



Planning Committee

Wednesday, 9 March 2011 at 7.00 pm

Committee Room 4, Brent Town Hall, Forty Lane,
Wembley, HA9 9HD

Membership:

Members

Councillors:

RS Patel (Chair)
Sheth (Vice-Chair)
Adeyeye
Baker
Cummins
Daly
Hashmi
Kataria
Long
McLennan
CJ Patel

First alternates

Councillors:

Kabir
Mitchell Murray
Hossain
HM Patel
Cheese
Naheerathan
Castle
Oladapo
Thomas
J Moher
Lorber

Second alternates

Councillors:

Gladbaum
R Moher
Mashari
HB Patel
Allie
Ogunro
Beck
Powney
Van Kalwala
Moloney
Castle

For further information contact: Joe Kwateng, Democratic Services Officer
(020) 8937 1354, joe.kwateng@brent.gov.uk

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:

www.brent.gov.uk/committees

The press and public are welcome to attend this meeting

Members' briefing will take place at 6.15pm in Committee Room 4

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM	WARD	PAGE
1. Declarations of personal and prejudicial interests Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda. Extract of Planning Code of Practice		
2. Wembley Link-Adoption of Supplementary Planning Document This report asks Planning Committee to consider the consultation responses to the draft Wembley Link Supplementary Planning Document (SPD) and the proposed changes to the consultation draft. The Planning Committee is asked to add its support to the consultation responses and changes to the Wembley Link SPD draft which the Executive will be asked to adopt on 14 March 2011.	Tokyngham; Wembley Central;	5 - 70
3. Site Specific Allocations Development Plan Document (DPD) This report explains that the Council has received the Inspector's report into the Examination of the Site Specific Allocations Development Plan Document of the LDF for fact checking, and that the Inspector finds the document sound subject to recommended changes being made.	All Wards;	71 - 74
4. Response to Mayor of London's Community Infrastructure Levy (CIL) consultation This report asks Planning Committee to support the consultation responses on The Mayor of London's Community Infrastructure Levy (CIL) Proposals. The Mayor proposes to levy a CIL charge on most forms of development to help pay for Crossrail. This would have a significant impact of the collection of the council's S106 standard charge. The council's response strongly objects to the imposition of the Levy on Brent.	All Wards;	75 - 84
5. Proposed Changes to Legislation and planning policy This report summarises key proposed legislative and planning policy changes including the Localism Bill, Parking Standards policy changes, social housing reform and the New Homes Bonus.	All Wards;	85 - 92

6. **Local Issues and Development Management Policies** All Wards; 93 - 98
- This report summarises a range of planning issues that have been raised as a concern for Brent, primarily by Planning Committee or other Councillors. It discusses these in relation to the programme for the Local Development Framework and seeks the Planning Committee's views on priorities and a future programme.

7. **Planning Committee Amendments to Terms of Reference** All Wards; 99 - 106
- The report recommends that amendments are made to the Planning Committee terms of reference that will reduce the overall Committee workload, removing less significant and all domestic applications from the terms of reference, in part by changing the objection criteria where an application is recommended for approval from more than 1 objection to more than 5. The report also proposes alterations to the member call-in procedure.

8. **Any Other Urgent Business**

Notice of items to be raised under this heading must be given in writing to the Democratic Services Manager or his representative before the meeting in accordance with Standing Order 64.

Date of the next meeting: Wednesday, 16 March 2011

The site visits for that meeting will take place the preceding Saturday 12 March 2011 at 9.30am when the coach leaves Brent House.



- Please remember to **SWITCH OFF** your mobile phone during the meeting.
- The meeting room is accessible by lift and seats will be provided for members of the public.
 - Toilets are available on the second floor.
 - Catering facilities can be found on the first floor near The Paul Daisley Hall.
 - A public telephone is located in the foyer on the ground floor, opposite the Porters' Lodge

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EXTRACT OF THE PLANNING CODE OF PRACTICE

Purpose of this Code

The Planning Code of Practice has been adopted by Brent Council to regulate the performance of its planning function. Its major objectives are to guide Members and officers of the Council in dealing with planning related matters and to inform potential developers and the public generally of the standards adopted by the Council in the exercise of its planning powers. The Planning Code of Practice is in addition to the Brent Members Code of Conduct adopted by the Council under the provisions of the Local Government Act 2000. The provisions of this code are designed to ensure that planning decisions are taken on proper planning grounds, are applied in a consistent and open manner and that Members making such decisions are, and are perceived as being, accountable for those decisions. Extracts from the Code and the Standing Orders are reproduced below as a reminder of their content.

Accountability and Interests

4. If an approach is made to a Member of the Planning Committee from an applicant or agent or other interested party in relation to a particular planning application or any matter which may give rise to a planning application, the Member shall:
 - a) inform the person making such an approach that such matters should be addressed to officers or to Members who are not Members of the Planning Committee;
 - b) disclose the fact and nature of such an approach at any meeting of the Planning Committee where the planning application or matter in question is considered.
7. If the Chair decides to allow a non-member of the Committee to speak, the non-member shall state the reason for wishing to speak. Such a Member shall disclose the fact he/she has been in contact with the applicant, agent or interested party if this be the case.
8. When the circumstances of any elected Member are such that they have
 - (i) a personal interest in any planning application or other matter, then the Member, if present, shall declare a personal interest at any meeting where the particular application or other matter is considered, and if the interest is also a prejudicial interest shall withdraw from the room where the meeting is being held and not take part in the discussion or vote on the application or other matter.
11. If any Member of the Council requests a Site Visit, prior to the debate at Planning Committee, their name shall be recorded. They shall provide and a

record kept of, their reason for the request and whether or not they have been approached concerning the application or other matter and if so, by whom.

Meetings of the Planning Committee

24. If the Planning Committee wishes to grant planning permission contrary to officers' recommendation the application shall be deferred to the next meeting of the Committee for further consideration. Following a resolution of "minded to grant contrary to the officers' recommendation", the Chair shall put to the meeting for approval a statement of why the officers recommendation for refusal should be overturned, which, when approved, shall then be formally recorded in the minutes. When a planning application has been deferred, following a resolution of "minded to grant contrary to the officers' recommendation", then at the subsequent meeting the responsible officer shall have the opportunity to respond both in a further written report and orally to the reasons formulated by the Committee for granting permission. If the Planning Committee is still of the same view, then it shall again consider its reasons for granting permission, and a summary of the planning reasons for that decision shall be given, which reasons shall then be formally recorded in the Minutes of the meeting.

25. When the Planning Committee vote to refuse an application contrary to the recommendation of officers, the Chair shall put to the meeting for approval a statement of the planning reasons for refusal of the application, which if approved shall be entered into the Minutes of that meeting. Where the reason for refusal proposed by the Chair is not approved by the meeting, or where in the Chair's view it is not then possible to formulate planning reasons for refusal, the application shall be deferred for further consideration at the next meeting of the Committee. At the next meeting of the Committee the application shall be accompanied by a further written report from officers, in which the officers shall advise on possible planning reasons for refusal and the evidence that would be available to substantiate those reasons. If the Committee is still of the same view then it shall again consider its reasons for refusing permission which shall be recorded in the Minutes of the Meeting.

29. The Minutes of the Planning Committee shall record the names of those voting in favour, against or abstaining:
 - (i) on any resolution of "Minded to Grant or minded to refuse contrary to Officers Recommendation";
 - (ii) on any approval or refusal of an application referred to a subsequent meeting following such a resolution.

STANDING ORDER 62 SPEAKING RIGHTS OF THE PLANNING COMMITTEE

- (a) At meetings of the Planning Committee when reports are being considered on applications for planning permission any member of the public other than the applicant or his agent or representative who wishes to object to or support the grant of permission or support or oppose the imposition of conditions may do

so for a maximum of 2 minutes. Where more than one person wishes to speak on the same application the Chair shall have the discretion to limit the number of speakers to no more than 2 people and in so doing will seek to give priority to occupiers nearest to the application site or representing a group of people or to one objector and one supporter if there are both. In addition (and after hearing any members of the public who wish to speak) the applicant (or one person on the applicant's behalf) may speak to the Committee for a maximum of 3 minutes. In respect of both members of the public and applicants the Chair and members of the sub-committee may ask them questions after they have spoken.

- (b) Persons wishing to speak to the Committee shall give notice to the Democratic Services Manager or his representatives prior to the commencement of the meeting. Normally such notice shall be given 24 hours before the commencement of the meeting. At the meeting the Chair shall call out the address of the application when it is reached and only if the applicant (or representative) and/or members of the public are present and then signify a desire to speak shall such persons be called to speak.
- (c) In the event that all persons present at the meeting who have indicated that they wish to speak on any matter under consideration indicate that they agree with the officers recommendations and if the members then indicate that they are minded to agree the officers recommendation in full without further debate the Chair may dispense with the calling member of the public to speak on that matter.

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Planning Committee

9th March 2011

Report from the Director of Regeneration & Major Projects

For Action

Wards affected:
Wembley Central, Tokyngton

Wembley Link – Adoption of Supplementary Planning Document (SPD)

1.0 Summary

- 1.1 This report asks Planning Committee to consider the consultation responses to the draft Wembley Link Supplementary Planning Document (SPD) and proposed changes to the consultation draft. The Planning Committee is asked to add its support to the consultation responses and changes to the Wembley Link SPD draft and note its support to Executive who will be asked to adopt the SPD later on March 14th 2011.

2.0 Recommendations

That the Planning Committee;

- 2.1 Endorse the responses and changes proposed to the draft Wembley Link SPD as a result of public consultation and ask Executive to adopt the Wembley Link as a SPD, supplementary to the council's 2010 Core Strategy and Site Specific Allocations DPD.; and
- 2.2 Ask officers to progress the Wembley Area Action Plan to unify the various Wembley planning documents into one Development Plan Document.

3.0 Detail

Introduction

- 3.1 Supplementary Planning Documents are intended to provide more detailed planning guidance. They are not intended to introduce new policy but expand on existing policy and they must supplement an adopted planning document such as the Core Strategy or an existing policy in the Unitary Development Plan. The Wembley Link SPD provides the detailed proposals that flow from the council's Local Development Framework Core Strategy, notably policies CP1, CP2, CP4, CP7 and CP16. The Core

Strategy was adopted by the council in July 2010 and sets out the spatial strategy for the whole borough. The LDF will eventually replace the former borough plan, the Unitary Development Plan (UDP) adopted in 2004. The site specific allocations (SSA) development plan document (DPD) allocates sites for specific land uses and sets out policies to guide their development. Site Allocations W10, W7, W8 and W9 are located in the Wembley Link area.

- 3.2 The Wembley Link SPD refers to the stretch of Wembley High Road from Wembley Triangle to Chesterfield House (at the corner of High Road and Park Lane). It provides a link between the new retail proposals approved and proposed in the Stadium area and the main shopping core around Wembley Central station. The LDF Core Strategy sets out a strategy to promote the expansion of the town centre eastwards towards the Stadium and this requires an improved retail presence in the Wembley Link. This SPD provides the detail to achieve the LDF Core Strategy.
- 3.3 As well as this Core Strategy imperative, there are other good reasons to promote development in the Wembley Link. The Wembley Link is made up of an incoherent patchwork of 1960's to 1980's office blocks that were built on existing two-three storey turn of the century and 1930's development. Many of these office blocks are no longer suited to modern needs and have significant amounts of vacancy. There is an opportunity to provide new residential development as part of the mix of development proposed in the SPD and thereby help meet the housing targets set out in the LDF Core Strategy. A number of design studies and market tests have been carried out on this area and a specific site boundary has recently been established for a zone that would form the key anchor to kick-starting regeneration.
- 3.4 The Wembley Link includes land on both sides of the Wembley High Road including the Brent House and Copland school sites on the south side. Copland School is badly in need of redevelopment and in order to facilitate bringing this forward, it is essential to provide clear guidance about acceptable land uses and development details such as building heights and access arrangements.

