

**103 -123 KILBURN HIGH ROAD/
KILBURN SQUARE MARKET**
Supplementary Planning Document

Consultation Statement



1. Introduction

This Consultation Statement forms one of the Supplementary Planning Documents for 103 – 123 Kilburn High Road & Kilburn Square. The other Supplementary Planning Documents include the Supplementary Planning Document (SPD), and the Sustainability Appraisal.

This document specifically sets out:

- 1) Consultation undertaken during the pre-production stage of SPD.
- 2) Summary of comments received during the formal public consultation undertaken from Monday 31st January to Wednesday 2nd March 2005 on the draft SPD and Sustainability Appraisal.

2. Pre-Production Involvement on the SPD

The Council invited involvement in the production of a working draft SPD during October 2004 through letters and telephone calls to identified stakeholders;

(i) Letters to Identified Stakeholders

A letter explaining that an SPD was being produced was sent to identified stakeholders in October 2004. A copy of the letter is provided in Appendix A.

The letter was sent to the following groups and organisations:

Nationwide and Regional Organisations

- GLA
- GOL
- English Heritage
- English Partnerships
- Environment Agency
- CABE
- London Development Agency
- London Underground
- Transport for London
- Thames Water
- Environment Agency
- London Buses
- Sport England
- Silverlink

Borough wide Organisations

- Brent & Harrow PCT
- Energy Solutions
- Metropolitan Police
- Vectra Property Consultants

Kilburn Based Organisations

- KABRAG
- Kilburn Partnership
- Kilburn Square Housing Co-op
- Kilburn SRB
- Surestart

- London Borough of Camden
- London Borough of Westminster
-

MP & Members

- Ward Councillors for Kilburn and Queens Park
- Member of Parliament

Local Residents Associations

- Kilburn Village Residents Association
- Aylestone Park Residents and Tenants Association
- Brondesbury Residents & Tenants Association

Other

- Attendees at the Public Inquiry

(ii) Specific Meetings:

The following specific meetings were organised to gather initial views:

- Kilburn Partnership (Town Centre) Meeting Planning and Development Subgroup - 7th October
- KABRAG – 19th October 2004
- Kilburn Square Clinic (Brent PCT) – 27TH October 2004
- Kilburn Square Housing Co-op – Tuesday 9th November 2004
- Meetings with Camden and Brent Ward Councillors - Tuesday 9th November, Wednesday 10th November 2004

Following the meetings with KABRAG, Kilburn Square Clinic and Kilburn Square Housing Co-op, a letter setting out the issues discussed in the meeting was sent to the organisations, requesting confirmation that the letter accurately represented the views of the group.

3. Sustainability Appraisal

During the Pre-production stage of the SPD, the Council undertook a Sustainability Appraisal on the SPD, following the guidance issued by the Office of the Deputy Prime Minister (ODPM). Consultation was undertaken on the Scoping Report and the subsequent draft Initial Sustainability Appraisal report. A meeting was held on Thursday 6th January 2005 to discuss the draft SA. Further details are available in the final Sustainability Appraisal Report which is available from the Council.

4. Public Consultation on the draft SPD

The Council undertook formal public consultation on the draft SPD and Sustainability from Monday 7th February until Wednesday 2nd March 2005.

The SPD documents were made available on the Council's website www.brent.gov.uk, the One Stop Shops located at Brent House, Brent Town Hall and Hampton House, and Kilburn library.

During the public consultation period, information advertising the draft SPD, the purpose and contents of it, and how to comment on it, was provided in the following ways:

- Consultation Letters
- A Public Meeting
- Public Notices
- Information on Brent Council website;

(i) Consultation Letters

A letter was sent to local households and wider stakeholders as listed below. The Council also wrote to anyone who requested to be consulted.

Local Households – Consultation letter was sent to 1500 households in the vicinity of the site.

Wider Stakeholders

The following is a list of wider stakeholders who were consulted on the draft SPD. At the request of the stakeholders, or where the Council considered it appropriate, paper copies of the draft SPD and related SPD documents were provided to these stakeholders.

Nationwide and Regional Organisations

- GLA
- GOL
- English Heritage
- English Partnerships
- Environment Agency
- CABE
- London Development Agency
- London Underground
- Transport for London
- Thames Water
- Environment Agency
- London Buses
- Sport England
- Silverlink

Borough wide Organisations

- Brent & Harrow PCT
- Energy Solutions
- Metropolitan Police

- Vectra Property Consultants

Kilburn Based Organisations

- KABRAG
- Kilburn Partnership
- Kilburn Square Housing Co-op
- *Surestart*

- London Borough of Camden
- London Borough of Westminster
-

MP & Members

- Ward Councillors for Kilburn and Queens Park
- Member of Parliament

Local Residents Associations

- Kilburn Village Residents Association
- Aylestone Park Residents and Tenants Association
- Brondesbury Residents & Tenants Association

Other

- Attendees at the Public Inquiry

(ii) Meetings

The following meetings were held during the formal public consultation period to discuss the draft SPD.

