London as set out in this Plan application of the 5% - 20% buffers should not lead to approval of schemes which compromise the need to secure sustainable development as required in the NPPF (paragraph 3.19A).

- 1.37 Evidence was provided to the Examination into the Further Alterations to the London Plan (2014) in relation to the increased small site target for the Borough. It was considered by Bromley Council that the small site target uplift was too high and not sustainable over time. This evidence was not accepted and the relevant small site target for the Borough was 352 units per annum based on the 2013 SHLAA for the period 2015-2025 when the Further Alterations were adopted in 2015.
- 1.38 Paragraph 1.1.28 of the GLA's Housing SPG (2016) states that the SHLAA provides the compelling evidence necessary to justify a windfall allowance for small sites based on historic trends, in line with paragraph 48 of the NPPF and reflecting distinct circumstances in London. It also states that trends show housing has been consistently delivered on small sites in the past and that this can be expected to provide a reliable source of future supply.
- 1.39 Paragraph 1.1.29 states that average annual trends (2004/05 – 2011/12) provide a consistent and appropriately long-term basis on which to estimate future supply, not least because they cover a full market cycle and take account of the impact of the recession. Trends also reflect particular local circumstances, for example, environmental/heritage designations and urban form. These specific points, together with the overall robustness of the SHLAA's capacity estimates for small sites, were tested through an EiP and were accepted in the Planning Inspector's Report on the 2015 London Plan. Boroughs are encouraged to re-examine the potential capacity from small sites and explore policy approaches which may lead to the delivery of more homes on small sites where consistent with the Plan. However, the EiP Inspector stated that boroughs would be in conformity with the London Plan if they met their London Plan Table 3.1 target.

DRAFT LONDON PLAN DECEMBER 2017

- 1.40 Consultation on the Draft London Plan commenced on 1st December 2017 and closed in March 2018. Bromley Council has raised objections on housing land requirements and supply with specific objections over the capacity data in the 2017 SHLAA and its' phasing of development as have other

authorities. For information, the 2017 SHLAA includes sustainable housing sites and in most cases sites within designated open spaces were excluded. An Examination in Public into the Draft London Plan is expected to commence in January 2019 and last until May 2019.

- 1.41 For information, set out below are some key elements included in the Draft London Plan related to housing land supply for the Borough. It is important to note at this point in time the Draft London Plan is considered to have limited weight and therefore, as stated above the relevant London Plan for borough housing targets is the 2016 London Plan.
- 1.42 Paragraph 0.0.18 states that the concept of Good Growth – growth that is socially and economically inclusive and environmentally sustainable – underpins the Plan and ensures that it is focussed on sustainable development.
- 1.43 Draft Policy H1 Increasing housing supply includes ten year targets for net housing completions in Table 4.1. The ten year target (2019/20 – 2028/29) for Bromley Borough is 14,240 units (1,424 annualised). Table 4.2 sets out ten year targets for net completions on small sites (below 0.25ha), for Bromley the target is 10,290 units (1,029 annualised). Paragraph 4.1.8 states boroughs are supported in using windfall assumptions in their five-year trajectories based on the numbers set out in Table 4.2. Paragraph 4.3.3 sets out that housing completions against the London Plan small sites target are likely to increase over time as Policy H2 Small Sites is implemented so this should be taken into account when monitoring housing delivery during the early years of the Plan.
- 1.44 Paragraph 4.1.2 states that for the purposes of the Plan, London is considered as a single housing market area. It sets out that because of London’s ability to plan strategically, boroughs are not required to carry out their own housing needs assessment but must plan for and seek to deliver the housing targets in this Plan. These have been informed by the 2017 SHLAA and the SHMA.

2.0 LONDON BOROUGH OF BROMLEY FIVE YEAR HOUSING SUPPLY

- 2.1 This paper sets out Bromley’s position on five year supply (01/12/18-30/11/23) (Years 4/5-9/10 of the Adopted Local Plan). The start date of the five year period is usually based on financial years but in light of the delay in preparing the Paper a later base date has been applied. Table 1 includes an estimate for 18/19 completions up to 30 November 2018 and Appendix 4 sets out some of those completions in its’ Table 3. Appendix 4 also includes some typical build out rates for medium sized schemes that range from 2-2.5 years.

Adopted Bromley Local Plan 2019

2.2 The Council received the Inspector's Report on the Examination of the Bromley Local Plan on 11th December 2018. The Council agreed to adopt the consolidated Local Plan on the 16th January 2019. Policy 1 Housing Supply specifies that the Council will make provision for a minimum average of 641 additional homes per annum. Through the Local Plan process, the Borough has sought to identify allocations for housing and mixed-uses, taking into account the minimum target figure for the Borough of 641 units per annum. A number of adopted allocations are included in the 2019 5YHLS.

2.3 The Inspector examining the Plan had the following observations on housing supply requirements. The Inspector's Report into the Examination of Bromley's Local Plan states in paragraphs 18- 20 that:

[18]. The NPPF states that to boost significantly the supply of housing, local planning authorities should ensure that their local plans meet the full Objectively Assessed Need (OAN) for market and affordable housing in the housing market area, as far as is consistent with its policies. The current London Plan does not expect Boroughs to identify their own OAN, but rather policy 3.3 states that Boroughs should seek to achieve and exceed the relevant minimum annual average target in Table 3.1. (officer emphasis) Where possible, this should be augmented with extra housing capacity to close the gap between identified housing need, as set out in policy 3.8 to provide a genuine choice of homes, and supply, in line with the requirement of the NPPF.

[19]. For Bromley, the annual monitoring target to 2025 in Table 3.1 is 641 dpa, with a total of 6,413 for the 10 year period. Rolled forward to 15 years the London Plan target would be 9,615 dwellings with Appendix 10.1 of the Local Plan identifying a supply of 10,645 dwellings, exceeding the target by over 1,000 dwellings. MM001 and MM016 are required to the supporting text to policy 1 at paragraph 2.1.5a to address concerns how the Plan would close the gap between identified need and current supply, as required by policy 3.3D of the London Plan.

