

**Decision Maker:** EXECUTIVE

**FOR PRE-DECISION SCRUTINY AT THE RENEWAL,  
RECREATION AND HOUSING POLICY DEVELOPMENT AND  
SCRUTINY COMMITTEE AND DEVELOPMENT CONTROL  
COMMITTEE**

**Date:** RR&H: Wednesday 25<sup>th</sup> March 2020  
DCC: Tuesday 18 March 2020

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

**Title:** TOWN CENTRE PLANNING POLICY STRATEGY: BROMLEY  
AND ORPINGTON

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**Chief Officer:** Sara Bowrey: Director of Housing, Planning and Regeneration

**Ward:** Orpington; Bromley Town

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1. Reason for report

- 1.1 This report provides an update on the planning strategy work for Orpington and Bromley town centres, and suggests a proactive approach to guiding development in the town centres through the implementation of Supplementary Planning Documents (SPDs).

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2. **RECOMMENDATION(S)**

- 2.1 Members of the Renewal, Recreation and Housing Policy Development & Scrutiny Committee and of the Development Control Committee are asked to note the report and provide their comments to the Executive.

- 2.2 The Executive is asked to:

- Note the work undertaken to inform a Renewal Strategy for Orpington town centre and the reasons why this work was suspended

- Note the work previously undertaken on planning policy relating to Bromley town centre and the need for additional formal planning guidance.
- Agree that Supplementary Planning Documents be produced for Orpington and Bromley town centres, through a joint project between the Council's Planning Policy and Strategy and Renewal teams to guide future development in the town centres.
- Allocate up to £50k from the Growth Fund for consultancy services to provide advice on urban design, should it be required.

### Impact on Vulnerable Adults and Children

1. Summary of Impact: The Supplementary Planning Document approach will promote opportunities for inclusion in public spaces and enhanced wellbeing.
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### Corporate Policy

1. Policy Status: Existing Policy:
  2. BBB Priority: Vibrant, Thriving Town Centres Regeneration
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### Financial

1. Cost of proposal: Estimated Cost: Up to £50k
  2. Ongoing costs: N/A -Non-Recurring Cost:
  3. Budget head/performance centre: Planning Policy & Strategy
  4. Total current budget for this head: £ £0.596m
  5. Source of funding: Growth Fund
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### Personnel

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

1. Legal Requirement: Town and Country Planning (Local Planning) (England) Regulations 2012
  2. Call-in: Applicable:
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### Procurement

1. Summary of Procurement Implications: Proposals comply with the Council's Contract Procedure Rules.
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): In 2017, the population of the Orpington ward was 15,607 and the population of the Bromley Town ward was 19,054. However, the vibrancy of these town centres affects the wider population of the borough, which is currently estimated at 330,908.
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments:  
A meeting was held with Orpington ward councillors on 26<sup>th</sup> February 2020. Ward councillors were generally supportive of the principle of producing supplementary planning guidance, and were keen that the guidance considered the following issues:

- Achieving the right balance between different uses in the town centre to enhance its vitality and protect its character
- Supporting the concept of a public square at the heart of the town
- Consideration of the accessibility of the High Street, including improving pedestrian access from the mainline train station
- Prioritising mechanisms for improving the daytime economy of the town and building on the success of the night time economy
- That the Council is ambitious about the town's future, recognising its designation as a Major Town Centre in the Local Plan.

Ward councillors were also keen that officers work with developers to ensure that the town does not decline during the course of any works. They also recognised the significant contribution of Orpington 1<sup>st</sup> towards the vibrancy of the town.

A meeting was held with the Bromley Town ward councillors on 10<sup>th</sup> March 2020. Ward councillors were generally supportive of the principle of producing supplementary planning guidance that considered the future of the town centre holistically. They emphasised that the requirement for residential development in the town centre should be carefully considered (particularly in relation to height) to ensure that the character of the town centre was protected, that businesses continued to thrive, and that neighbourhoods were created rather than development taking the form of isolated blocks of high density. Ward councillors were keen to promote good quality consultation as part of the process of producing the SPD.