- A public meeting was held on Monday 21st February 2005
- Kilburn/Kensal Area Consultative Forum – 3rd March 2005

(iii) Public Notices

A Public Notice was published in local papers during the week of 24th January 2005.

(iv) Information on Brent Council Web Site

The draft SPD and other SPD documents were made available to be viewed on the Brent Council (www.brent.gov.uk) web site

5. Responses to comments on the draft SPD and Sustainability Appraisal

The following tables summarise responses that were received during public consultation. and shows how these main issues have been addressed in the final SPD and Sustainability Appraisal.

Representation	Summary of Representation	Council Response	How SPD has been altered
Environment Agency	No comments		
Thames Water	Section 8 *(page 7) – a further development objective should be for redevelopment proposals to consider their impact on water and wastewater infrastructure	The existing development objective encourages a sustainable approach to the redevelopment of the site taking into account the guidelines set out in SPG19. SPG19 covers water pollution and therefore the council considers that a separate development objective is not required. However it accepts that a specific reference can be added to the existing objective.	Section 8: The Development Objective will be reworded as follows: To encourage a sustainable approach to the redevelopment of the site, <i>including the impact on water and wastewater infrastructure</i> , taking into account guidelines set out in SPG 19
Thames Water	Section 18 (page 15) – reference should be made for planning applications to provide a brief assessment of the impact that the proposed planning application will have on utility water and wastewater infrastructure	The Council accepts that the addition of a specific reference would assist in the assessment of any application	Section 18: An additional planning requirement will be added: <i>A brief assessment of the impact on utility water and wastewater infrastructure</i>
English Heritage	Section 5 (page 5) – Kilburn Conservation Area which lies immediately to the south of the proposed development site is not mentioned. Suggest that text is amended to reflect the existence of this designated conservation area in the context of policy BE25 of the Brent UDP 2004.	The Council accepts that reference to the Conservation Area would assist in the assessment of any application.	Additional text to be added as follows: <i>However, the Kilburn Conservation Area lies immediately to the south of the site and so any development proposals that affect the views out of the Conservation Area would have to be assessed in relation to Policy BE25.</i>
	Section 8 (page 7): Suggest that an objective should be incorporated which	The Council considers that there is no need to make a specific	No change made.

Representation	Summary of Representation	Council Response	How SPD has been altered
	<p>seeks to enhance the setting of Kilburn Conservation Area.</p> <p>Section 10 (page 8): No reference is made to the need to understand the existing character and historical development of the site and its surroundings. Through greater understanding and analysis of past developments and its impact upon the current pattern of buildings and spaces can provide pointers on how a future scheme could be sensitively incorporated into the existing fabric.</p> <p>Suggest an additional principle is added at the beginning to help reinforce this message.</p> <p>Section 13 (page 11): As part of the Townscape Quality paragraph, an opportunity exists to make reference to the desire of enhancing the special character and appearance of the adjoining Kilburn Conservation Area. The scale, form and character of the buildings on the south side of Brondesbury Road should be accommodated and respected in development of the site. At present, the guidance does not seem to reflect this important issue.</p> <p>Section 20 (page 15): Policy BE25 is not</p>	<p>development objective as the existing UDP policy and the addition of references elsewhere is sufficient.</p> <p>The Council accepts that there is a need to understand the existing character and historical development of the site and its surroundings. However it considers that this is covered elsewhere in the SPD including amendments made elsewhere in response to English Heritage's comments</p> <p>The Council accepts that reference to the buildings on the south side of Brondesbury Road would assist in the assessment of any application.</p>	<p>No change made.</p> <p>In order to contribute positively to the locality, any scheme must make respond to existing townscape and landscape characteristics of the Kilburn town centre <i>including the buildings on the south side of Brondesbury Road.</i></p> <p><i>Reference to Policy BE25 Development in</i></p>