[20] "Any backlog in providing housing across London as a whole would be addressed in the next London-wide assessment of housing need. The NLP (New London Plan) is currently being examined, with housing requirements for the LBs based on a Strategic Housing Market Assessment (SHMA) and a Strategic Housing Land Availability Assessment (SHLAA), dated 2017, and the view has been expressed that the policy-based housing target in the NLP should be adopted in this Plan. However, the final version of the Plan is not yet known and the new housing target for Bromley has not yet been settled, since it is a matter of dispute between the Council and the GLA, and therefore has little weight. This plan has to be in conformity with the current London Plan, including the figures for housing need, and therefore the policy-based housing target in policy 1 is justified. Once the NLP is published the Council will need to consider the implications for the Borough's housing land supply and

decide whether an update or partial update of this Plan is required. This is already set out in the Council's Local Development Scheme".

2.4 In light of the above the current London Plan (2016) is the relevant London Plan to take into consideration for housing supply targets for the Borough (currently 641 units per annum minimum). The London Plan informs Policy 1 Housing Supply of the recently adopted Local Plan that specifies the Council will make provision for a minimum average of 641 additional homes per annum over the ten year plan period and where possible over the fifteen year plan period.

2.5 Paragraph 47 of the PPG (HELAA) states that:

"The examination of development plan documents which allocate housing sites will include consideration of the deliverability of sites to meet a 5 year supply, in a way that cannot be replicated in the course of determining individual applications and appeals where only the applicant's/appellant's evidence is likely to be presented to contest an authority's position".

2.6 In the context of the above paragraph the Inspector's Report on the Examination of the Bromley Local Plan concludes in paragraphs 41 and 42 on housing delivery and 5 year supply as follows:

"41. If further housing land had been allocated in the Plan, there would have been more flexibility in terms of the 5YHLS and a greater contribution would have been made to "closing the gap" and boosting the supply of housing in Bromley. Arguably, there would also have been more affordable housing available, depending on the sites concerned. There have been times in the recent past when development has been allowed on appeal when Inspectors expressed concerns about housing delivery in the Borough. However, allocations in the Plan provide a reasonable prospect for a 5YHLS, subject to 5 year reviews (officer emphasis).

42. The release of further housing land would have been likely to require a different strategy than that adopted in the Plan, particularly in respect of the release of Green Belt land for housing. However, the strategy adopted in the Plan is in general conformity with the London Plan 2016, in protecting Green Belt land and developing housing at high density in accessible locations, mostly in existing urban areas."

Appeal decisions

2.7 Detailed consideration of housing supply numbers was undertaken following the receipt of a planning appeal decision in August 2016 (APP/G5180/W/16/3144248) relating to the Council's Five Year Housing Supply Paper (June 2015). The decision concluded that the Council did not have a 5YHLS. This fed into the Council's Draft Local Plan (November 2016), the 5YHLS in November 2016 and November 2017. Changes were made to the small site allowance methodology to take into account the most recent small site completion data. The appropriateness of a lapse rate (to sites with planning permission not commenced) was also considered. A background paper, Five Year Housing Land Supply Background Paper Lapse Rates (June 2017) was submitted with the Local Plan that sets out evidence on lapse rates in the Borough to support the above position.

2.8 The Inspector's Report on the Examination of the Local Plan clarifies in paragraph 36 that:

"[...]Whilst it was claimed that there is a high rate of non-implementation of residential planning permissions in the Borough, there is no statutory requirement for a lapse rate to be applied and, in any event, there is already a 5% buffer applied to improve flexibility in delivery. Given the nature and price of housing land in London, other sites are also likely to come forward and add further to the supply."

2.9 In the past year there are two relevant appeal decisions for different sites [both appeals considered at Public Inquiry] that looked at the Council's Five Year Housing Land Supply 2017. The two appeals are:

(i) Land at the Junction of South Eden Park Road and Bucknall Way Beckenham
APP/G5180/w/17/3174961 and APP/G5180/W/17/3179001 (appeal allowed March 2018);

(ii) Maybrey Works Worsley Bridge Road Lower Sydenham London SE26 5AZ
APP/G5180/W/17/3181977 (appeal allowed July 2018).

The above two appeal decisions were included in the Examination Library for the Local Plan in addition to the Council's response to the decisions as requested by the Local Plan Inspector. In response to the Maybrey Works decision and the 2017 5YHLS the Council concluded that paragraph 39 of the decision referred to "compelling evidence" instead of "realistic prospect" as set out in Footnote 11 of the 2012 NPPF. In paragraph 45 of the decision the appeal Inspector concluded that the proposed development would comply with the development plan as a whole and therefore, in accordance with paragraph 14 (bullet point one) of the NPPF, the scheme should be granted planning permission. It is evident therefore that the decision to allow the scheme was not based on applying the 'tilted balance' set out in bullet point 2 of the NPPF due to the lack of a 5YHLS. Concluding on the matter the Council's maintained it still had a 5YHLS based on the 2017 Paper (response of September 2018).

As set out above the appeal decisions and the Council's response to them formed part of the Local Plan Examination Library. Paragraph 41 of the Inspector's Report also makes reference to past appeal decisions.

Current housing provision targets and delivery

2.10 Table 1 below illustrates that housing completions have exceeded annual targets (2007 – 2018) and are in excess of the cumulative target by approximately 1191 units. Based on a three year period (2015 – 2018, London Plan 2016 base date) net housing completions are in excess of the cumulative target by over 370 units (2301 units compared to a target of 1923 units). In light of this, it is considered that a buffer of 5% is relevant in accordance with paragraph 73 of the NPPF.