How Wembley Link SPD Fits into Strategic Planning of Wembley.

- 3.5 The Wembley area has a mix of different guidance and proposals applied to it. This includes policies and Site Specific Proposals in the 2004 UDP, draft Site Specific Allocations in the council's 2010 Development Plan Document and SPD in the form of the Wembley Masterplan (covering the Stadium Area) and now the Wembley Link SPD. The intention is to consolidate the main planning policies and proposals set out in the above documents into an Area Action Plan (an AAP). This will be a Development Plan Document (DPD) and will need to go through an Examination in Public. Although a DPD has more weight than an SPD, it takes considerably longer to be adopted, over a year for a complex area such as Wembley. It is therefore proposed to complete the Wembley Link document as a SPD in order to maximise the opportunities arising from current developer interest in some of the Wembley Link sites, particularly Brent House and Copland School. There will still be a need for this more detailed guidance, when the AAP is adopted. Officers are aware that members of Planning Committee have been briefed on Quintain North West Lands and the Wembley Link but may have not seen the full set of proposals for Wembley. The development of the AAP will be reported back to Planning Committee through its gestation so members will be able to see how the various constituent parts, e.g. the Town Centre and the Stadium area, fit together. The recommendation to this report

seeks Planning Committee support for progress to the Wembley Area Action Plan DPD.

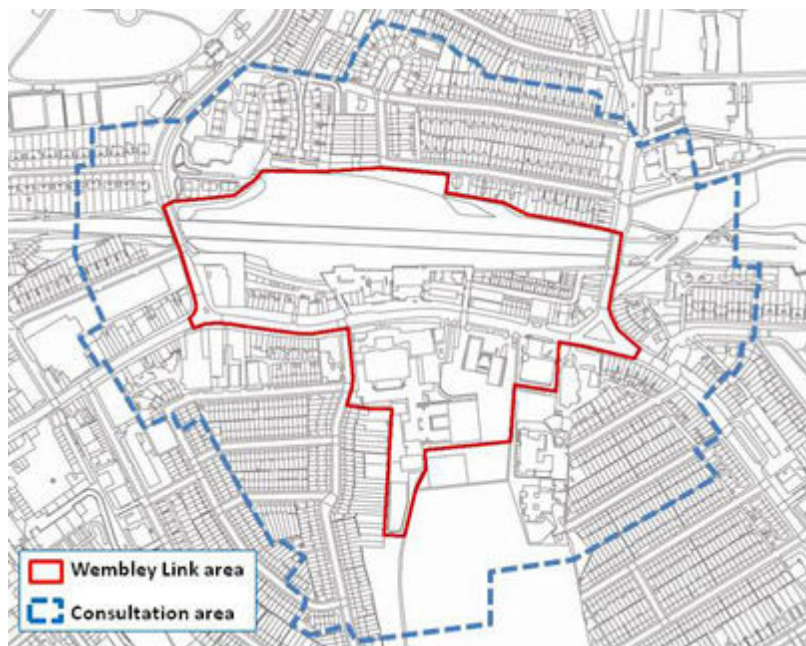
Key Features of the Wembley Link SPD

3.6 The Key points of the SPD are to:

- Encourage new development along the Wembley Link that has retail and other town centre uses on the ground floor
- Retain some office floor space but allow for residential uses over the ground floor retail
- Bring forward good servicing arrangements for new shops while, limiting car parking for residential development and securing improvements to key junctions and bridges
- Limit development to between 4 and 8 storeys generally except for key locations at either end of the study area.
- Show proposals with and without the Network Rail embankment on the north side of the High Road
- Limit development on the north side of the railway
- Promote a foodstore on the Brent House site that enables the redevelopment of Copland School to the rear
- Encourage family housing wherever possible.

Consultation Process

3.7 Planning Committee approved the draft SPD for consultation on 20 October 2010 and public consultation took place from 1st November to 17th December. Officers carried out two evening public meetings (at Copland school and at Patidar House) and presented at the Wembley Area Consultation Forum. 22 consultees responded to the draft SPD making 88 comments. These are set out in more detail in Appendix 1 and they contain comments from respondents and the council's proposed response,



including proposed changes to the SPD as a result.

Summary of Key Responses

Height restriction imposed on Chesterfield House

- 3.8 The landowner of Chesterfield House is concerned that an arbitrary height limit on tall buildings is proposed in the SPD where there is no justification and that it will affect viability. Response: The heights set out in the SPD give an indication of the level of development that will be appropriate based on thorough analysis conducted by the Council and the relationship between the Central Square tower and the rest of the area in a suburban setting. Your Officers recognise that members of the public have expressed strong concerns over building heights in the Chesterfield House and Copland Village applications and recognise the suburban context of the area when providing comfortable living environments.

Adoption schedule in relation to the Site Specific Allocations

- 3.9 The adoption schedule included in the draft SPD implies the Wembley Link SPD will be adopted prior to the Council adopting the Site Specific Allocations DPD. Response: Members are asked to agree to adopt the Wembley Link supplementary to both the council's 2010 Core Strategy and Site Specific Allocations DPD, subject to the Council's adoption to the DPD in Spring 2011.

Proposals on Chiltern Railway embankment (Mostyn Ave side)

- 3.10 Some residents are concerned about the potential loss of open space and wildlife area on the embankment. They are worried that any development on the embankment will make the ground unstable. On the contrary, the developer on behalf of Network Rail is against the SPD proposal for only a very limited amount of new development on land the embankment. Response: An objective is now included in the SPD to minimise the impact of development on the nature conservation area where measures to mitigate impact on nature conservation could include improved access to open space for the local community. The SSA supports higher density development including residential along the south side and is clear that only a limited amount of residential development may be considered on the north side.

Other junction improvements should be included

- 3.11 Some residents suggest there should be plans to improve the Elm Road/Park Lane Junction as the road is gridlocked along Park Lane most of the day. Response: The proposed Wembley Area Action Plan covering the whole Wembley Regeneration Area will be produced in 2011/2012. Comprehensive transportation improvements for the whole area will be considered.

Conclusions

- 3.11 The Wembley Link requires urgent action, none more so than at Copland School. The SPD attempts to bring forward guidance that encourages regenerative development at an appropriate scale. It provides options so that guidance can respond to market changes and flexibly adapt to different market conditions. Although an Area Action Plan for Wembley is to be completed next year, it is important that, in addition, there is more detailed guidance on design, the scale of development, layout, etc.. It is also important that this guidance is in place early to help bring forward the regeneration of Wembley and support the overall growth strategy.

4.0 Financial Implications

- 4.1 There is an existing budget to cover the production of the final document.
- 4.2 The intention of producing the Wembley Link SPD is to promote regeneration both in the town centre, and assist in the regeneration of wider Wembley City and provide a means of addressing the urgent need of redeveloping and improving Copland School.
- 4.3 The Wembley Link SPD is designed to establish a framework for determining application(s) for all of the sites within the SPD area. The assessment of planning applications will be undertaken in the normal way within existing budgets. The Council expects that the published document will improve pre-application understanding and negotiations with developers and contribute to improved application processing times.
- 4.4 The adopted SPD will clarify the Council's expectations upon developers for their contribution to infrastructure. The clearer expectations will provide clarity and certainty for developers proposing schemes for the area.
- 4.5 The realisation of the Wembley Link will require partnership and coordination and it is hoped that the future regeneration of the area can be secured through cooperation. However, the Council may need to use its powers under the Planning and Compulsory Purchase Act 2004, to acquire elements of land that are preventing the delivery of the Wembley Link and the associated community benefits. Such powers will be used where third parties meet the costs of such CPO activity

5.0 Legal Implications

- 5.1 The preparation of the SPD is governed by Part 5 of the Town and Country Planning (Local Development)(England) Regulations 2004 which sets out the consultation procedures which must be carried out before its adoption. The SPD cannot be adopted until any representations made as a result of the consultation have been considered by the Executive. The Wembley Link SPD is in conformity with the policies in the adopted Core Strategy and the Site Specific Allocations DPD which is scheduled for adoption in Spring 2011. The SPD will be a material consideration for development control purposes
- 5.2 Any of the Council-led infrastructure proposals will have to go through the appropriate Council procedures e.g. obtaining approvals from the Planning Committee and the Executive if required.

6.0 Diversity Implications

- 6.1 Full statutory public consultation has been carried out in preparing the draft SPD as shown in Appendix 1. An Equalities Impact Assessment of the Core Strategy 2010 has also been carried out.
- 6.2 The SPD provides a development framework in one of the most diverse communities in London. The regeneration of the area is set to embrace and celebrate this diversity through the securing of a range of facilities for the community to meet the needs of its diverse ethnic, cultural and religious groups. It also tries to create a broad base of

employment opportunities for different sectors. The SPD also tries to create an environment which will be accessible to all.

7.0 Staffing/Accommodation Implications

7.1 The SPD allows for future uses of Brent House when the council vacates it for the new civic Centre. The SPD does not compel a change in use but encourages regenerative investment in the site should the council wish to dispose of the site.

8.0 Environmental Implications

8.1 The Wembley Link SPD sets out proposals to regenerate the eastern end of the town centre based on sustainable principles.