Representation	Summary of Representation	Council Response	How SPD has been altered
	mentioned Section 20 (page 17) PPG 15 should be included.		<i>Conservation Areas included in Policy Checklist</i> <i>Reference to PPG15 Planning and the Historic Environment included in Guidance Notes</i>
Camden Council	Section 2 (page 3): Reference to Kilburn High Road being the borough boundary to LB Brent and LB Camden Section 1 (page 3): If relevant, the appeal decision is expanded on to indicate how it may have influenced development objectives/identified key issues Options C and D more obviously and legibly integrate Kilburn Square and therefore the clinic with the High Road and would appear to more successfully meet some of the objectives of the brief and overcome possible concerns about safety issues relating to options which involve bridging over the space.	The Council considers that given the number of issues covered by the Inspector's report, a summary of issues would be difficult to include at this point. However, the Council considers that the issues identified in the Report are covered within the SPD Observation only.	Additional text added: <i>Kilburn High Road represents the borough boundary between the London Borough of Brent and the London Borough of Camden.</i> No changes made. No changes made.
Kilburn Partnership	Preservation of 14m width footway. Compromise only if there are ways of compensating for the loss of a limited	Options C and D of the SPD supports preservation of 14m width.	No changes made. The SPD already takes this approach

Representation	Summary of Representation	Council Response	How SPD has been altered
	amount of pavement width with high-quality public space with a clear frontage onto the High Road	Option B allows for limited loss of pavement width as long as the quality of the remaining public space is improved	
Kilburn Partnership	Removal of overhead bridge linking 121 -123 with 103 – 119. Bridge to be removed as it destroys possibility of high quality design for the site and so is in conflict with Government guidance. Specifically, it blocks views to the green square to rear of market and to current market square low height, bulk and awkward access points are an obstruction to movement, provide unsafe corners encouraging criminal activity and provide nooks in which litter can collect. A purpose-designed high quality bridging structure is not ruled out if it can make a positive contribution to the overall design and safety of the area.	Options C and D supports removal of bridge link. Option B includes the retention of a bridge link subject to suitable design and amenity criteria.	No changes made.
Kilburn Partnership	Heights – encouragement of taller landmark building if other benefits can be obtained through this, particularly a high quality public square at ground level with a clear frontage on to the High Road. Given that 8 storeys have been granted in Camden & 15 storeys proposed within the South Kilburn Masterplan, it may be appropriate to consider allowing for a taller building on this site.	The SPD allows for higher buildings in appropriate parts of the site given suitable design quality.	No changes made
Kilburn Partnership	Provision of a glass covered walk-through, all weather market area	SPD allows for part covered market and does not preclude such an approach.	No changes made.
Kilburn Partnership	Contributions to the landscaping and	Site controlled by Kilburn	No changes made

Representation	Summary of Representation	Council Response	How SPD has been altered
	improvement of play facilities on the green square behind the site	Square Housing Co-op who do not support wider access to the site	
Kilburn Partnership	Provision of fully accessible public toilet facilities	Toilets to be provided at more appropriate locations on the High Road	No changes made
Cunnane Town Planning	<p>Section 1 (page 3) Reference is made here to the recommendation of planning inspector in relation to the recent appeal. There is no further mention of the appeal decision in the SPD and so there is no mention of elements of the appeal scheme that the Inspector supports.</p> <p>Section 2 (page 3) Proposal MOS4 of the adopted Brent UDP 2004 relates specifically to the site of 103 -125 High Road and Kilburn Square Market. The development objectives include a “comprehensive approach” but the proposal does not envisage the inclusion of adjoining or neighbouring sites in this “comprehensive approach”. The neighbouring buildings defined in this draft SPD as “key” appear not to have been considered so in the context of the adopted UDP proposals.</p> <p>Section 4</p>	<p>SPD recognises comments of Inspector but considers that given the number of issues covered by the Inspector’s report, a satisfactory balanced summary of issues would be difficult to include.</p> <p>The identification of neighbouring sites within the context of the SPD even if not identified in the adopted UDP is considered acceptable. The designation of these buildings as “key” in the SPD is to identify that they are discussed further within the document. The SPD does not require that these buildings are included in any development proposals but identifies that these sites could be brought in to a wider development scheme.</p>	<p>No changes made</p> <p>No changes made.</p>