	Small sites	Large Sites	NSC units	Annual target	Cumulative target	Total	Cumulative total
2007/08	370	343		485	485	713	713
2008/09	369	136		485	970	505	1218
2009/10	245	313		485	1455	558	1776
2010/11	309	446		485	1940	755	2531
2011/12	385	261		500	2440	646	3177
2012/13	235	292		500	2940	527	3704
2013/14	181	516		500	3440	697	4401
2014/15	171	259		500	3940	430	4831
2015/16	332	433	-11	641	4581	754	5585
2016/17	581	335	57	641	5222	973	6558
2017/18	341	213	20	641	5863	574	7132

	Small sites	Large Sites	NSC units	Annual target	Cumulative target	Total	Cumulative total
2018/19 estimate (01/04/18 – 30/11/18)	-	-	-	428 (8/12 of 641)	6291	350	7482

Table 1 Completions 2007/08-2017/18

2.11 Table 2 sets out the Borough’s position on housing delivery against the current ten year target (2015/16 – 2024/25). During the five year supply period Table 2 shows that the Borough needs to deliver 3205 units.

Financial Year	Completions needed or delivered	Cumulative Completions	Cumulative Target
2015/16	754	754	641
2016/17	973	1727	1282
2017/18	574	2301	1923
01/04/2018 – 30/11/18 estimate	350	2651	2350
01/12/18 – 30/11/23	3205	5856	5555
01/12/23 – 30/11/24	641	6497	6196
01/12/24 – 31/03/25	291	6788	6410

Table 2 Housing Targets LB Bromley 2015/16 – 2024/25

2.12 A 5% buffer would increase the five year figure from 3205 units to 3365 units.

The Housing Delivery Test

- 2.13 From November 2018 Annex 1, paragraph 215 of the NPPF specifies that for the purposes of footnote 7 in the Framework, delivery of housing which was substantially below the housing requirement means the following: where the Housing Delivery results published in November 2018 indicate that delivery was below 25% of housing required over the previous three years. To date the Housing Delivery results have not been published.
- 2.14 Table 2 above illustrates that the minimum target for Bromley over the past three years amounts to 1923 units. Delivery amounted to approximately 2301 units illustrating that housing delivery was not below 25% of housing required over the previous three years. Delivery was approximately 19% above the requirement for that period.

Five Year Supply Position

- 2.15 The following sites make up Bromley's five year supply (based on units available and not whole sites) and are set out in Appendix 1 to this paper:
- a) Large sites (0.25 ha+) with planning permission and small sites approach;
 - b) Large and small sites that have commenced;
 - c) Relevant allocations;
 - d) Long term vacant units brought back into use;
 - e) Sites granted prior approval;
 - f) Non-self-contained units.

a) Large sites with planning permission and small sites approach

- 2.16 Under the 2016 London Plan / 2013 SHLAA small sites are those <0.25ha and large sites are those >0.25ha.
- 2.17 Sites of 9+ units with detailed and outline planning applications were assessed to determine if they would be deliverable over the five year period. Where relevant, developers/agents were contacted to establish if sites were likely to be brought forward or if a start date was known. In some cases developers were able to confirm that work had already started on site or was imminent. Relevant sites are listed in Appendix 1.
- 2.18 Appendix 2 sets out progress to date on sites of 9+ units (subject to any confirmed updates at publication of the 5YHLS).

- 2.19 An assessment has been made of the contribution that small sites (<0.25ha) have made to housing delivery from 2010/11 – 2017/18 to establish a small site allowance (windfall) figure for the 5YHLS. The figure was derived by taking an average of small site completions (new build, conversions and changes of use) during the period and removing 90% of new build completions built on garden land. The latter methodology largely reflects that used in the 2013 SHLAA but uses the most up to date small site completion data. The methodology is explained in paragraph 2.69 – 2.72 (pages 38-39) of the 2013 SHLAA.
- 2.20 Completions on small sites resulting from permitted development rights to change the use from office to residential have been included in the calculation. There have been approximately 525 completions from the latter source since 2014/15. The inclusion of these units is considered justified in light of the fact that PD rights are now permanent and future supply will be generated from the use of these PD rights in parts of the borough. See also paragraphs 2.33 to 2.36 below.
- 2.21 Delivery on small sites is not insignificant and has been demonstrated over the eight year period (approx. 3519 units since 2007/08 as illustrated in Table 1 above). The small sites allowance is largely based on London Plan (2016) evidence within the 2013 SHLAA as endorsed by the Inspector into the examination of the Further Alterations to the London Plan. The inclusion of 1380 units, set out in Appendix 1, over five years is considered deliverable and takes into account advice set out in paragraph 70 of the NPPF, paragraph ID 3-030 and ID3-048 of the PPG and paragraph 3.19A of the London Plan.
- 2.22 The 1380 units include an annual allowance of 250 units per annum (1250 units over five years) in addition to a small uplift of 130 units in total over the five year period. The small uplift relates to the role that future national / regional initiatives or permitted development rights could play over the five year period. These include the Home Builders Fund launched by the DCLG in October 2016 that plans to invest £3 billion for 25,000 new homes (up to 2020) within the five year period and for 200,000 new homes in the longer term. The funding will help support the custom and self-build sector, making loans available for small and medium enterprise builders (schemes of 5+ units) delivering new homes. It also includes funding for off-site construction and infrastructure. It is apparent that there has been an unprecedented level of interest in the fund since its launch in 2016 (£200 million of funding allocated by January 2017).
- 2.23 With regard to the split between large and small sites within the five year housing supply, the small sites element is 145 units less than that 'predicted' in the GLA's 2013 SHLAA (1615 units compared to 1760 units over a five year period). This highlights the additional number of large deliverable sites that are contributing to the supply than predicted in 2013. The summary table at the end of Appendix

1 sets out the split between large and small sites (1615 units small sites compared with 1837 large sites excluding prior approval and vacant unit allowance, non-self-contained-units).

Small sites	No. of units
Units with planning permission or commenced	61
Site <9 units commenced	170
Office to residential PD commenced (9+ units)	4
Future delivery of other small sites with planning permission	1380
TOTAL	<u>1615</u>

Table 3: Small sites included within five year housing land supply 2018

2.24 Appendix 3 sets out the methodology used to calculate the small sites allowance.

Small site Data

2.25 Small site completion data for the last three years (up to 17/18) is attached at Appendix 4 in accordance with paragraph 48 of the PPG. It illustrates that completions on small sites have averaged over 400 units per annum over the three year period compared to a small site target of 352 units per annum for the Borough for the same period.