9.0 Background Papers

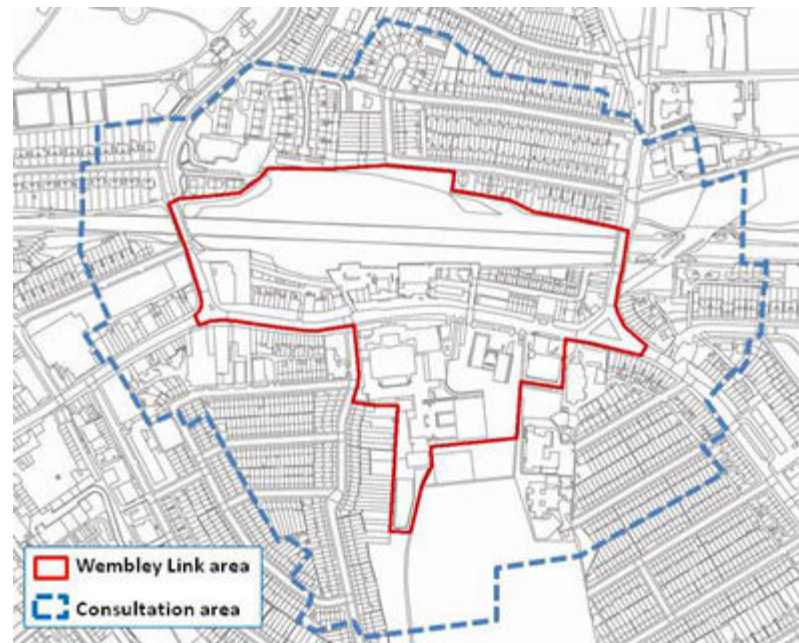
- London Borough of Brent LDF – Local Development Scheme, 2010
- Brent UDP, 2004
- Brent Core Strategy, July 2010
- Site Specific Allocations Submission Draft, June 2010
- Planning Committee Report, 20 October 2010
- Brent Sustainable Energy Infrastructure-Wembley Feasibility Study, Arup 2008
- Brent Heat Mapping Study, May 2009
- The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008
- Consultation draft, Wembley Link SPD, October 2010

Contact Officers

Any person wishing to inspect the above papers should contact Dave Carroll, Planning Service 020 8937 5202

Andy Donald
Director of Regeneration & Major Projects

- 1 On 20 October 2010, Brent Planning Committee (www.democracy.brent.gov.uk/mgConvert2PDF.aspx?ID=1313&T=1) approved a public consultation on the emerging new Supplementary Planning Document.
- 2 Public consultation commenced on 1 November 2010 ended on 17 December 2010
- 3 Notification of the consultation was delivered by hand to 1,100 addresses which are within 100metres of the Wembley Link Area.
- 4 Consultation letters were posted to
 - 48 freeholders/leaseholders who do not live/occupy the premises within the SPD area.
 - 6 Tokyngton Ward and Wembley Central Ward Councillors
 - GLA Assembly Member.
- 5 Consultation letters emailed to 18 statutory consultees and major stakeholders.
- 6 The SPD was presented and discussed at the following open Forums
 - 20 October 2010 - Wembley Area Consultative Forum - Presentation to members of the public before consultation commenced to encourage all to attend consultation meeting and exhibition
 - 10 November 2010 - Public exhibition staffed by Brent officers was held at Copland School.
 - 24 November 2010 - Public consultation meeting took place at Patidar House
- 7 The Consultation was publicised in
 - Public notices in local papers – Wembley Observer and Willesden and Brent and Chronicle on 4 November



- Press release at www.brent.gov.uk/pressreleases.nsf/News/LBB-1458 on 8 November 2010
- Wembley Way Newsletter November 2010. Copies of Wembley Way are normally distributed to 38,000 properties in the 7 Wembley wards including Wembley Central and Tokyngton

8 Notices about the consultation tied onto lamp posts inside the area and at the main junctions entering the SPD area

9 Copies of the draft SPD were available to view at:

- Brent Council One Stop Shop, Brent House
- Brent Council One Stop Shop, Town Hall, Forty Lane
- Ealing Road Library
- Tokyngton Library
- Town Hall Library

10 The details of the consultation were available online –

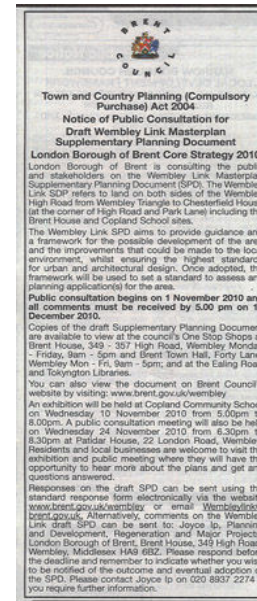
- Brent Consultation Tracker (www.brent.gov.uk/consultations.nsf)
- Wembley Regeneration homepage (www.brent.gov.uk/wembley)
- Brent Planning Service www.brent.gov.uk/planning.nsf

11 A special mailbox wembleylink@brent.gov.uk was set up for respondents to email comments or queries regarding the Masterplan.

12 The Council received 22 representations which had been duly considered and the responses and proposed changes had been formulated which are described in detail in Appendix One.

13 The principal comments and concerns including:

- Height restriction imposed on Chesterfield House
- Adoption schedule in relation to the Site Specific Allocations
- Proposals on Chiltern Railway embankment (Mostyn Ave side) – objections to development vs objection to limited development
- Limiting car ownership raised the question of appropriateness for family housing
- Other junction improvements should be included.



- Sustainability should go further

Wembley Link SPD - representations and the council's proposed responses

January 2011

Ref No.	Representation	Summary of Representation	Council's Response	How SPD has been altered
WL001	Mr. Shane McMahon	<ul style="list-style-type: none"> a) Opposed to the height of proposed hotel on Chesterfield House site. b) There should be plan to improve the Elm Road/Park Lane Junction as the road is gridlocked along Park Lane most of the day. c) Supports Copland school with a community element d) Objects to more fast food outlets and gambling shops sited in front of Copland. e) Proposes a TFL Cycle Hire Scheme. f) Late night drinking venues should be carefully considered to avoid anti-social problem. g) Consideration should be given to fund extra Police Officers NOT Police Community Support Officers. h) Demands local jobs for local people and grants to attract small business to the area. i) Good CCTV coverage, lighting and active frontages to deter anti Social behaviour. j) Neighbourhood watch area established and funded by developers k) Proposes another fitness centre/gym to the development. l) Avoid conflict of pedestrians and bus passengers at bus stop outside shops m) Developers should contribute to improve Wembley Central Station. n) Demand green area and lots of new trees. o) The development should be a public area. p) Proposes a medical practice and a crèche 	<ul style="list-style-type: none"> a) Objection noted. b) A development plan document, Wembley Area Action Plan covering the whole Wembley Regeneration Area will be produced in 2011/2012. Comprehensive transportation improvements for the whole area will be considered. c) Support noted. d) For new developments in front of the school, Brent will control the types of uses allowed through its planning powers. The Council will apply its normal planning policies to control non-retail uses such as A5 uses (takeaways) and A2 uses (which includes betting shops). However, it should be borne in mind that the Council's powers to control certain uses are limited. For example, a bookmaker who wants to open a new betting shop acquires premises that are already in the same planning Use Class as betting shops (ie A2 - such as banks, estate agents & employment agencies. e) TFL Cycle Hire scheme operates across nine London boroughs covering the central fare zone (Zone 1). It may be rolled out to outer London in the future if demand and finance allow. f) Brent will practise its licensing power to tackle the issue. g) The decision lies with the Borough Commander, Metropolitan Police rather than Brent Council. h) Brent will ensure new jobs in the area will be advertised locally through planning obligations. Large food stores normally provide local employment. i) Secured by Design (a police initiative supporting the principles of 'designing out crime) principles are normally considered when planning applications are assessed. j) The requirement for setting up of a neighbourhood watch area is outside the remit of Planning, especially as there will not be a single developer to cover the 	<ul style="list-style-type: none"> a)-d)No change necessary e) "Cycle hiring scheme" inserted in the Section 106 section. f)-g) No change necessary h) Local employment is emphasised in the text. i)-l) No change necessary. m) Contributions towards local public transport network are normally expected. Text included in the Planning Section 106 section. n) Text included in "Open Space" and 5.4 "Securing the Infrastructure" Sections. o)-p)No change necessary



Ref No.	Representation	Summary of Representation	Council's Response	How SPD has been altered
			<p>whole area.</p> <p>k) Brent welcomes mixed use development for the area, so a fitness centre/gym could be proposed alongside with other suitable uses.</p> <p>l) Similarly widths of the pavement currently owned by Brent will remain.</p> <p>m) Contributions towards local public transport network are normally expected.</p> <p>n) Replacement openspace will be provided alongside development as well as new trees being planted.</p> <p>o) Although private courtyards will be created, the majority of the area will be publicly accessible.</p> <p>p) Community facilities such as medical practices and crèches are encouraged to be located in the area. However, the provision of a GP surgery is subject to NHS funding being available.</p>	
WL002	Chad Collins, Chiltern Railways	No objections in principle to what is being proposed.	Noted	No change required
WL003	Debbie Nimblette	Objects to losing the sky and green that remains between her home and the railway tracks	Brent Council understands the concern of local people. Therefore, limited development will be allowed in the Nature Conservation Area subject to nature conservation value assessment being carried out.	See amendment below
WL004	Isabel Assaly, Natural England	<p>a) In principle, does not support development on Sites of Importance for Nature Conservation (SINC)- recommends an additional Planning Objective -that the nature conservation value of the site is protected and enhanced</p> <p>b) Advises to incorporate Natural Play into the SPD by improving the connectivity between parks and openspaces as part of the Wembley Link falls within an Area of Deficiency in Access to Nature.</p> <p>c) With regards to landscaping proposals, advises the council to consult Brent's Biodiversity Action Plan, The London BAP Habitat Suitability maps and The London Regional Landscape Framework for a steer on ecological soft landscaping enhancements</p> <p><u>Sustainability</u></p> <p>d) Advises the council to incorporate Green infrastructure such as parks, gardens, allotments,</p>	<p>a) Brent understands Natural England's concern. The Chiltern Line Cutting site has long been recognised as a potential development site which can contribute to much needed regeneration of the town centres well as contributing towards improved pedestrian access to the Stadium. It is recognised as a potential development site in the adopted Core Strategy as well as Site Specific allocations Development Plan Document (DPD).</p> <p>b) - d) Advice noted.</p>	<p>a) Note added to Planning Objectives section (p7) - a new objective in included</p> <p>b) Note added to Open Spaces section</p> <p>c) Note added to open spaces section</p> <p>d) Note added to 4.5 Environmental Sustainability section.</p>

Ref No.	Representation	Summary of Representation	Council's Response	How SPD has been altered
		cemeteries, trees, green roofs and natural habitats into proposed development to improve site resilience to climate change and the urban heat island effect.		
WL005	Dyar Lally, Hallmark Property Group	<p><u>Section 5, Page 20</u></p> <p>a) Objects to an arbitrary height limit on tall buildings especially there is a developer willing to deliver a new hotel with new jobs and shopping and business space. The Chesterfield House Site office block consent (part 11, part 17 storeys, max height 83m) is still live. The SPD should not place new obstacles in front of those who are best placed to implement development proposals. Agrees that tall buildings are needed to mark the beginning and end of the Wembley Link.</p> <p>b) There is no justification as why focal buildings should not be higher than buildings in Central square which is distinct from the gateway role of Chesterfield House. It will make any scheme unviable in the present fragile economic climate.</p> <p>c) Brent Core Strategy identifies Wembley Growth Area as a location for tall buildings and suitable for buildings over 30m high and primary location for new hotels.</p> <p><u>Page 32</u></p> <p>d) Requests for the removal of the words “bulkier building” as the designs of the consented office building and the proposed hotel application are different.</p>	<p>a) - b) The heights set out in the SPD give an indication of the level of development that will be appropriate based on thorough analysis conducted by the Council and the relationship between the Central Square tower and the rest of the area in a suburban setting. Brent recognises that members of the public have expressed strong concerns over building heights in the Chesterfield House and Copland Village applications and recognises the suburban context of the area when providing comfortable living environments.</p> <p>c) Tall buildings are acceptable in the Wembley Growth Area. However, as para 4.39 of Brent Core Strategy states, it is only the Wembley Masterplan area (covered the Stadium area not Wembley Link area), which identifies suitable locations for buildings over 30m. The Wembley Link SPD is now providing guidance on the height of buildings appropriate in the area it covers. Brent welcomes hotel development in the area it providing it meets planning requirements.</p> <p>d) Request acknowledged</p>	<p>a) - b) Justification notes and images added to support the council's review of approach to very tall buildings.</p> <p>d) Text amended.</p>