Representation	Summary of Representation	Council Response	How SPD has been altered
	<p>The existing public realm is somewhat out of character with the majority of Kilburn High Road in terms of the width of the footway (that includes a substantial area of private forecourt) and the “Market Square” area towards the High Road frontage. The SPD could encourage development proposals that would result in an overall increase in the area of “public realm” in the immediate vicinity of the site, notwithstanding that there could be reductions in some areas compensated by increases in others.</p> <p>Section 5 Proposal MOS4 provides specific development objectives that the present draft SPD sets out to expand upon and add to. It would appear that both fail to distinguish properly between Kilburn Square and the area of Kilburn Market as the terms are sometimes used mutually exclusively and sometimes interchangeably. This does not result in clear, consistent planning guidance.</p> <p>Section 7: We have seen no evidence from local residents of a desire to increase the size of the market nor have we seen any reasoned justification for precluding any movement forward of the building line along at least some parts of the frontage, particularly where any</p>	<p>The Council recognises the value that local residents place on the wider footway at this point in the High Road. The SPD encourages regenerative development while retaining the character of the space. Option B accepts partial loss of footway only where there are other substantive public realm benefits. The Council considers that any further loss of footway in addition to that allowed in Option B may allow this character to be eroded.</p> <p>The SPD distinguishes between Kilburn Square Open Space and Kilburn Square as the remaining public realm element of the development.</p> <p>The SPD does not require increase in the size of the market.</p> <p>The SPD does allow for movement forward of the</p>	<p>No changes made</p> <p>No changes made.</p> <p>No changes made.</p>

Representation	Summary of Representation	Council Response	How SPD has been altered
	<p>consequential loss of public domain might be replaced by more beneficial space elsewhere within the site. Indeed there is reference within the development objectives of Section 8 to the belief of the Council that comprehensive development should <i>“Reinforce the building line, whilst maintaining adequate footway with; or consider incremental change only where there are other substantive public realm benefits”</i>.</p> <p>This clearly accepts in principle that there can be an opportunity to review the building line and, as set out in Section 8, is derived from the adopted UDP policy and so should be given weight accordingly.</p> <p>9. Development Options</p> <p>The Options B, C and D set out in this Section comprise only the barest of concepts and provide insufficient practical guidance in planning terms. Any “partial redevelopment” of the site is significantly constrained by the existing structure. The extensive, deep basement areas make it very difficult to look to support new development other than on the existing structure or on land beyond the area of the basement. The retention of the existing maisonettes is a constraint upon the location of additional floor space above the retail frontage</p>	<p>building line under Option C. It is only under Option D that the Council considers that there is no need to move forward the building line.</p> <p>Comments noted</p>	

Representation	Summary of Representation	Council Response	How SPD has been altered
	<p>because minimum window/window distances need to be maintained and adequate penetration by sunlight and daylight has to be ensured.</p> <p>Option B would appear not to result in any material increase in commercial floor space or built volume such as would provide an economic justification for the development taking place. It would result in considerable disruption for existing tenants and would not offer the increases in floor space that some of the existing tenants require, thereby in all likelihood resulting in their vacating the premises. Moreover, a colonnaded frontage is not now seen as commercially attractive. This design approach was, in any event, resisted in principle by the Council as part of its case at the recent planning appeal and was considered undesirable by a number of groups represented at the appeal hearing. It seems somewhat perverse for the Council now to be promoting this as a development option.</p> <p>Complete redevelopment is not a viable option for the site owners in light of the high risks and costs involved. The cost of demolition alone would be exorbitant and the whole scheme is unlikely to be financially worthwhile having regard to the likely achievable levels of additional floor space and against which must be offset the costs of the requirements set</p>	<p>Option B does allow for increase in commercial floorspace. A colonnaded frontage is not included in the SPD.</p>	<p>No change made.</p>

Representation	Summary of Representation	Council Response	How SPD has been altered
	<p>out in the draft SPD.</p> <p>The site owners had given much consideration to Options for the development and refurbishment of this site before concluding that it is essential to bring forward the building line sufficiently to support the erection on the Kilburn High Road frontage of new accommodation that relates to the retained maisonettes in accordance with adopted standards.</p> <p>Bringing the building line forward along the frontage to the north of the Market Square is also important to facilitate making the best use of that part of the site through the construction of additional floors of residential accommodation. Although that would result in the loss of a street tree, this can be replaced, perhaps at the heart of the entrance to the Market Square.</p> <p>12. Layout & Siting</p> <p>The acceptance under Option B of a minimum pavement width of 11 metres is noted and the principle of reducing pavement width as part of a partial development is encouraged, as set out above.</p> <p>19. Section 106 Obligations</p> <p>The reference to 50% affordable housing</p>	<p>Comments are noted.</p> <p>Option B allows to bring the building line forward.</p> <p>Comment is noted</p>	<p>Following text added to Section 11 page 10</p>