2.26 Small sites with planning permission not started are attached at Appendix 5 (to mid-November 2018) and includes all extant small sites in the pipeline including the following sites listed below in Appendix 1:

Conifer House 16/02179/FULL1 (9 units)

The Walnuts 16/03878/FULL1 (9 units)

Lubbock House 16/04956/FULL1 (-21 units)

Other RESPA sites of 9 units or more not listed in the 5YHLS.

The pipeline shows that there are approximately 700 units on small sites in the pipeline that have not commenced (starts monitoring up to September 2018). This takes into account the overall net loss from Lubbock House that was previously non-self-contained. The purpose of the list is to show generally how many small sites are in the pipeline and does not impact upon the compilation of

figures for 5YHLS purposes. Appendix 6 lists that there are approximately 170 units on small sites in the pipeline that have already started on site. Overall, the number of units on small sites in the pipeline with planning permission is approximately 870 units (based generally on a three year period for planning permission implementation).

2.27 Paragraph 48 of the PPG specifies that Boroughs should list planning permissions granted for windfall development by year to see how this compares with the windfall allowance. Importantly, for London Boroughs there is an established methodology for calculating the windfall allowance set out in the 2013 SHLAA evidence base which was examined alongside the 2016 London Plan. This methodology, based on past completions rather than planning permissions, has been used to calculate the allowance in the 5YHLS and is relied upon by the Borough for this Paper.

b) Sites that have commenced

2.28 The sites that have started are considered deliverable over the five year supply period. Sites included in Appendix 1 are considered to contribute to the supply of units over the whole five year period (1ST December 2018 – 30th November 2023). See also Appendix 2. It is possible that there are some units included in the list that have already completed (i.e. from 1st December 2018 up to March 2019). These units should not be excluded as they are contributing to the rolling supply of completions from one five year period to another. The completion data included in Table 1 only deals with unit completions up to 30th November 2018.

2.29 Of relevance is the method by which housing completions are recorded and collected by the Council. Completions are predominantly recorded by the date of the actual final completion certificate issued for the unit. These are recorded on the Council's Building Control "Uniform" database / system. These dates then feed into the monitoring of housing sites carried out by the Council. A London-wide database entitled the London Development Database (LDD) is used to collate all monitoring information on housing sites (and other sites) for the London boroughs and managed by officers of the boroughs and overseen by the Greater London Authority. The monitoring of completions is carried out regularly by the Council in addition to an annual London-wide completion monitoring exercise that is usually carried out from June-September.

2.30 For the purposes of this Paper any units that have formally completed (using Final Completion Certificate dates) prior to 1st December 2018 have been included in Table 1 above. Those remaining are included in the housing pipeline.

2.31 There are approx. 170 units on small sites (<9 units) that have started and it is expected that these will be delivered by the end of the five year supply period.

c) Allocations and Outline Planning Applications

2.32 The following sites are included in the Council's Adopted Local Plan 2019 in Appendix 10.1. The Plan period runs from 2015/16 – 2029/30 and the units identified below are considered to be deliverable in the 5YHLS period (Years 4/5 – 9/10) of the Local Plan. A summary of the site, policy description and expected deliverability timescales in accordance with the Local Plan are set out below. Observations made by the Inspector into the Examination of the Local Plan are also included.

As specified above paragraph 47 of the PPG (HELAA) states that:

“The examination of development plan documents which allocate housing sites will include consideration of the deliverability of sites to meet a 5 year supply, in a way that cannot be replicated in the course of determining individual applications and appeals where only the applicant's/appellant's evidence is likely to be presented to contest an authority's position”.

Site 2 Land adjacent to Bromley North Station BR1

2.33 Site and policy description – 3ha site for redevelopment for mixed use including 525 residential units, 2000 sqm of office accommodation, space for community use, 230 sqm café/retail, transport interchange and parking.

Proposals will be expected to:

Provide a sensitive and effective transition between the adjoining low rise residential areas and the higher density town centre;

Respect and enhance the setting of the Grade II Listed Bromley North station building;

Allow for the long term aspirations from improved rail connectivity to central and east London.

Phasing and Current Status – The Adopted Local Plan allocates 440 units within Years 6-10 and 85 units within Years 11-15. 120 units fall within the 5YHLS period (relevant to Sherman Road/Tweedy Road element of the overall allocation).

See also Site Assessments 2017 document.

2.34 In September 2018 the Council's Renewal Recreation and Housing Policy Development and Scrutiny Committee resolved that a Masterplan be prepared for the site.

2.35 The Inspector's Report on the Local Plan reported on the site as follows and considers the Plan is realistic in its phasing of Site 2 (Years 6-10 largely within the 5YHLS period):

“26. Site 2 (land adjacent to Bromley North station) is a mixed use site designed to deliver a total of 525 dwellings over the Plan period with the Council estimating that there could be 80 units delivered in years 2-6 in the Housing Land Supply paper (SD33). The station is a listed building (Grade II), partly in Bromley Town Centre Conservation Area. A high density is required on the site and the scale of the scheme would necessitate a sympathetic design to prevent an adverse impact on the significance of the listed building and its setting and meet other design objectives for the development. However, there is no evidence to suggest that a high density scheme could not be achieved on the site.

27. The site has challenges in terms of having multiple ownerships, flood risk in terms of surface water, potentially contaminated land, its relationship to the railway and the significant costs of having to re-provide for both bus and rail facilities, together with commuter car parking. However, an independent viability assessment has shown it to be viable, despite being an expensive scheme to develop and Housing Zone funding no longer being available. A developer is working on a scheme for the first phase of the site, on which there have been two recent planning applications. Although these were refused, they indicate progress towards the development of the site. The Plan is realistic, taking account of the above challenges, in terms of most of the development being in years 6-10, as set out in Appendix 10.1 of the Plan.”