Ref No.	Representation	Summary of Representation	Council's Response	How SPD has been altered
WL006	Carmelle Bell Thames Water Utilities Ltd	<p><u>Paragraph 5 on page 25</u> The wording of paragraph 5 should be revised to read as follows: “All new development must fully consider water and wastewater infrastructure capacity both on and off site in order to avoid any potential problems for existing or new users. Developers will be required to demonstrate that adequate capacity exists and in some circumstances it may be necessary for developers to fund studies to ascertain whether the proposed development will lead to overloading of existing water and sewerage infrastructure. Where there is a capacity problem and no improvements are programmed by the statutory undertaker, then the developer needs to contact the statutory undertaker to agree what improvements are required, how they will be funded and when they will be provided. Any upgrades required will need to be delivered prior to the occupation of development.”</p>	The Council acknowledges and agrees with the proposed amendments	Wording amended in 4.5 Environmental Sustainability Section as suggested
WL007	David Maddox on behalf of Solum Regeneration	<p>a) The SPD does not comply with regulation 13(8) of the Town and Country Planning (Local Development)(England) Regulations 2004 (the Regulations) in that it is not in conformity with the adopted Core Strategy (CS) states that an SPD must be in conformity with the policies in an adopted CS and the policies in any other development plan document. The adopted CS identifies the Wembley Chiltern Embankments site as a development site on the Wembley Growth Area Key Diagram (Picture 4.2, page 33)</p> <p>b) No assessment of the nature conservation value of the embankments has been undertaken as required by the draft Site Specific Allocations (SSA) Submission 2010 and consequently the proposed departure from the SSA indicative development capacity for the site is not justified. As a result, the SPD is contrary to regulation 13(8) of the Regulations in that it is not in conformity with the SSA. Policy W10 of the SSA states that town</p>	<p>a) The SPD supports Wembley Chiltern embankments as a development site but, as the objective is to regenerate Wembley Town Centre, the southern embankment is favoured as it is adjacent to the High Road.</p> <p>b) Assessments will be required of the nature conservation status of any sites where a planning application may have an impact. The SSA supports higher density development including residential along the south side and is clear that only a limited amount of residential development may be considered on the north side. The number of units refer to the sum of both embankments, and are merely an indicative figures as explained in</p>	a) & b) The planning objectives (p7) have been amended to clarify the council's position.

Ref No.	Representation	Summary of Representation	Council's Response	How SPD has been altered
		<p>centre uses shall be sought on the site to the south of the railway line and residential development shall be sought on the site to the north of the railway line. Policy W10 also states that the indicative development capacity of the residential part of the site is 390 units between 2017 and 2022. The reasoned justification states that development should, inter alia, be subject to an assessment of the nature conservation value of the embankments. Despite SSA policy, the SPD proposes only a very limited amount of new development on land to the north of the railway line without any evidence of an assessment of the nature conservation value of the site being undertaken. As a consequence, the SPD is contrary to the SSA because it does not justify the departure from policy W10, which allocates the land to the north of the railway line for 390 residential units.</p> <p>Proposed Changes</p> <p>c) To ensure legal compliance with the Regulations d) The Council should undertake an assessment of the nature conservation value of the site that will form an SPD document for the purposes of the Regulations to enable public participation on it along with a revised SPD.</p>	<p>paragraph 1.13 of the SSA DPD. The illustrative diagram is described as "one possible solution".</p> <p>c) Brent Council considers it has complied with the regulations as explained above. d) Please see b)</p>	<p>c) No change is necessary d) Please see b)</p>
WL008	Fabi Marini	<p>Opposed to any development on Chiltern Railway embankment (Mostyn Ave side).</p> <p>a) Experience tells reasonable development becoming totally different once a 'real' planning application is made. b) The railway embankment is one of the last bits of green left in Wembley central and vital for the wildlife. c) The hill has a tendency to 'slide down' and homeowners are very worried that major works on the embankment will make it further unstable.</p>	<p>a) One of the objectives for a supplementary planning document is to guide development which should conform to the standards set in the SPD. However, a level of flexibility should be given to developers to encourage creativity and deliverability. b) Brent Council understands the concern of local people. It is proposed to amend the guidance so that an objective is included to minimise the impact of development on the SINC. Measures to mitigate impact on nature conservation could include improved assess to opnspace for the local community. c) Soil investigation will be required when applying for</p>	<p>a) No change necessary b) & c)The planning objectives (p7) have been amended to clarify the council's position to limit development on the north side to a level that minimises impact on the</p>

Ref No.	Representation	Summary of Representation	Council's Response	How SPD has been altered
			Building Regulations consent. Suitable foundation will then be identified.	surrounding suburban residential scale and character.
WL009	Nigel Hawkey, Quintain Estates and Development Plc	<p><u>Consultation Programme</u></p> <p>a) Proposed SPD adoption should be scheduled after receiving the SSA inspector's report.</p> <p><u>Transport</u></p> <p>b) The contributions towards the improvements of traffic flow and pedestrian safety of Wembley Triangle..including the improvement of the South Way Junction" should not be included as they have been included in LDA Lands permission (04/0379)</p> <p>c) Planning permission within SPD area should bear a proportionate share of S106 contributions which should be pooled across the entire Masterplan Area.</p> <p><u>Servicing</u></p> <p>d) Questions if a servicing assessment has been carried out to determine impacts on the junctions of the servicing arrangements</p> <p>e) Copland School - the SPD should clarify the provision of the nursery and primary school facilities</p> <p><u>Delivery</u></p> <p>f) Queries how the SPD sits with the Wembely Masterplan SPD which is better placed to deliver soonest the Borough's targets for Wembley, including in relation to housing and other benefits.</p> <p>g) The SPD needs to clarify how the financial viability of development proposals will be assessed.</p>	<p>a) Noted- adoption will take place after the SSA is adopted</p> <p>b) Noted - SPD amended</p> <p>c) Noted - SPD amended</p> <p>d) Brent Council has carried out a junction assessment study to examine how the Triangle junction and the Wembley Hill Road Bridge should be improved to cope with the increased traffic generated by the prospective developments in Wembley Regeneration Area, including the Wembley Link and Wembley Masterplan areas. Major applications will be required to submit traffic impact assessments to support their proposals.</p> <p>e) The DPD does not currently envisage primary school and nursery facilities on the Copland site.</p> <p>f) Brent Council expects development proposals to come forward in phases which would be similar to those in the Wembley Masterplan area. Hence, there should not be any priority for community benefits.</p> <p>g) Brent S106 SPD standard charge will be applied to all developments. Applicants are required to submit viability studies if they cannot meet the financial contributions or to demonstrate the appropriate level of affordable housing to be provided in accordance with Brent's Core Strategy and policy 3A.10 of the London Plan.</p>	<p>a) Brent Executive Committee has been asked to adopt the Wembley Link as a SPD supplementary to the Core Strategy and Site Specific Allocations subject to the Council's adoption of the SSADPD.</p> <p>b) The planning objectives (p7) have been amended to read: To secure contributions that will be used to mitigate the impacts of development on traffic flow in the affected areas.</p> <p>c) S106 Planning obligations and Infrastructure provision note added to delivery section.</p> <p>d) Requirement for traffic impact assessment is inserted (p18).</p> <p>e) No change necessary.</p> <p>f) A phasing plan is now included in</p>

Ref No.	Representation	Summary of Representation	Council's Response	How SPD has been altered
				Section 5.2 Development Phasing g) No change necessary
WL010	Tracey Louis-Fernand Octavia Housing, Owner of Elizabeth House	<p>a) Support the regeneration proposed to the High Road. Welcome medium to low rise development which will compliment both the High Road and adjacent residential streets.</p> <p>b) Any commercial proposals for the Brent House/Copland School site will need to be complementary to consent granted Elizabeth House and not adversely affect the proposal for a retail/café type environment at the ground floor level</p> <p>c) More reference needs to be made to the flagship scheme at Elizabeth House</p> <p>d) The road to the side of Elizabeth House will need to be well lit.</p> <p>e) Any sound attenuation works are needed to limit the impact to residents in particular at school opening and closing times.</p> <p>f) Request for remaining as consultee in this area</p>	<p>a) Support noted</p> <p>b) &c) Suggestions agreed</p> <p>d) Secured by Design principles will be applied to all major developments. The road will be adopted and lit, meeting the Council's standards.</p> <p>e) UDP policy EP2 Noise and Vibration will be applied when assessing noise and/or vibration generating development.</p> <p>f) The consultee will be consulted as statutory planning procedure when major applications are received.</p>	<p>a) No change necessary.</p> <p>b) & c) More reference to Elizabeth House has been made in the SPD, in particular referring to the Phasing Plan (p37).</p> <p>e) f) no change necessary</p>
WL011	David D'Arcy Network Housing Group Ltd	<p>a) Strongly supports the document.</p> <p>b) Physical Improvements and Connectivity - Welcomes proposals to improve the area and linkages between the High Road, Wembley Stadium and a new high street that will run parallel to Olympic Way.</p> <p>c) Building Heights and Density - Supports the approach of controlling the proliferation of tall buildings in SPD area except in key locations, Support prominent buildings at travel interchanges</p> <p>d) Welcomes the approach to preserve views through and across to Wembley Stadium</p> <p>e) Housing Provision -Questions whether the provision of family housing (3-bed plus) is appropriate in town centre environment. 1-2 bedroom units may be more appropriate.</p> <p>f) Car Parking - welcomes 0.5 space per unit</p>	<p>a) - d) Support noted</p> <p>e) Being in the town centre offers easy access to its many amenities, including shops, restaurants, cafes, bus stops, interchanges, train and underground stations and schools that are essential to families. There will be 1-2 bed accommodation to cater for different sizes of households. The Council will require provision of</p>	<p>a) - i) No change necessary.</p>

Ref No.	Representation	Summary of Representation	Council's Response	How SPD has been altered
		<p>g) Limiting car ownership raised the question of appropriateness for family housing</p> <p>h) Design_Led Developemnt - Supports the approach</p> <p>i) Flexible Approach - Strongly supports the flexible approach of providing alternative development options</p>	<p>adequate amenity space for ay family housing.</p> <p>f) Support noted</p> <p>g) As mentioned in e) Wembley Town Centre has excellent public transport network where private cars are less necessary. Major residential developments will be required to sign up to car clubs as well</p> <p>h) & i) Support noted</p>	
WL012	Paul Roberts, Greater London Authority	<p>a) It should be noted a 60:40 intermediate to social rented split in the draft replacement London Plan. Housing supply targets will be developed over the next two years. Please note supplementary housing evidence for the London Plan EIP including an economic viability assessment.</p> <p>b) The Council is encouraged to make reference to the draft Housing Design Guide</p> <p>c) Suggests a reference to the Mayor's draft SPG on "providing for Children and Young People's Play and Informal Recreation" and a reference to London Play Policy 3D.11i</p>	a) - c) Suggestions noted	<p>a) No change necessary.</p> <p>b) Included in the last bullet point on page 5</p> <p>c) Text inserted in Section 2.4 "Open Space"</p>
WL013	Eleri Randall, Environment Agency	<p>a) Pleased with the requirements and recommendations in the Sustainability section, however this SPD can go further.</p> <p>b) Page 5 - Main vision should incorporate "Ensuring development is as sustainable as it can be"</p> <p>c) Page 25 - section mentioning green roofs should reference the SuDS hierarchy (Environment Agency's "Practical Guide to SuDS"). The variety of SuDS techniques available to manage surface water and achieve greenfield run off rates means that any development can include a fully sustainable drainage scheme. Developers should incorporate SuDS early in the site evaluation and planning processes and include provision for maintenance.</p> <p>d) Recommends Greenfield rates should be achieved for all sites that will ensure the risk of surface water flooding is reduced through redevelopment and also would reduce the pressure on the existing sewer system</p>	<p>a) Support noted</p> <p>b) Suggestion agreed</p> <p>c) Suggestion agreed</p> <p>d) The SPD is not intended to introduce new policy but expand on existing policy. Developments over 1 ha need to be referred to the Environment Agency, the Greenfield runoff rates are required to achieve anyway.</p>	<p>a) No change necessary</p> <p>b) SPD text on page 5 amended to suit.</p> <p>c) SPD text on p24 amended to suit.</p> <p>d) No change necessary</p>