### 3. COMMENTARY

#### Orpington Town Centre

- 3.1 Orpington town centre is the borough's only designated major town centre. The adopted Local Plan has a number of policies which cover Orpington. Policy 17 identifies the area within the Cray Valley Renewal Area and supports Orpington Town Centre in its role as a Major Town Centre, serving the east of the Borough in respect of retailing and community services and developing a thriving retail, office and leisure economy. In addition, policy 1 identifies Orpington town centre as a broad location for the development of housing to meet housing targets. There are also particular site allocations located within the town centre.
- 3.2 There is an active business community led by Orpington 1<sup>st</sup>, the town's Business Improvement District. In recent years, the Council has implemented improvements to the public realm and with the programming and business support offered by Orpington 1<sup>st</sup>, vacancy rates remain comparatively low and footfall is stable.
- 3.3 However, data shows that Orpington is not currently realising its potential for economic growth. Studies commissioned with Cushman & Wakefield and Holder Matthias found that the town's market position has fallen in recent years, with issues affecting the town including:
- A fall in retail and service floor space
  - Retail vacancies concentrated in the Walnuts Shopping Centre
  - Retail rents are static and below average
  - Competitor retail centres have matured and received investment
  - Reduction in workspace in the town centre
  - Challenges in the physical environment such as the condition of the shopping centre, the length of the High Street, poor connections between different areas, and poor pedestrian permeability and access on arrival.
  - A lack of suitable housing for young and low income households, restricting vibrancy and high street diversification
  - Employment opportunities lack in diversity and more people are leaving the area for work
- 3.4 In March 2019, the Renewal, Recreation and Housing Portfolio Holder agreed that officers should submit a funding application to the DCMS's Future High Street Fund to support the cost of producing a Renewal Strategy for Orpington, as a first step towards driving the changes needed in the town centre to secure a better market position.
- 3.5 At their meeting on 3<sup>rd</sup> September 2019, the Renewal, Recreation and Housing Policy Development and Scrutiny committee were updated that the funding application had been unsuccessful. However, officers confirmed that it was the intention of the Council to progress with the development of a Masterplan for Orpington town centre with the objective of providing a coherent vision for the future transformation of the town centre, although work was suspended while alternative delivery options were considered.
- 3.6 In the meantime, the Walnuts Shopping Centre has been purchased by the developer Areli who intend to make a significant investment in the town. Their plans are still at an early stage, with initial public consultation to ascertain the aspirations of the local community for their town planned for March 2020. Officers from the Council's Regeneration, Property and Planning

teams have had early discussions with Areli and agree that their planned investment has the potential to be the catalyst for the town's transformation.

- 3.7 Officers recommend working closely with Areli to support their bringing forward a scheme which addresses the wider issues affecting the vitality of the town and complements the Council's own aspirations for Orpington.
- 3.8 Areli's timetable for their investment creates urgency around the need for formal planning guidance on the Council's vision for the town centre which would have otherwise been delivered by the Renewal Strategy or masterplan. This is important to ensure that:
- A holistic approach to ensure a cohesive transformation of the town centre is achieved, considering parts of town centre development that might not be part of the Areli proposals
  - Broader community interests in the development of the town centre are protected and prioritised
  - The Council has greater control over development affecting Council-owned land and land owned by Registered Housing Providers.

### **Bromley Town Centre**

- 3.9 Bromley Town Centre is the boroughs largest town centre, and the only Metropolitan grade centre (as identified in the London Plan).
- 3.10 Bromley town centre has the highest footfall of all town centres in the borough and offers a mix of independent and national retailers, civic and community spaces and services, good quality office accommodation, and a range of leisure opportunities including greenspace. With grant funding support, the Council has made significant investments in the public realm in Bromley town centre. This has resulted in the transformation of Bromley North Village, giving that area of the town a stronger identity and building the night time economy. Public realm works to the pedestrianised part of the High Street are ongoing to redefine its character, creating sociable spaces that people want to linger and use for recreation. The 700 businesses within the town are represented by Your Bromley (the Business Improvement District). It is recognised that there is still work to do to address other issues in the town, such as:
- The number of vacant units in prominent locations
  - Perceptions of safety
  - Supporting a more vibrant night time economy
  - Addressing future capacity issues around transport infrastructure
  - Improving connectivity between different character areas in the town centre
- 3.11 Bromley Town Centre is covered by a range of local and regional policy and guidance. The Local Plan (adopted January 2019) is the key local planning document – it identifies the area as a focus for sustainable growth of retail, office, homes, and leisure and cultural activities, as well as allocating a number of sites for future development. The Bromley Town Centre Area Action Plan (AAP) (adopted October 2010) is also an extant document which applies to planning applications, although significant elements have been superseded by the Local Plan.
- 3.12 In July 2018, a draft masterplan was produced for Bromley town centre. This masterplan was limited in scope, focussing on setting the vision for development at Site G (now Site 10) in readiness for a planning application from Countryside for a scheme within the boundary of the

Site. The masterplan centred on identifying the location, mix and amount of development that would be supported in that area. Consultation was completed on the masterplan but the masterplan was not adopted. It is not intended to take this forward as the proposals below would result in more holistic guidance for the centre.