- 2.36 Paragraph 47 of the PPG highlights the importance of the assessment of site deliverability through the examination of a Local Plan. As set out above the Inspector considered the site to be deliverable in light of; a viability assessment that shows the site is viable and the fact that progress has been made through the submission of a recent planning application. The latter also demonstrates deliverability in line with paragraph 36 of the PPG.

Site 4 Gas holder, Homesdale Road/ Liddon Road, Bickley BR1 2SR

- 2.37 Site and policy description – 1ha site for redevelopment for mixed use including 60 residential units.

Proposals will be expected to:

Include employment floorspace.

Ensure complete remediation of contaminated land.

Mitigate flood risk.

Phasing and Current Status – The Adopted Local Plan allocates 60 units in Years 6-10 of the Plan. 60 net units fall within the 5YHLS period. Currently comprises two disused gas holders with hardstanding areas. The gas holders received demolition consent in 2015 and are being dismantled.

See also Site Assessments 2017 document.

2.38 The Inspector's Report on the Local Plan reported on the site as follows and considers there is no reason why the site could not be developed within the proposed timescale (largely within the 5YHLS period):

*"29. The text to support Site 4 (Homesdale Road, Bickley) will require **MM017** to ensure that the site, which includes contaminated land from former gas holders, is remediated to an appropriate standard and completed before development takes place, in accordance with NPPF policy on contaminated sites. Whilst there is no planning approval for the development of about 60 units on this site and the remediation of the site has not yet started, the Council says that the owners are willing to release it and it would be developed between years 6 and 10. The proposed use would be in keeping with other residential development proposed nearby and in spite of the longer site preparation period required to deal with the contamination of the site, there is no reason why it could not be developed within the proposed timescale."*

2.39 Paragraph 47 of the PPG highlights the importance of the assessment of site deliverability through the examination of a Local Plan. As set out above the Inspector considered the site to be deliverable in light of the fact that the owners are willing to release and develop the site within the 5YHLS period.

Site 5 Land adjacent to Bickley Station

2.40 Site and policy description – 0.85ha site for redevelopment for around 30 residential units.

Proposals will be expected to:

Take account of neighbouring Tree Protection Order

Reflect residential character

Ensure re-provision of station car parking

Phasing and Current Status – The Adopted Local Plan allocates 30 units in Years 6-10 of the Plan. 30 net units fall within the 5YHLS period. Currently comprises a prefabricated building for Network

Rail Telecoms team, a scaffolding storage/distribution yard, a cab office and telecommunications mast).

See also Site Assessments 2017 document.

2.41 The Inspector's Report on the Local Plan reported on the site as follows and considers that there is nothing to suggest that a planning application would not be forthcoming for the site and its' delivery in Years 6-10 of the Plan (largely within the 5YHLS period):

"30. Site 5 (land adjacent to Bickley Station) for 30 dwellings is in one ownership and includes operational railway land and land leased for employment uses. There are constraints on the site including its shape and relationship to the railway which would need a careful design solution. Whilst there has not yet been a planning application for the site and there are still active uses on it, there is nothing currently to suggest that one could not come forward to allow delivery in the 6-10 year Plan period."

2.42 Paragraph 47 of the PPG highlights the importance of the assessment of site deliverability through the examination of a Local Plan. As set out above the Inspector considered the site to be deliverable within the 5YHLS period. The site is also featured in Network Rail's Multi-Site Package Accelerating the Release of Land for Housing Autumn 2017.

Site 11 Homefield Rise (18-44) Orpington BR6

2.43 Site and policy description – 0.75ha site for redevelopment of 18-44 Homefield Rise for around 87 net residential units.

Proposals will be required to:

Create an effective transition between the adjacent town centre and lower rise residential area;

Respect the amenity of adjoining residential properties.

Phasing and Current Status – The Adopted Local Plan allocates 87 units in Years 1-10 of the Plan. 87 net units fall within the 5YHLS period. The site is currently occupied by 13 residential properties.

See also Site Assessments 2017 document.

The Inspector's Report on the Local Plan reported on the site as follows and considers that it is more likely that the site will be delivered in Years 6-10 of the Plan (largely within the 5YHLS period):

“Site 11 (Homefield Rise) currently comprises 13 houses, which would be replaced by a denser development of 87 dwellings (net) close to Orpington Town Centre. The site is still in multiple ownership with a developer is taking it forward, although a planning application has been refused on the site. The Council’s Housing Land Supply paper (SD33) shows the site for delivery in years 2-6 but the Plan phases this over years 1-5 and 6-10 in Appendices 10.1 and 10.2. Given the lack of planning permission, this seems more likely to be delivered in the latter period set out in the Plan.”

2.44 Paragraph 47 of the PPG highlights the importance of the assessment of site deliverability through the examination of a Local Plan. As set out above the Inspector considered the site to be deliverable in Years 6-10 in light of; a developer taking forward the site and progress having been made in relation to the submission of a recent planning application albeit it being refused. A planning application (19/00732/FULL1) for 9 units on part of the Local Plan site has been submitted to the Council (March 2019) is currently being considered.

Site 12 Small Halls York Rise Orpington

2.45 Site and policy description – 0.46ha site for redevelopment for around 35 residential units.

Proposals will be expected to:

Respect the amenity of adjoining residential properties.

Phasing and Current Status – The Adopted Local Plan allocates 35 units in Years 1-5 of the Plan. 35 units fall within the 5YHLS period. The site is Council owned and is currently vacant (community hall previously demolished). Temporary approval has been granted for use as a car park but this has not been implemented.

See also Site Assessments 2017 document.

2.46 A Council resolution in January 2018 resolved that:

“(1) The proposals proceed to formal tender for provision of modular build accommodation together with a management contract for a period of 15 years as set out in paragraph 3.6 of the report.

(2) The use of the identified site at York Rise for the use of modular constructed accommodation be approved.[...]”