Ref No.	Representation	Summary of Representation	Council's Response	How SPD has been altered
		<p>e) Page 25 - Flood risk should be mentioned in the sustainability section. This should include SuDS, the sequential approach and provision of safe access and egress. Flood Risk Assessments with specific regard to surface water will be needed for developments within the SPD area that are over 1ha. This will include the Brent House and Copland School site.</p> <p>f) Suggest the Council decide if maps of Areas Susceptible to Surface Water Flooding (ASStWF) or the Flood Map for Surface Water (FMfSW) reflects surface water flooding in the area.</p> <p>g) Page 25 recommends an early consideration of the issues of capacity of existing water and sewerage infrastructure</p> <p>h) Supports the Code for Sustainable Homes level 4 for new build housing and BREEAM excellent rating for commercial and community development</p> <p>i) Page 25 - Land around railways is often contaminated and site specific Preliminary Risk Assessments would need to be carried out to identify contamination issues.</p> <p>j) Page 41 - Welcome the ecology considerations in the area around the Chiltern Railway designated for Nature Conservation importance and supports mitigation and compensation measures will be provided to ensure there is no overall net loss to biodiversity value and a continuous wildlife link is provided through the site.</p>	<p>e) Suggestion agreed</p> <p>f) Brent will make the decision outside the SPD</p> <p>g) Brent Council agrees with this and the suggestions from Thames Water (WL006)</p> <p>h) Support noted</p> <p>i) Suggestion agreed</p> <p>j) Support welcomed.</p>	<p>e) SPD text on p24 amended to suit.</p> <p>f) No change necessary</p> <p>g) SPD text on p24 amended</p> <p>h) No change necessary</p> <p>i) SPD text on p 15 (site constraints) amended to suit.</p> <p>j) No change necessary</p>
WL014	Nicholas Bishop, English Heritage	<p>a) Page 14: Baseline data Suggests additional lines to encapsulate the wider historic character context for the SPD area which proposals will impact and need to successfully integrate with, such as its residential scale.</p> <p>b) Pages 19-20: Tall buildings There should also be some consideration of impacts on the surrounding scale and character, to provide the evidence for the conclusion on the third line of page 20 that "the proposals for tall</p>	<p>a) Suggestion agreed</p> <p>b) The heights set out in the SPD give an indication of the level of development that will be appropriate based on thorough analysis conducted by the Council and the relationship between the Central Square tower and the rest of the area in a suburban setting. Brent recognises</p>	<p>a) SPD text on p8 amended to suit.</p> <p>b) Justification notes and images added to support the council's review of approach to very</p>

Ref No.	Representation	Summary of Representation	Council's Response	How SPD has been altered
		<p>buildings do not sit well within the overall context of the area”.</p> <p>c) Page 22: Open spaces The King Edward VII could be recognised in the text, along with its heritage value, and opportunities could be identified to conserve this value through investment and enhancement opportunities arising from planning obligations.</p> <p>d) Page 30: Ecclestone Place The diagrams on page 30 could be labelled to show more clearly which parts of Ecclestone Place would be retained or developed according to the different options. English Heritage would regret the loss of the terraces which make a positive contribution to the local character and sense of place, as set defined in PPS5 policy HE3.</p> <p>e) Strongly advise Brent conservation staff are involved throughout the preparation and implementation of the SPD.</p>	<p>that members of the public have expressed strong concerns over building heights in the Chesterfield House and Copland Village applications and recognises the suburban context of the area when providing comfortable living environments.</p> <p>c) Suggestion agreed</p> <p>d) Suggestion agreed</p> <p>e) The council confirms that Brent conservation staff are involved throughout the process.</p>	<p>tall buildings (p12).</p> <p>c) SPD text on p13 amended to suit.</p> <p>d) The number of options has been reduced to clarify that there is an option to either keep or lose the whole terrace.</p> <p>e) No change necessary</p>
WL015	D Kumar	Prefers proposal Option 3	Preferred option noted.	No change necessary
WL016	David Labenk	In favour of a new school being built.	a) Support noted	No change necessary
WL017	Tuie Mehte	In favour of a new school which is long overdue.	The Council recognises the pressing need for a new school. A food store and mixed use development on Brent House and Copland site will help fund the school rebuilding.	No change necessary
WL018	Shane Johnschwage	<p>a) In favour of the development</p> <p>b) Suggests it should be made clear that, during consultation, what resources from the sale of Copland land will be made available for the school.</p>	<p>a) Support noted.</p> <p>b) As the Copland School is the landowner of the school site, it will be up to the school governing body to decide how to spend the money. However, there would still be a funding gap even the sale of land paid for the new school. Other sources of funding are therefore needed.</p>	a) & b) No change required.
WL019	G Millinton	a) Schemes offered seem excellent -especially the availability of a new school	a) & b) Support noted	a) & b) No change required.

Ref No.	Representation	Summary of Representation	Council's Response	How SPD has been altered
		b) The area needs a re-vamp - a dual use for Brent House and a supermarket could seem very sensible		
WL020	Mr Rup Lal Pall	Excellent idea and hopes a new school at Copland.	Support noted	No change necessary
WL021	Sdagat Jabeer	a) All the proposals look positive b) Appalled at the conditions of the school, questions why the pace of the Copland development is so slow that students have to study in such conditions.	a) - b) Support noted	a) - b) No change necessary.
WL022	Everton Talker	a) Welcomes the proposals b) Disagrees the use of the school site and the open field other than a recreation field , five-a-side , no more retail development c) Supports the proposal for new flats at corner of Ecclestone mews and Wembley Hill Road d) Urges to replace Ecclestone Mews with new houses and new garages.	a) Support noted b) Without locating the new school in part on the playing field, as proposed in the original Copland Village application, no funding could be raised. Nevertheless, by far the majority of the open field will be kept. c) Support noted d) Ownership at Ecclestone Place is fragmented, acquisitions for all the properties will be challenging. That is the reason for having two design options in the SPD (p29).	a) - d) No change necessary.

APPENDIX 2: WEMBLEY LINK SPD

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Wembley Link

Supplementary Planning Document

draft

Page 27

London Borough of Brent Feb 2011



Way out to
Wembley Stadium,
Arena and High Road

Foreword

We would like to endorse and recommend this exciting development framework for the east end of the High Road, it describes the Council's ambitions for this important part of Wembley town centre that is the vital connection between Wembley Central and the Stadium masterplan area. Wembley is one of London's most exciting regeneration opportunities and the scale and pace of change in the last few years has been breathtaking, but we are only at the beginning. This planning document will help guide the Council's development partners in the delivery of sustainable, high quality buildings and landscapes that will constitute the new "Link" and coordinate development to deliver the new Wembley.

With the successful opening of the new Wembley Stadium, the re-interpretation of the Arena and its Square; the confirmation of Wembley as one of London's most exciting places is fast becoming a reality. However, we need to look at Wembley as a whole and focus the regeneration momentum on creating an instantly recognisable and distinct area of London. This Supplementary Planning Document is essential if we are to achieve these goals and ensure that development within Wembley is coordinated and mutually beneficial.

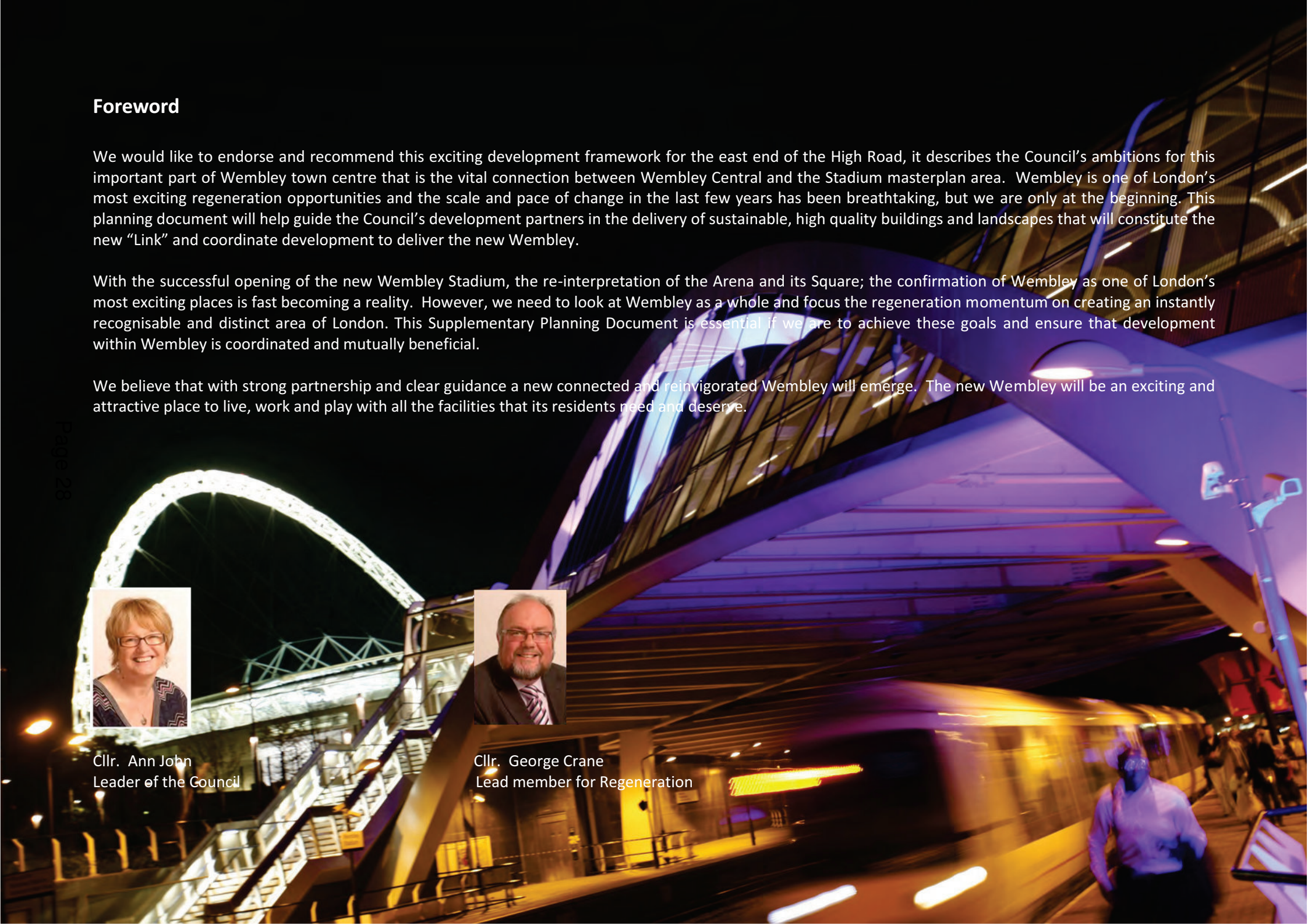
We believe that with strong partnership and clear guidance a new connected and reinvigorated Wembley will emerge. The new Wembley will be an exciting and attractive place to live, work and play with all the facilities that its residents need and deserve.