Representation	Summary of Representation	Council Response	How SPD has been altered
	should be expressed as a target, not a standard.	affordable housing requirements and states that 30% - 50% are required.	for clarification <i>A lower proportion would only be acceptable where the applicants clearly demonstrated that 50% proportion was not financially viable.</i>
Michelle Smith	Appendix 2 (page 21) Would like to see Option C built as has least effect on surrounding areas whilst ensuring occupants of existing buildings are not overlooked by high blocks Suggests keeping any flats built to a maximum of four floors.	Comments noted The SPD considers that four storey development is appropriate for the majority of the site but considers that it is possible to achieve higher buildings in appropriate parts of the site given suitable design quality.	No changes made. No changes made.
Diane Ashby	Building of flats will take away our access to the Kilburn Square Estate from the High Road will involve destruction of trees block out light for some of the residents seriously restrict people's general right of way by considerably decreasing the pavement area	The draft SPD requires retention of the existing pedestrian access link through to Kilburn Square. The SPD requires that there is no net loss of trees Options C and D maintain the current pavement area. Option B allows for limited loss of pavement width as long as the quality of the remaining public	No changes made. No changes made. No changes made.

Representation	Summary of Representation	Council Response	How SPD has been altered
		space is improved	
Charlotte Fonceca	Loss of the green (trees, shrubs and flowers) in front of our entrance to the tower block	The SPD does not cover this site.	No changes made.
	Loss of trees in the town centre situated in front of the market square	The SPD requires that there is no net loss of trees	No changes made. The SPD already takes this approach
	Loss of reception – television/sky satellite	This is a detailed planning matter. Any development that leads to loss of reception would be required to take mitigating measures.	No changes made to the SPD
	View from windows will be met with unsightly buildings and reduced sunlight	SPD requires a high quality of architecture. Any development that resulted in	No changes made.
	Increase of unsociable behaviour Fly tipping Additional security to a high risk area Graffiti Loitering Increase of rubbish	The SPD states that the Council will expect 'Secured by Design' principles to be integral to any redevelopment scheme. This will introduce security for the building including natural surveillance so as to reduce incidents listed.	No changes made. The SPD already takes this approach
	Increase of maintenance	This is a detailed planning matter that would be looked at as part of any planning application	No changes made to the SPD
	Reduction in car parking space	The SPD seeks to provide a reasonable balance between town centre shopping spaces	No changes made to the SPD

Representation	Summary of Representation	Council Response	How SPD has been altered
		and limited new spaces for residents in any new development	
Kilburn Square housing Co-op	<p>Option Bi, Bii and D (page 5 and 6) The layout and scale offers the wrong geometry and is misleading. The tower block looks smaller on the plans than it is.</p> <p>Options Bi and Bii : the bridge is too close to the KSHC estate creating loss of natural light and restricted view to our residents of the tower block and endangering mature trees on the estate.</p> <p>Option D would involve selling the land on our estate with the loss of 16 residents lock up garages and the loss of the estate road and parking spaces.</p>	<p>Comments are noted. The plan is indicative</p> <p>The Council considers that any bridge link is only acceptable where there is no significant loss of amenity to existing residents. This would be assessed as part of any planning application.</p> <p>Council accepts that Option D redevelopment of Kilburn Square Clinic would lead to loss of 16 lock up garages. Proposal does not seek to build on the estate road.</p>	<p>No change made.</p> <p>SPD revised with addition of following text at Section 12 (page 11) Bridge Link – Option B only <i>Option B allows for the retention of the existing bridge link across Kilburn Square. Further development of the link is only acceptable where there is no significant loss of amenity to residents in terms of outlook, sunlight and daylight. In addition, any development should not affect existing trees adjacent to the bridge link.</i></p> <p>SPD revised under Option D to require re-provision of 16 car parking spaces within any redevelopment. The following text added to SPD Section 4 page 5 <i>This includes both the Clinic, the facilities and services provided at 11-15 Brondesbury Road and the 16 lock up garages that are located on the ground floor of the Kilburn Square Clinic building.</i></p> <p>and section 9 page 8: <i>Any services and facilities lost through redevelopment would have to be re-provided within the new development.</i></p>