The Inspector’s Report on the Local Plan reported on the site as follows and considers there is no reason to suggest that units developed at a reasonable density could not be delivered on site.

“35[...]At the hearings the Council indicated that two sites (Site 12 Small Halls, Orpington and Site 13 Banbury House, Chislehurst), on which delays to development have been experienced, could be developed for temporary modular units. Although comments were made that temporary modules should not count towards delivery, no substantive evidence was provided to support this position. Both sites are required for the 5YHLS but there is no reason to suggest that units, developed at a reasonable density, could not be delivered on these sites.”

2.47 For information it is still anticipated that the site will be used for modular homes in the near future which is being pursued through the Council's Housing Division and providers of modular homes for affordable purposes (Housing Division, February 2019).

Site 13 Banbury House Bushell Way Chislehurst BR7

2.48 Site and policy description – 0.27ha site for redevelopment for around 25 residential units. Vacant care home and offices on site with associated car parking and amenity area.

Proposals will be expected to:

Respect the amenity of adjoining residential properties.

Phasing and Current Status – The Adopted Local Plan allocates 25 units in Years 1-5 of the Plan. 25 units fall within the 5YHLS period. The site is Council owned and is currently vacant.

See also Site Assessments 2017 document.

2.49 A Council resolution in January 2018 resolved that:

“[...] (2) The demolition of the existing building to ensure the site is secured and prepared for future use to maximise future development opportunities be approved.

(3) Officers be authorised to complete a final feasibility options appraisal to be reported back in May for decision on future use of the site to meet housing need or for methods for marketing and disposal of the site to secure best value.[...]”

It is anticipated that further details on options will be reported back to the Council's Executive within the next two months.

2.50 The Inspector's Report on the Local Plan reported on the site as follows and considers there is no reason to suggest that units developed at a reasonable density could not be delivered on site.

“35[...]At the hearings the Council indicated that two sites (Site 12 Small Halls, Orpington and Site 13 Banbury House, Chislehurst), on which delays to development have been experienced, could be developed for temporary modular units. Although comments were made that temporary modules should not count towards delivery, no substantive evidence was provided to support this position. Both sites are required for the 5YHLS but there is no reason to suggest that units, developed at a reasonable density, could not be delivered on these sites.”

GLA SHLAA 2017 Phasing of Allocated and Identified Sites

2.51 Reference was made during the Local Plan Examination and the Maybrey Works Public Inquiry to the GLA's 2017 SHLAA phasing of Bromley's draft housing allocations compared to the Local Plan. Submissions were made to the effect that the 2017 SHLAA considered some sites to be delivered during a later phase. The Council submitted additional information to the Local Plan Examination that highlighted the 2017 SHLAA only referred to the completion of whole sites as opposed to the phasing of units on sites. This resulted in assumptions that units would be delivered at a later date than set out in the Local Plan.

It is considered that the phasing between the Local Plan and 2017 SHLAA is relatively consistent as set out in Appendix 7.

2.52 The following sites have outline / detailed planning applications approved.

28 Park Hill Road BR2 0LF

2.53 An outline planning application (16/00218/OUT) was approved in April 2017. Contact with the agent in Autumn 2018 specified that the client plans to submit a full planning application for 9 flats shortly. In light of the small number of units being delivered on site and the intention [as indicated by the agent for the site] for a detailed planning application to be submitted shortly, the 9 units are considered deliverable within the 5 year period.

Land At Junction With South Eden Park Road And Bucknall Way Beckenham

2.54 An outline planning application (16/02613/OUT) was allowed on appeal in March 2018. Details of the outline application were submitted to the Council in October 2018 and are currently being considered (18/04519/DET) for 105 units. Progress being made towards the submission of an application is included in the evidence referred to in paragraph 36 of the PPG. In light of the fact that details are now being assessed it is considered that housing completions will begin on site within the 5 year period.

Crystal Palace Park

2.55 There is an existing planning permission for residential development at Crystal Palace Park as part of the Park regeneration scheme. The planning permission does not expire until 2022 and grants planning permission for residential development on Metropolitan Open Land. The outline planning permission establishes the principle that (limited) sites are suitable for residential development as part of a regeneration of Crystal Palace Park. The proposal for the regeneration of Crystal Palace Park was reviewed and agreed by the Council in July 2017.

The site is owned by the Council and there is a lease to the Caravan Club on the Rockhills site, part of the land with planning permission. The Council gave notice on 21 November 2016 and exercised the final notice in January 2018. A short term lease has been agreed with the Caravan Club (up to the end of 2019) whilst redevelopment / regeneration works are agreed by the Council.

An EIA screening opinion was given in November 2017 for the regeneration of the Park and residential development. The [Council's website](#) provides an update on the regeneration of the Park and clarifies the following:

“[...]Business Model

The Council commissioned specialists Fourth Street to work up a business model for the park which is based on market research and analysis. This work has identified that an endowment fund is likely to be required for the park to bridge the gap between the anticipated income and expenditure.

Timescales

We were initially anticipating submitting an Outline Planning Application for the Regeneration Plan in Spring 2018. However, a number of challenges have delayed this submission; we are currently working with partners and statutory consultees to develop a strong enabling development case to allow the plan to go ahead. We are now working towards submitting the Outline Planning Application in autumn 2018, however it is likely to be 2020 before works on site would commence [..]”

The above evidence sets out that works could begin on site within the five year period facilitated by the fact that the residential development is in separate areas of the site rather than in one large parcel. The 5YHLS includes the first phase of the proposed residential development.

Langley Court

2.56 Outline permission was granted in June 2014 under application ref DC/12/00976 for the phased mixed use redevelopment of the site to include up to 179 houses. Since then (between 2014-2017), a number of applications have been submitted and approved with details pursuant to the outline application.