Cllr. Ann John
Leader of the Council



Cllr. George Crane
Lead member for Regeneration



The Vision

1.0 Introduction - Reconnecting Wembley

2.0 Wembley High Road Today

3.0 Wembley Link: A Connected Future

4.0 A Framework for Sustainable Mixed Use Development

5.0 Delivering Change

6.0 Policy Framework & Process

The Vision



Drawing west from the Stadium development will be the start of a busy and energetic stretch of Wembley High Road, linking in a selection of shops, restaurants and public transport facilities.....



Wembley — A New Identity

There are some great things happening in Wembley today. Wembley City – anchored by Wembley Stadium and Wembley Arena, has advanced plans for a new shopping street, a designer outlet shopping centre, offices, residential and a range of leisure and entertainment uses including a multiplex cinema. New development at Wembley Town Centre has included the Wembley Central Square mixed use scheme.

The Wembley Link Supplementary Planning Document (SPD) will:

- Contribute to the delivery of a significantly enhanced retail offer for Wembley;
- Develop and stimulate the regeneration of the area known as “Wembley Link” so named as it forms the important connection between the Wembley Stadium development and Wembley’s primary shopping area around Central Square;
- Include a range of high quality active frontage development to this part of the High Road;
- Facilitate medium density development and identify a number of locations which will provide an opportunity for taller buildings;
- Encourage exemplary standards of design to reflect the benchmark provided by the stadium. Only the highest quality architecture and urban design can achieve a distinctive environment with a strong identity that can develop the town centre as an attractive and exciting destination for shopping, living, working and visiting, whilst ensuring development is as sustainable as it can be;
- Encourage the provision of family housing where appropriate and meet the Mayor of London’s objectives, including reference to the draft Housing Design Guide.

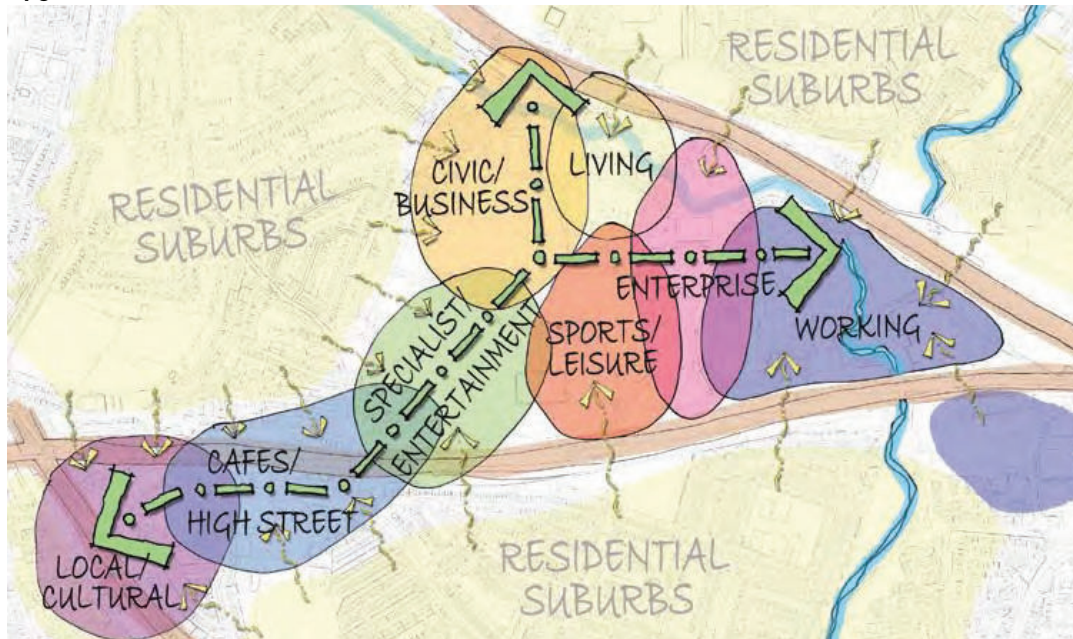
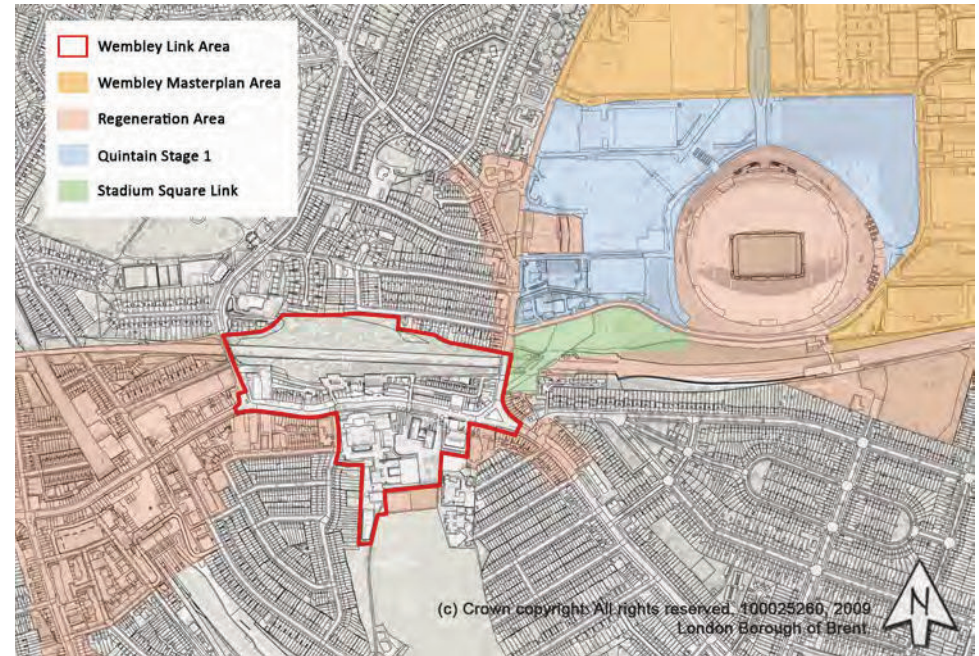
The plans, maps and diagrams in this document showing proposals for the Wembley Link area are illustrative and are not intended to preclude innovative design solutions. They should be considered flexibly in order to deliver change to High Road. They do however illustrate important planning and design concepts and principles that the council wishes to secure.



1.0 Introduction - Reconnecting Wembley

The Wembley Link area is the crucial crossover between new developments in the town centre and the emerging Wembley City development and it must draw people from one to the other for their mutual benefit. Our strategy, as set out in the Local Development Framework (Policy CP7), is to promote the expansion of the town centre eastwards towards Wembley Stadium. The stadium development includes a new high street running parallel to Olympic Way and this will create a continuous “retail” strip from the High Road to Wembley Park.

The key sites in this area include the Brent House office building and adjacent Copland School site which proposes to bring forward with the twin aims of regenerating the High Road and supporting any future proposals to deliver a new school. This stretch of the High Road is visibly run down and disadvantaged mainly by a large amount of vacant office accommodation. Our vision for Wembley Link is to transform this disjointed part of London into a coherent and attractive place to live, shop, work and visit.



1.1 Creating the link

The Wembley Masterplan illustrates the connecting role that the Wembley Link will have. New retail development in the Wembley City (stadium) area will be contingent on strong linkages between the primary shopping area of the High Road and the Wembley City development. Thus the Wembley Link proposes an intensification of retail, offices, cafes and other town centre uses that provides the link between the new and ‘old’ centres.

1.2 Strategic Objectives

The London Plan requires that Brent plans for 11,500 new homes by 2026. Brent's LDF Core Strategy (Policies CP1 & CP2) identifies the Wembley Growth Area (including Wembley Link) to accommodate the majority of this, generating 10,000 new jobs across a range of sectors and at least 11,500 new homes over the next twenty years.

This SPD will describe the planned transformation of Wembley Link which will include these new homes as well as new space for business, jobs and improved social and physical infrastructure. The SPD details what, how, when, where and why development will occur and should be used as a guide to developers in the preparation of development proposals, while the council will use it to assess development proposals.

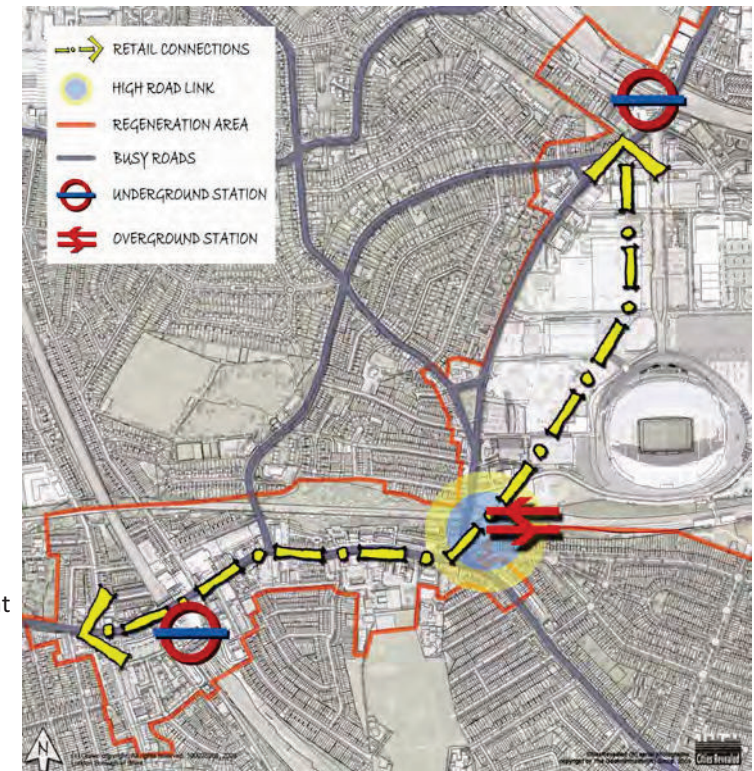
The strategic objectives of the Wembley Link SPD are to:

- Address the missing link between the established primary shopping area of the High Road and new retail development proposed in the Stadium area;
- Demonstrate how the Wembley Link can be transformed through growth to deliver a new school, homes, business space, jobs, services and infrastructure;
- Deliver a definable and legible place where people will want to live, work and visit, by producing a quality environment;
- Develop a distinct urban character of buildings, streets and spaces capitalising upon existing local assets.

The council will support and encourage development proposals that deliver the Vision and objectives of the Wembley Link SPD while resisting those that threaten it.