### **The need for formal planning guidance in town centres**

3.13 There is now a more urgent requirement for planning guidance in town centres. The draft new London Plan identifies housing as a suitable use in town centres, in conjunction with commercial uses, and advocates a positive approach to planning to deliver a broad range of uses to meet various strategic priorities, of which housing is a high priority. Without further guidance, there is a risk that the implementation of local policy will be undermined on an ad hoc basis by broader policy set out in the draft new London Plan. .

3.14 Guidance for Bromley and Orpington town centres should be considered a priority:

- Bromley Town Centre is identified as an Opportunity Area in the draft new London Plan, which is reflected in the Local Plan. Policy 90 commits to the Council preparing a planning framework to deliver a minimum of 2,500 homes in the town centre in a way that optimises opportunities for other town centre uses and infrastructure.
- Feedback from developers looking to invest in Bromley town centre is that it is a frustrating place to progress projects. The lack of formal planning guidance has led to a number of sub-optimal planning applications which have either been unsuccessful, successful on appeal or costly and / or complex for the applicant to revise.
- In addition to the reasons why guidance should be prioritised in Orpington set out in paragraph 3.8, the draft new London Plan also identifies Orpington Town Centre as an area which can accommodate a medium level of housing growth.

3.15 Formal planning guidance that proactively sets out a strategy for the town centres (and potentially surrounding areas), marrying local and regional objectives in a positive manner, would be beneficial as it would:

- articulate an updated vision for the town centres that identifies the type and scale of development that may be appropriate in these distinctive areas;
- ensure that the Council delivers on the Local Plan housing targets in a way that protects and enhances the heritage and character of Bromley town centre and maintains the diverse character and function of Orpington town centre;
- consider and plan for future infrastructure requirements for the town centre holistically.
- ensure that development takes place in accordance with the Council's vision for these centres

### **Supplementary Planning Document approach**

3.16 Officers recommend that, given the change in circumstances in both town centres as noted above, a new approach is adopted. It is recommended that a joint project between the Head of Planning Policy and Strategy and the Head of Renewal is progressed to produce Supplementary Planning Documents (SPDs) to guide town centre development in each of the

centres. The SPDs would be formally adopted by the Local Planning Authority. The SPDs could provide guidance on:

- Investment in physical infrastructure;
- Process for ongoing engagement with key stakeholders;
- Land acquisition or land assembly where this is required for transformational change;
- The location, mix and amount of development, particularly for allocated sites;
- Broad guidance on suitable scale, height and massing of development;
- Improvements to the public realm;
- Improvements to transport access, traffic flows and circulation; and
- Areas where change of use would be supported.

3.17 The benefit of producing a SPD is that it could be produced, consulted on and adopted within a relatively short timescale (around 12 months) and it would have weight in any future planning applications in the centres. Informal documents could be produced in a shorter timescale but they would not attract the same weight when determining future planning applications. Alternatively, an AAP could be produced which would have Development Plan weight when determining future planning applications; however, the timescales for an AAP are considerably longer due to the requirement for an independent examination.

3.18 SPDs cannot create new planning policy and must be consistent with adopted Development Plan Documents (namely the Bromley Local Plan and the London Plan). However, officers consider that the SPD approach offers significant scope to provide detailed guidance to proactively shape the development of the town centres.

3.19 There are several statutory stages involved when producing an SPD. Initially, officers consider there is merit in undertaking preliminary consultation (for a minimum of four weeks), which, while technically not required, would allow for a range of views to be considered at an early stage. This preliminary consultation would be a short document which sets out what the Council's broad plans are for the area and seek opinions on what an SPD should focus on. This consultation could be launched in spring 2020. It may also be beneficial to hold specific consultation events early in the process, where interested parties and stakeholders can engage with Council officers directly.