The former Glaxo buildings have been demolished and works have commenced on the site. Estate roads have been laid and the attenuation lake and play area has been constructed. Subsequently, a further detailed application for 280 residential units and a 100 bed care home for the frail elderly was submitted in 2018 under reference DC/18/00443. This application was recommended for permission at Development Control Committee (Nov 2018) and Members resolved to grant permission subject to the prior completion of a S106 agreement. The developer's intention is to build out this larger application.

2.57 The above illustrates that there is a realistic prospect that housing will be delivered on site within the five year period and detailed planning permission has been secured subject to the completion of the S106 agreement which is in preparation.

d) Long term empty homes (longer than 6 months) returning to use

2.58 The GLA advised that long term empty homes returning to use can be included in calculating completion targets for boroughs. The 2013 GLA SHLAA attributes an annual target to some boroughs in relation to reducing long term vacant properties (6 months+) to 0.75% of overall stock. The percentage of long term vacant units within the borough is less than 0.75% and therefore a target has not been allocated.

Importantly, any long term vacant properties that are brought back into use can still count towards annual completion data. GLA Annual Monitoring Data on vacant units is compiled using DCLG Live Table 615 (Live tables on dwelling stock including vacants). On average from 2004 - 2017 approximately 66 long term vacant units have been returned to use per annum. It is considered that the overall long term vacant figure for the borough has declined significantly over this period (2004, 1506 units – 2017, 575 units) but a conservative allocation of 100 units over the five year period would be reasonable.

e) Changes of use from office to residential

2.59 The Government introduced Regulations in May 2013 to extend permitted development rights allowing for a change of use from B1(a) to C3 subject to a prior approval process up to May 2016. From April 2016 these permitted development rights have been made permanent and where prior approval has

been granted (from 6th April 2016) it is specified that it should be completed within three years of the approval date.

2.60 Schemes that propose 9 units or more and have relevant building control applications in place are included in the supply.

2.61 It is considered that during the five year housing supply period an estimated delivery of an additional 200 units would be reasonable. This figure increased from the 150 included in the June 2015 Five Year Housing Supply Paper for the Borough. In light of the increased certainty, following the permitted development rights being made permanent it is considered that the increase is justified.

2.62 The allowance of 200 units is considered deliverable in light of the fact that completions from this component since 2014 have reached over 400 units and there are approximately 250 units currently in the pipeline (30 units from the 250 have started).

f) Non-self-contained units

2.63 Non-self-contained units have been included as a component of supply since the start of the London Plan period (15/16) and are monitored on the basis of one bedroom counts as one 'unit' (London Development Database and London Plan Annual Monitoring Reports). The units can include C2 (i.e. Care Homes) and Sui Generis Units (i.e. HMOs). The recording of bedroom losses is considered on a case by case basis depending on the length of time a facility has been vacant. For the purposes of taking into account existing bedrooms when sites are redeveloped for C3 purposes these will be netted off if the site has become vacant since 2015.

3.0 RISK ASSESSMENT FOR HOUSING LAND AVAILABILITY

a) Monitoring Housing Completion Record

3.1 The completion of dwellings between 2015/2016 and 2017/2018 has clearly exceeded the London Plan target of 641 per year. As evident from the above table, 2301 dwellings were completed against a target of 1923. That is a total of 378 dwellings completed over the London Plan target equivalent to 0.6 years supply (based on 5 years at 641 per year). This shows that the overall record of delivery is good.

b) Composition of Five Year Supply

3.2 The SHLAA (2013) shows that the 641 housing target is comprised of 352 on small sites and 289 on large sites (45% of the overall target). The small sites are largely to be provided as an Allowance rather than identifying separate sites in advance. The 2019 5YHLS shows that 49% of the supply (1837 units) is on identified large sites so there is a reduced dependence on the small sites allowance.

c) Range of Sites

3.3 There is a wide range of sites by size, ownership and location around the Borough. A large proportion (64%) of sites of 0.25ha or more (large sites) with planning permission have already commenced development (879 out of 1380), so increasing the certainty of deliverability. Through the Local Plan, there is a forward supply of longer term sites (beyond the 5YHLS) which can be brought forward in the event that completions lag behind the expectations in the 5YHLS.

d) NPPF Criteria

3.4 The use of the NPPF 'deliverability' criteria is creating improved certainty in the 5YHLS as partly reflected in the rate of completions.

4.0 CONCLUSION

- 4.1 The Council's five year housing supply position will be monitored and updated on a regular basis.
- 4.2 The sites listed in Appendix 1 are considered to be deliverable within the five year housing supply period. Factual appendices will be produced and attached to the 5YHLS Paper where relevant and appropriate to elaborate on the deliverability of sites.
- 4.3 Appendix 1 illustrates that Bromley is able to meet its five year supply target of 3365 units (including the 5% buffer) given that there are 3752 deliverable units in the pipeline. In light of this, regard will be

had to policies in the London Plan, the Bromley Development Plan, the NPPF, the NPPG and other material considerations when assessing new planning applications.

Summary of Five Year Housing Supply April 2019

Five year housing supply capacity		Five year housing supply targets
Allocated sites and draft Local Plan allocations	357	Target of 641 units per annum x 5 = 3205 units
Large sites with planning permission / commenced	1380	Delivery for 15/16 – 17/18 = 2301 units (+378 units compared to target of 1923 minimum)
Small sites with planning permission / commenced	61	
Prior approval schemes	4	Five year housing supply target = 3205
Non-self-contained units	100	
Small sites started	170	3205 units plus 5% buffer = 3365 units
Small sites allowance	1380	
Vacant units brought back into use	100	
B1(a) to C3 Prior Approval allowance	200	
TOTAL	3752	
Conclusion: Five year housing supply of 3752 exceeds target of 3205 and the additional 5% buffer moved forward from later in the plan period to total 3365 units (i.e. target plus 5%).		