The council is also seeking to secure other planning objectives:

- To reduce on site car parking to a minimum on the north side of the Wembley Link and allow car parking that serves a food store on the south side
- To secure contributions that will be used to mitigate the impacts of development on traffic flow in the affected areas
- To protect the nature conservation value of the Chiltern Line Cutting whilst enabling development on the south side and limiting development on the north side to a level that minimises impact on the surrounding suburban residential scale and character
- To improve the physical and visual links between the Stadium White Horse Bridge and the High Road
- To create a boulevard feel to this part of the High Road
- To secure a rear servicing road on the north side of the High Road that allows appropriate servicing of the retail units
- To secure larger footprint retail units currently lacking in the High Road



2.0 Wembley High Road Today



2.1 The Wembley Link Area

The site area is approximately: 11.16 Ha overall. It includes Copland School, Brent House and Elizabeth House to the south of the High Road and all properties between Park Lane and Wembley Hill Road to the north of the High Road. Chesterfield House forms the western end of the Wembley Link. An area of 4.48 Ha consists of the Chiltern Line railway cuttings and tracks. Major junctions at Park Lane and the Triangle are included in the SPD because any development is likely to have significant impacts on these locations. Consideration should be given to the wider historic character context of the SPD area which proposals will impact and need to successfully integrate with, such as its residential scale.



1 Chiltern Railway (looking east)



4 Rear of High Road



7 Copland School



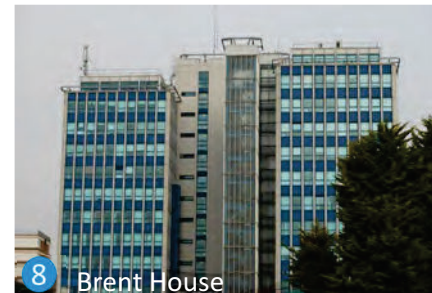
10 Ecclestone Place



2 Chesterfield House



5 Rear of High Road



8 Brent House



11 Chiltern Railway (looking west)



3 Park Lane Junction



6 High Road



9 Mostyn Avenue



12 White Horse Bridge

Historically the area consisted mainly of edge of town centre 1930's shops with residential accommodation above in buildings of 2-3 storeys. Some of them were replaced in the 60's—80's by a number of speculative office blocks that are no longer fit for purpose. There is a single terrace of Victorian housing in Ecclestone Place, to the east of the Wembley Link area. Planning permissions have already been granted for the construction of taller buildings on the current locations of Elizabeth House, Chesterfield House and Copland School. To address the challenge of regenerating the area, the council suggests a planned approach of bold themes to create a unified comprehensive design and encourage the emergence of a shopping street between Wembley Central and Wembley City. The High Road has positive features including wide pavements and a good public realm. This is a good setting for buildings that should be of a much higher quality to frame the street and provide a quality town centre environment.

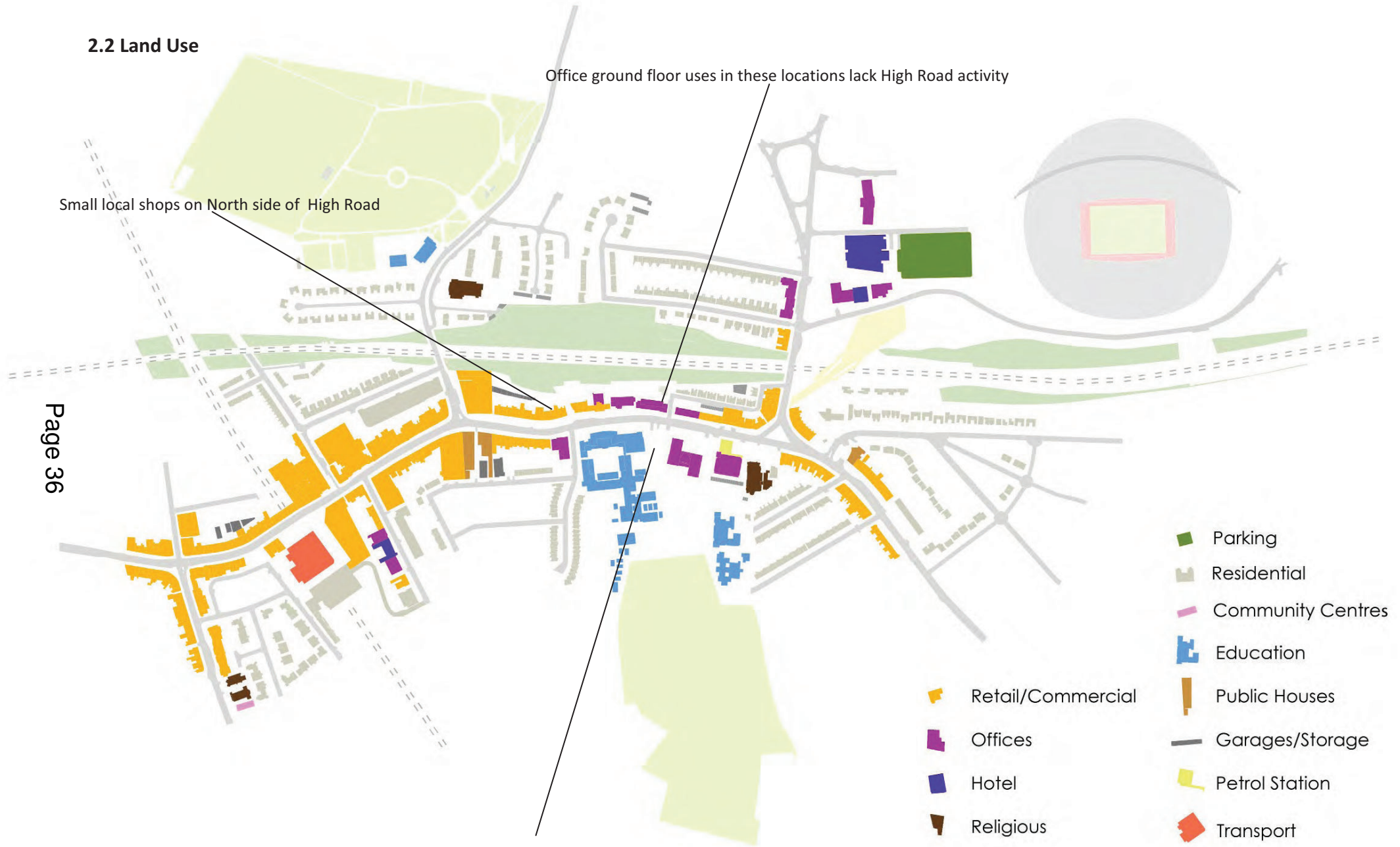
2.2 Land Use

Small local shops on North side of High Road

Office ground floor uses in these locations lack High Road activity

Lack of Active frontage on south side

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2.3 Building Heights, Scale and Massing

The adjacent diagram shows the current building heights along the High Road, as a guide to the existing context. Wembley today is a fairly typical suburban town centre, with predominant building heights ranging between 2-4 storeys. There are a number of exceptions to the rule, particularly within the SPD area, which currently has a fragmented and disjointed feel due to an inconsistent mix of different heights, scale, massing and gaps in the building line.



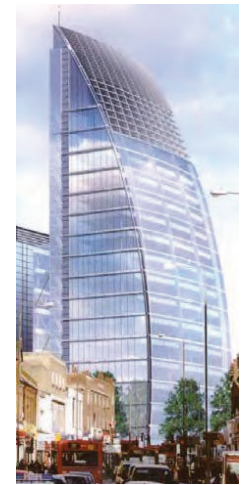
The topography of the site is particularly important as there is a significant drop in levels from north to south (see below). This has implications for the scale of development because it will be highly visible from the south. Conversely, the impact of development on buildings to the north of the area is likely to be less apparent.



2.3.1 A Fresh Approach to Building Heights

There are two major extant planning permissions in the Wembley Link area. Permission was granted for a 17 storey office development at Chesterfield House and for a 28 storey mixed use development at Copland School. Neither of these developments have materialised on the ground and during this period development has been completed at Central Square and Elm Road.

With a greater understanding of the economics and urban design impacts of taller development, the council has looked at the issue of building heights afresh and proposes a departure from the Copland 28 storey approval and the large office block consent on Chesterfield House. These proposals for very high buildings do not sit comfortably within the suburban context of the area and permissions for such high buildings appear even less likely to be built. The Central Square, Elm Road and Elizabeth House developments show a new mid range height that appears both developable and comfortable in the context of the High Road and the surrounding housing.



A key consideration of this SPD is the identification of taller buildings at either end of the Wembley Link as part of a co-ordinated strategy for Wembley. Any new building on the sites identified for taller development (Chesterfield House, the Triangle) should reflect the heights of Wembley Central Square and Elm Road rather than significantly depart from them. The prominence and height of the new Central Square development should be greater than the buildings within the Wembley Link area to reflect its location next to Wembley Central Station and square.

The largest open spaces in the area are the King Edward VII Park to the north-west of the Wembley Link, and the Copland School playing fields. The heritage value of the King Edward VII Park should be recognised in any proposals and opportunities identified to conserve this value. There are two primary schools located adjacent to the Copland School playing fields. Any proposals should make provision for the fields to be shared with the primary schools. The new Copland School development should demonstrate how community use of the playing fields can be successfully incorporated into new proposals.

New open spaces should be delivered as part of major development proposals to provide public amenity and activity. These will enable a new retail environment to be combined with active space for commercial or community based uses. The principal open spaces will be improved in terms of quality of landscape, facilities and accessibility, including play facilities with robust furniture and lighting. The council expects play space to accord with the Mayor’s draft SPG on “Providing for Children and Young People’s Play and Informal Recreation”. Proposals should also refer to London Play Policy 3D.11.i.

2.4 Open spaces



New development in this area should fully consider the principles of natural play through improving the connectivity between parks and open spaces, as part of the Wembley Link falls within an Area of Deficiency in Access to Nature. Brent’s Biodiversity Action Plan should be consulted while producing any landscaping proposals. For guidance on ecological soft landscaping enhancements, the London BAP Habitat Suitability maps and the London Regional Landscape Framework should be used.