Representation	Summary of Representation	Council Response	How SPD has been altered
	<p>The density of over 120 units as planned and the bulk building being up to 8 storeys would have far too big an impact on us and the security of our estate</p> <p>We prefer option C which would be less damaging to the KSHC estate but we still have reservations on its height, density and the impact to the tower block.</p> <p>We do not want to see any colonnades created.</p> <p>We are uncertain about this redevelopment to the North of the square the initial “open-state” design as agreed by the borough of Brent will be destroyed. KSHC should be recognised as a major stakeholder and should be fully informed. We do not feel that we have been.</p> <p>We would point out that Kilburn already has a density of people of 150 per hectare against the rest of the borough of Brent with 69 persons per hectare acre. The Brent environmental survey</p>	<p>The areas proposed for the most number of flats are on the Kilburn High Road elevation of the site. Any development would need to meet “Secured by Design” standards and applicants would need to demonstrate that any impacts are within acceptable limits.</p> <p>Comments are noted.</p> <p>Colonnades are only proposed within the market area subject to satisfactory “Secured by design” principles.</p> <p>KSHC has been involved in the production of the SPD from pre-production stage onwards.</p> <p>There is no Government guidance limiting development to those areas with lower population densities. The town centre is considered an</p>	<p>No change made to SPD.</p> <p>No changes made.</p> <p>No changes made.</p> <p>No changes made.</p>

Representation	Summary of Representation	Council Response	How SPD has been altered
	<p>also stated that there is a high level of space deficiency in Kilburn ward.</p> <p>KSHC would prefer Option C which is less damaging to the environment but we still have reservations on its height and density and impact on Kilburn Square Housing Estate existing dwellings and buildings above Argos.</p>	<p>appropriate location for higher density development.</p> <p>Comments are noted.</p>	
Carmel Reidy	<p>Section 22 (page 18): Option C sounds the best of options (but is far from what I would like to see there). All buildings should be 14 metres from edge of pavement to front wall, Cock Tavern should be left to stand on its own as befits a listed building, all trees left standing and no part of the building above McDonalds should be touched as this is an old building.</p> <p>On Option C, you have drawn the building that houses McDonalds as coming right up to the edge of the pavement. If this is what you plan and not a mistake then no,no,no.</p> <p>No Colonnades or overhanging buildings</p>	<p>Option C supports 14m pavement width. The Council does not agree that the Cock Tavern “should stand on its own”, however the SPD does recognise the contribution that this locally listed building makes to the townscape. McDonalds building is not statutorily or locally listed.</p> <p>Any new building would respect the existing building line. Plans are only indicative.</p> <p>Colonnades are not proposed on the High Road frontage. Colonnade is accepted within the Market Square area subject to satisfactory “Secured by design” principles. Council considers that an overhang on the High Road frontage is appropriate.</p>	<p>No changes made.</p> <p>No changes made.</p> <p>No changes made.</p>

Representation	Summary of Representation	Council Response	How SPD has been altered
	No higher than 5 floors at its highest point anywhere in the development.	The SPD suggests that four storeys is an appropriate height for the majority of the site but allows for higher buildings in appropriate parts of the site given suitable design quality.	No changes made.
Mrs T Reidy	<p>Section 22 (page 18): I have always considered Kilburn Square the large open concrete space in front of Argos plus the part of the market that juts out in our way – I would push the market back and keep the entire Square free for appearances</p> <p>McDonalds left as it is. The Cock Tavern left as it is.</p> <p>The height of the new building (the new flats) not more than 5 floors.</p> <p>Only give market licences to neat and tidy pitches definitely no veg stalls, they are filthy. No change made.</p>	<p>The SPD seeks to relocate the market towards the rear of the site.</p> <p>There are no proposals within the SPD to develop the Cock Tavern. McDonalds building is not statutorily listed.</p> <p>The SPD suggests that four storeys is an appropriate height for the majority of the site but allows for higher buildings in appropriate parts of the site given suitable design quality.</p> <p>This is not a planning matter.</p>	<p>No changes made.</p> <p>No changes made.</p> <p>No changes made.</p> <p>No changes made.</p>
Kenneth Reidy	Section 22 (page 18): Whatever is built should be in line with the existing shops, should be no higher	Option C supports 14m pavement width. The SPD suggests that four storeys is an	No changes made.

Representation	Summary of Representation	Council Response	How SPD has been altered
	<p>than 5 floors and leave the famous Kilburn Square for historic reasons as well as a meeting place for community get-togethers. The new work should add to the square and not make it an eyesore just to build flats. The trees should be saved.</p> <p>Suggested amendments:</p> <ol style="list-style-type: none"> 1. Complete redevelopment under paragraph C but not on colonnades. 2. No building should darken the space in Kilburn High Road. Everything should be set back from the main square (paved area) and High Road. The green square is not considered as Kilburn Square. 3. There should be strict control over the developers 4. Choice B would be best but not to lost trees or pavement. 	<p>appropriate height for the majority of the site but allows for higher buildings in appropriate parts of the site given suitable design quality. Improvements to the public realm and provision of Community Space required as part of the development.</p> <p>Colonnades are not proposed on the High Road frontage. Colonnade is accepted within the Market Square area subject to satisfactory "Secured by design" principles.</p> <p>Council considers that an overhang on the High Road frontage is appropriate.</p> <p>This is not a planning matter</p> <p>Option B (partial redevelopment) would not be possible without some loss of pavement and trees. Any trees lost as a result would have to be re-provided within the development.</p>	<p>No changes made.</p> <p>No changes made.</p> <p>No changes made.</p> <p>No changes made.</p>
Cllr Noel Thompson	I would like to specify a covered market. This would be advantageous for	The SPD allows for part of the market to be set within the	No changes made.