3.20 The results of this preliminary consultation would inform the preparation of a draft SPD which would then be subject to further consultation (for six weeks). Specific consultation events could be held to provide opportunity for interested parties and stakeholders to give their views. Prior to public consultation on a draft document, it will be necessary to consult with key stakeholders to determine whether the document is likely to have any environmental impacts and would therefore require further assessment. Officers consider that draft SPDs could be consulted on in late 2020, although this is dependent on obtaining the necessary member approvals.

3.21 Following consultation on the draft document, the Council must consider all comments received before deciding whether to proceed with formal adoption. This would be a decision for the Council's Executive. Based on consultation on draft SPDs in late 2020, a likely adoption date would be spring 2021.

- 3.22 Project management arrangements will be put in place to bring the SPD forward; this will include appointing a Project Board who will review iterations of the document and track progress in accordance with the project programme.
- 3.23 Whilst this work will be primarily delivered by existing Council resources, it is possible that some consultancy will be required to provide specialist advice on urban design issues. This is not a specialism for which the Council currently has as an internal resource. It is therefore recommended that the Executive agree to allocate up to £50k from the Growth Fund for this purpose. Allocating a budget at the beginning of the project will prevent any further delay arising out of the need to request funding on a piecemeal basis as the project progresses. Taking consultancy advice on the supplementary planning guidance would also reduce the need for urban design advice on individual planning applications received in relation to the town centres. Any funding not used for this purpose will be returned to the Growth Fund. Any appointment of consultancy will be carried out and authorised in accordance with the Council's Contract Procedure Rules.

#### **4. IMPACT ON VULNERABLE ADULTS AND CHILDREN**

- 4.1 Town centres serve communities and inclusive design and planning is essential to support cohesion and access for all. The SPDs will be a tool for ensuring that town centres work for the communities that they serve, including provision of opportunities for children and vulnerable adults to participate in public spaces.
- 4.2 The consultative process will specifically seek views from a range of audiences including children and vulnerable adults.

#### **5. POLICY IMPLICATIONS**

- 5.1 The proposals support the delivery of the Council's Building a Better Bromley objectives for Vibrant Thriving Town Centres and Regeneration.
- 5.2 The Transforming Bromley Programme objectives are also supported by this project. The introduction of SPDs for town centres will support the delivery of regeneration activities to meet the needs of local residents, and will support improving public realm and promoting economic growth. They will also support the Transformation Programme objectives to explore all options to increase the supply of affordable housing in the borough.
- 5.3 The proposed SPDs would help deliver the aims and objectives of the Bromley Local Plan, particularly helping to realise housing delivery and the development of commercial floor space. The SPDs would also help to positively demonstrate how the Local Plan aligns with the draft new London Plan, which will apply to planning applications in the borough once it is adopted. Lastly, the SPDs will also further the delivery of national policy set out in the NPPF, particularly increasing housing supply and promoting a suitable mix of uses (including housing) in town centres reflecting their distinctive characters.

#### **6. FINANCIAL IMPLICATIONS**

- 6.1 Although the production of the SPD is a significant piece of work, at present it is anticipated that this will be delivered through existing resources and no additional staffing needs have been identified.
- 6.2 However, consultancy advice to provide specialist input on urban design issues may be needed once final requirements have been identified following consultation. Therefore funding from the Growth Fund for up to £50k is requested. If additional funding is not agreed, the work is still likely to go ahead, but the scope of the work would be impacted by a lack of urban design advice.

## 7. LEGAL IMPLICATIONS

- 7.1 While the recommendations of this report have no legal implications, any future SPDs which are progressed will be subject to the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and would be subject to public consultation in line these regulations and the Council's Statement of Community Involvement.
- 7.2 Any policies contained in a supplementary planning document must not conflict with the adopted development plan (which includes the Bromley Local Plan and the London Plan). Following consultation and adoption, an SPD will be a material consideration in the determination of all relevant planning applications.

## 8. PROCUREMENT IMPLICATIONS

- 8.1 In line with paragraph 3.21 of this report, authorisation to proceed to procurement and award a contract of below £50k can be authorised by the Budget Holder in accordance with the Council's Contract Procedure Rules.

<b>Non-Applicable Sections:</b>	Personnel Implications
Background Documents: (Access via Contact Officer)	<b>DRR19/020</b> – Town Centres Development Programme Update <b>DRR19/049</b> – Town Centres Development Programme Update