Table 4 Summary of five year housing land supply April 2019

APPENDIX 1: FIVE YEAR HOUSING LAND SUPPLY 01/12/18 to 30/11/23

	Sites of 9 units+	Borough reference number	Ward	Date of planning permission	Status	Site size	Site Area (ha)	Net gain
	Identified sites and draft Local Plan allocations							
1	Land adjacent to Bickley Station	N/A	Bickley	N/A	Draft Alloc	Large	0.85	30
2	Gas Holder site, Homesdale Rd/ Liddon Rd	N/A	Bickley	N/A	Draft Alloc	Large	1	60
3	Land adjacent to Bromley North Station	N/A	Bromley Town	N/A	Draft Alloc	Large	2.86	120
4	Banbury House Bushell Way Chislehurst BR7 6SF	N/A	Chislehurst	N/A	Draft Alloc	Large	0.27	25
5	Small Halls York Rise Orpington	N/A	Farnborough and Crofton	N/A	Draft Alloc	Large	0.46	35
6	Homefield Rise Orpington BR6 Look at Inspector comments – Local Plan	N/A	Orpington	N/A	Draft Alloc	Large	0.75	87
	Total							357
	Large sites with planning permission/commenced							
7	Hassells Nursery Jackson Road BR2 8NS	16/05353/FULL1	Bromley Common and Keston	10/08/2017	P	Large	0.7	9
8	Land adjacent to Bromley College London Road	17/05084/FULL1	Bromley Town	25/09/2018	P	Large	0.37	24
9	Site C Old Town Hall Tweedy Road BR1	16/01175/FULL1	Bromley Town	08/11/2016	P	Large	0.7	53
11	28 Park Hill Road BR2 0LF	16/00218/OUT	Copers Cope	05/04/2017	P	Large	0.26	9
12	56a Foxgrove Road Beckenham BR3 5D8	17/05269/DET	Copers Cope	05/2/2018	P	Large	0.26	12
13	Maybrey Business Park Worsley Bridge Road London SE26 5AZ	16/05897/FULL1	Copers Cope	16/07/2018	P	Large	0.6	159

Appendix 1 Five Year Housing Land Supply April 2019

	Sites of 9 units+	Borough reference number	Ward	Date of planning permission	Status	Site size	Site Area (ha)	Net gain
14	Crystal Palace Park Crystal Palace Park Road SE20	07/03897/OUT	Crystal Palace	N/A	P	Large	1.9	130
15	Land at Junction with South Eden Park Road and Bucknall Way Beckenham BR3	16/02613/OUT	Kelsey and Eden Park	22/03/2018	P	Large	1.62	105
							Subtotal	501
16	North Orpington Pumping Station East Drive Orpington	15/04610/FULL1	Cray Valley East	31/08/2017	S	Large	0.8	35
17	Bromley Common Liveries Cameron Buildings Bromley BR2 8HA	16/02632/DET	Bromley Common and Keston	27.07.2015	S	Large	2.9	5
18	Site K Westmoreland Road Car Park of BTCAAP	11/03865/FULL1	Bromley Town	26.03.2012	S	Large	0.96	163
20	The Haven Springfield Road SE26 6HG	14/03991/FULL1	Crystal Palace	31.03.2015	S	Large	1.4	27
21	Orchard Lodge William Booth Road Anerley London SE20	16/02117/FULL1	Crystal Palace	26.10.2016	S (Allocation)	Large	1.8	216
22	Land between Main Road Vincent Square Barwell Crescent and Moxey Close Biggin Hill TN16 3GD	16/02685/FULL1	Darwin	05/01/2017	S	Large	0.7	16
23	Bassetts Campus Broadwater Gardens BR6 7UZ	15/04941/FULL3	Farnborough and Crofton	18.08.2016	S (Allocation)	Large	2.5	65
24	All Saints Catholic School Layhams Road West Wickham BR4 9HN	17/02964/MATAMD (amendments to 13/03743/FULL3)	Hayes and Coney Hall	05/04/2018	S	Large	2.3	50
25	Langley Court South Eden Park Road BR3 3AT	18/00443/FULL1	Kelsey and Eden Park	Nov.2018	S	Large	10.6	280

Appendix 1 Five Year Housing Land Supply April 2019

	Sites of 9 units+	Borough reference number	Ward	Date of planning permission	Status	Site size	Site Area (ha)	Net gain
26	Sundridge Park Mansion Willoughby Lane Bromley BR1 3FZ	16/04478/FULL1	Plaistow and Sundridge	29/06/2017	S	Large	3.3	22
							Subtotal	879
	Total							1380
	Small sites with planning permission/commenced							
27	Conifer House 44 Southend Road Beckenham BR3 1SL	16/02179/FULL1	Copers Cope	17/08/2016	P	Small	0.15	9
28	Lubbock House, 1 Northolme Rise Orpington BR6 9RF	16/04956/FULL1	Farnborough and Crofton	02/03/2017	P	Small	0.13	-21
29	First Floor 50-52 The Walnuts Orpington BR6 0TW	16/03878/FULL1	Orpington	12/05/2017	P	Small	0.04	9
							Subtotal	-3
30	H G Wells Centre St Marks Road Bromley	13/03345/FULL1	Bromley Town	13.08.2015	S	Small	0.08	52
31	115a High Street Beckenham BR3 1AG	17/05068/FULL1	Copers Cope	12/01/2018	S	Small	0.065	12
	Total							61
	Small granted RESPAS commenced							
32	12 Elmfield Road Bromley BR1 1LR	16/02441/RESPA	Bromley Town	18/05/2016	S	Small	0.013	4
	Total							4
	Non-self-contained							
33	Langley Court South Eden Park Road BR3 3AT (100 bed care home element)	18/00443/FULL1	Kelsey and Eden Park	Nov.2018	S	Large	10.6	100

	Sites of 9 units+	Borough reference number	Ward	Date of planning permission	Status	Site size	Site Area (ha)	Net gain
	Total							100
	Sites of 9+ units total							
	Small sites started							170
	Small sites projection							1380
	Vacant units projection							100
	Prior approval projection							200
	TRAJECTORY TOTAL							3752

Subdivision of small and large sites set out above	
Small Sites	1615
Large Sites	1837
Prior Approval and Vacant Units	300
TOTAL	3752