Representation	Summary of Representation	Council Response	How SPD has been altered
	<p>stallholders and customers alike.</p> <p>The examples of partial and complete development should be very prominently stated to be illustrative – there are a multitude of acceptable variants which could be devised.</p>	<p>building. A covered market is not necessarily precluded by the SPD</p> <p>Comments accepted.</p>	<p>SPD amended with addition of text as suggested.</p>

Representations on the Sustainability Appraisal

Representation	Summary of Representation	Council Response	How the Sustainability Appraisal has been altered
English Heritage	key issue of concern relates to the lack of recognition given to the historic environment in the appraisal of the SPD. For example PPG15 has not been mentioned in the Appraisal. It is accepted that there are no protected historical assets within the boundary of the development site but, as already discussed Kilburn Conservation Area lies immediately to the south of the site. This should be recognised through the inclusion of PPG15 and in the consideration of Historic & Environmental and cultural assets’.	The implications of the historic environment was noted by the panel particularly in discussion about the Cock Tavern and given due weight. The adjacent conservation area and PPG15 will be noted in the final SA report.	The adjacent conservation area and PPG15 will be noted in the final SA report.
Cunnane Town Planning	<p>The area that now performs the “traditional” function of a “square” is the public area that you define as Kilburn Square Market. It ...was the alleged inadequacy of this public area that gave some rise for concern on the part of the Inspector. There were significant reservations expressed by local residents groups about the appropriateness, or need for a market in this location.</p> <p>It must be noted that the Kilburn Square to which your consultation documents refer is a grassed private space serving the neighbouring residential estate and to which the general public has no access for purposes of leisure, amenity,</p>	<p>The grassed private space serving the neighbouring residential estate is referred to in the SA as Kilburn Square Open Space. References to Kilburn Square refer to the</p>	No changes made.

Representation	Summary of Representation	Council Response	How the Sustainability Appraisal has been altered
	<p>congregation or public display.</p> <p><i>Section 2 (Table 1) and Section 4</i></p> <p>With regard to Table 1, my clients are disappointed that, despite a number of offers on their part, they, as site owners, have not been invited to take part in pre-production work on establishing base lines and scoping the Sustainability Appraisal.</p> <p>The collection of relevant environmental and economic base line information has not included detailed information about the existing structures, the present economic “health” of the site nor the practical constraints on development options arising from the legal and contractual rights of tenants and lease holders.</p> <p>Section 6</p> <p>The SPD objectives set out at Section 6 are generally supported although there is confusion as to what constitutes “Kilburn Square” as opposed to “Kilburn Square Open Space”. There is an objective to create “active frontages” onto Kilburn Square even though there is no frontage to the Square within the site itself unless the market area was to be developed</p>	<p>remaining paved public space associated with the development.</p> <p>The SA Scoping Report which identified initial range of baselines and the draft sustainability appraisal was sent to the consultants for comments but no comments were received.</p> <p>The Council considers that it had reasonably robust baseline information supplemented by expert council officers.</p> <p>The grassed private space serving the neighbouring residential estate is referred to in the SA as Kilburn Square Open Space. References to Kilburn Square refer to the remaining paved public space associated with the development.</p>	<p>No changes made.</p>

Representation	Summary of Representation	Council Response	How the Sustainability Appraisal has been altered
	<p>with a west facing frontage.</p> <p>There is further confusion between references to “reinforce the building line” as opposed to “maintaining adequate footway width”. There is the implication that there is some flexibility to both (which my clients would support). With further reference to Kilburn Square, its inclusion in the objective of improving public space suggests an intention to bring the Square more into the public domain as at least a visual, but perhaps also a physical extension of the separate area that is referred to as Kilburn Square Market.</p> <p>Section 8</p> <p>I will consider the Options in the context of the draft SPD below.</p> <p>The “expert group” established to enable “informed consideration of the Options” did not include representatives of the site owners.</p> <p>Section 9</p> <p>The Options Appraisal results are based on a somewhat arbitrary and perfunctory assessment.</p> <p>It is unclear what Option E would</p>	<p>The SPD reflects that there is some flexibility through option B.</p> <p>The expert group was made up of internal council officers from various services to provide an objective assessment of the proposals.</p> <p>Options appraisal was carried out in line with draft Government guidance and current best practice.</p> <p>Option E described in section 7;</p>	<p>No changes made.</p> <p>No changes made.</p> <p>No changes made.</p>

Representation	Summary of Representation	Council Response	How the Sustainability Appraisal has been altered
	<p>comprise and so the “scoring” for that Option cannot properly be assessed. For example, in Category 1 “Prosperity & Social Inclusion”, why is residential use minimised in Option E?</p> <p>It appears that Option D shows the best score against social objectives, but this presumes a particular level of housing development and new health care facilities the provision of which would depend significantly upon the willingness of the local authority to make available its land holding for development at reasonable terms. Yet the document includes no undertaking from the Council that this would be the case.</p> <p>Although Option A is said at paragraph 10.2 to perform poorly in comparison with Options B, C and D, it must be noted that at no point does Option A secure a negative score and so this analysis makes clear that enhancements within the existing building envelope would not result in harm and should, therefore, not attract a refusal of planning permission (where work might require such permission). This may well be the launch point for future proposals by the site owners unless the significantly greater risks and costs involved in a scheme including redevelopment could firmly be established as commercially worthwhile. Option A should not have been</p>	<p>option includes minimal housing.</p> <p>The SA process is to assess various development options and clearly set out relevant development requirements should the site become available for development.</p> <p>Option A did not secure a negative score but was the poorest compared to the other options considered. The role of the SA is to identify the preferred options to be carried forward.</p>	<p>No changes made.</p> <p>No changes made.</p>

Representation	Summary of Representation	Council Response	How the Sustainability Appraisal has been altered
	<p>dismissed but should have been retained for consideration as part of the SPD.</p> <p>Looking in detail at the comparison of Option A against economic objectives (Section 9.5) the assessment against “growth” as “neutral” is incorrect since refurbishment would enable presently underused space to be rationalised, resulting in an increase in useable space. The refurbishment of retail and business space would also result in increased employment opportunities, so the assessment of Objective 19 as “neutral” is incorrect. Furthermore, there would be a positive impact upon the character of the area, and therefore upon regeneration, through refurbishment of the exterior fabric of the buildings and a general increase in economic vitality and viability deriving from new and extended leases for the commercial occupiers.</p> <p>Overall, therefore, I conclude that your analysis of Option A materially undervalues the potential benefits of refurbishing the existing building envelope and this should have been retained as an Option for inclusion within the SPD.</p> <p>Section 10</p> <p>The bullet points listed at paragraph 10.6 omit the fundamental requirement that</p>	<p>This was not the view of the panel as any benefit would be minimal when compared to the other options.</p> <p>Any improvement to economic vitality and employment opportunities would be a short term improvement especially when compared to the other options. The SA needs to consider the longevity of any improvements.</p> <p>The SA did not assess Option A in this way for the reasons identified above.</p> <p>The SPD supports development of the site but within an overall</p>	<p>No changes made.</p> <p>No changes made.</p> <p>No changes made.</p>

Representation	Summary of Representation	Council Response	How the Sustainability Appraisal has been altered
	<p>positive encouragement should be given to development so that some, or all, of this wish list of requirements can actually be achieved.</p> <p>Section 11</p> <p>The expert panel again excluded a key stakeholder, that being the site owners as the group likely to have to take on board and implement the provisions of the SPD.</p> <p>Section 12</p> <p>It is not clear from this analysis that the Sustainability Appraisal alleges any harm would result from bringing forward the building line. Indeed, this could have a long term positive effect if the possibility of extending the building forward, with consequential increases to retail floor space and further development at upper levels (that does not depend upon a colonnaded frontage), would encourage greater long term investment in the site.</p> <p>Overall, this Section is somewhat unclear and confusing.</p>	<p>sustainable approach. The SA identifies these sustainable requirements through the development requirements and is not considered to be a wish list.</p> <p>The expert group was made up of internal council officers from various services to provide an objective assessment of the proposals. This consultation period allows for stakeholders' involvement.</p> <p>The SA did identify that there would be social harm if the building line was brought forward and public space was lost.</p>	<p>No changes made.</p> <p>No changes made.</p>