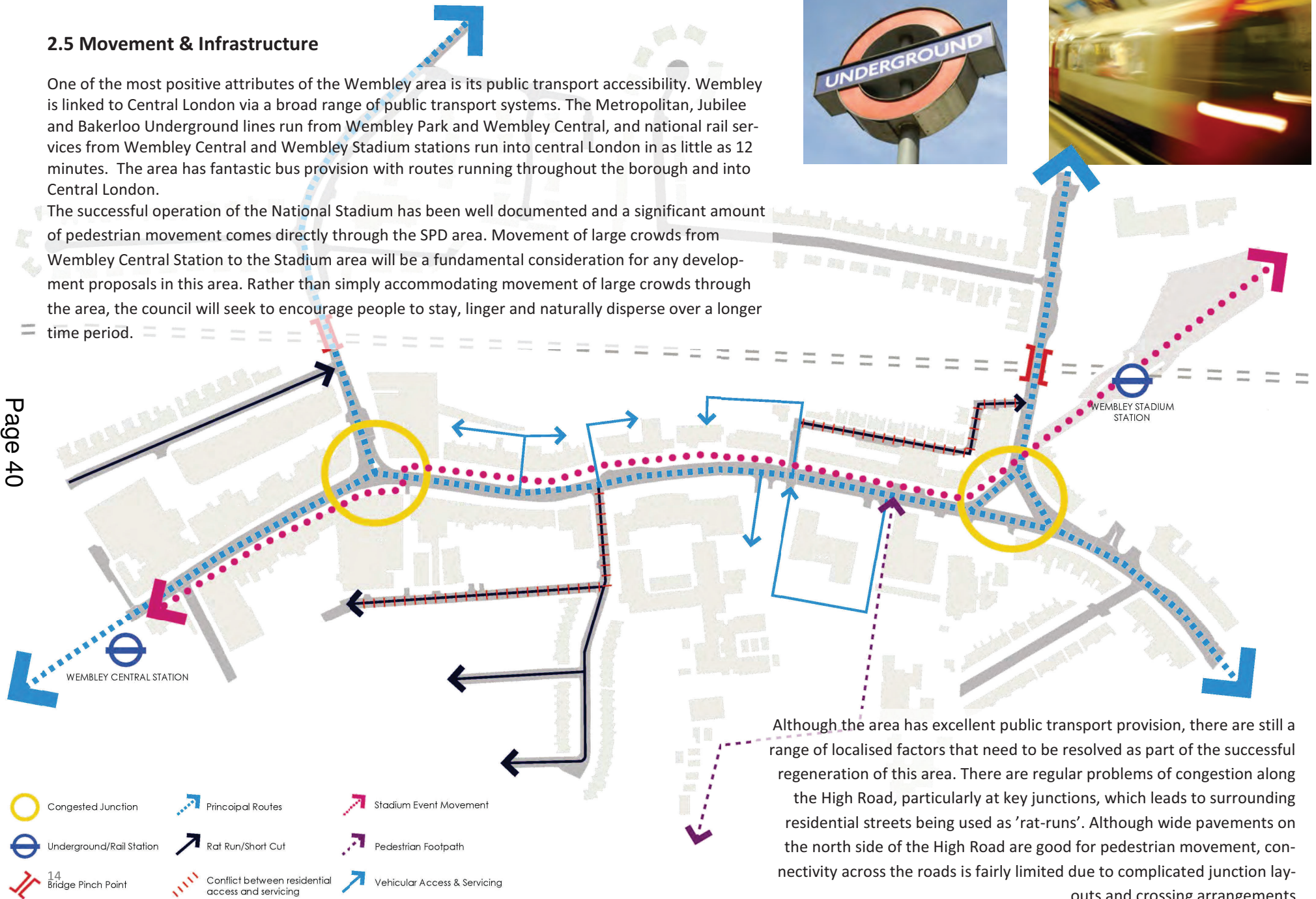
2.5 Movement & Infrastructure

One of the most positive attributes of the Wembley area is its public transport accessibility. Wembley is linked to Central London via a broad range of public transport systems. The Metropolitan, Jubilee and Bakerloo Underground lines run from Wembley Park and Wembley Central, and national rail services from Wembley Central and Wembley Stadium stations run into central London in as little as 12 minutes. The area has fantastic bus provision with routes running throughout the borough and into Central London.

The successful operation of the National Stadium has been well documented and a significant amount of pedestrian movement comes directly through the SPD area. Movement of large crowds from Wembley Central Station to the Stadium area will be a fundamental consideration for any development proposals in this area. Rather than simply accommodating movement of large crowds through the area, the council will seek to encourage people to stay, linger and naturally disperse over a longer time period.



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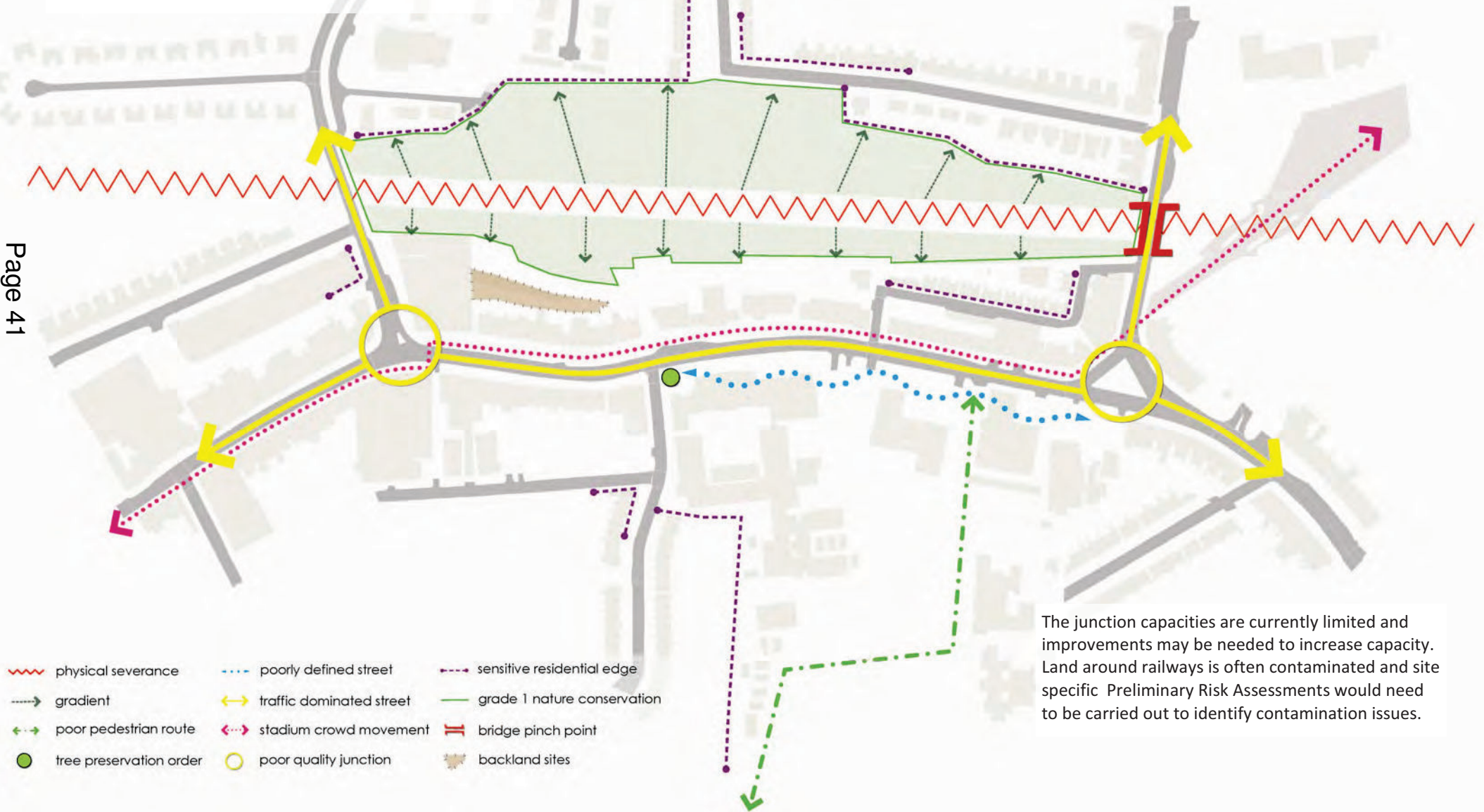


Although the area has excellent public transport provision, there are still a range of localised factors that need to be resolved as part of the successful regeneration of this area. There are regular problems of congestion along the High Road, particularly at key junctions, which leads to surrounding residential streets being used as 'rat-runs'. Although wide pavements on the north side of the High Road are good for pedestrian movement, connectivity across the roads is fairly limited due to complicated junction layouts and crossing arrangements

2.6 Development Constraints

The site is divided horizontally by the High Road and the Chiltern Railway line. There is a steep level change at the railway cutting which is several metres below the level of the High Road, and the existing residential area to the north of the site. There may be limited development potential on areas near the railway due to limited site depth and technical difficulties because of the steep embankment.

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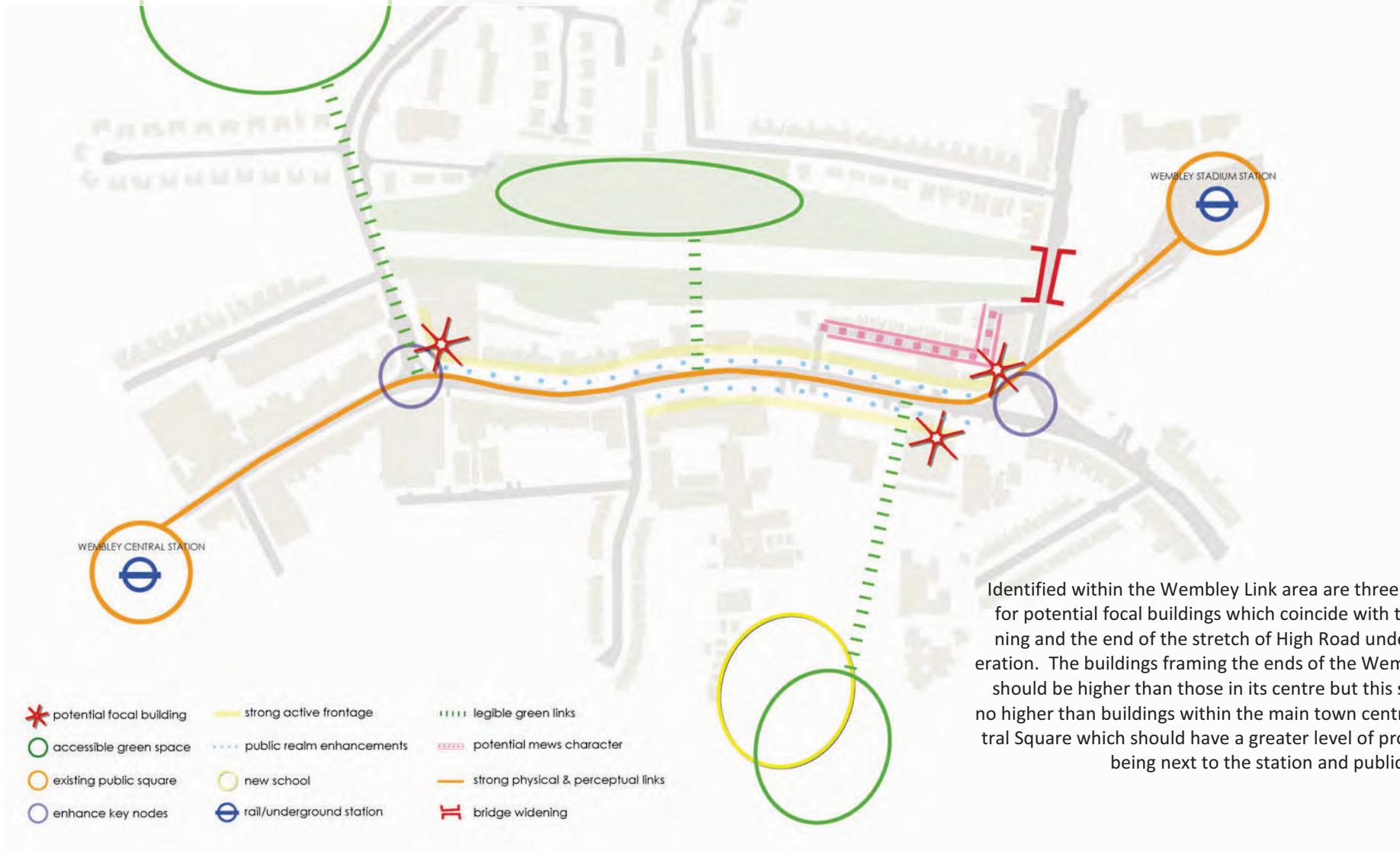
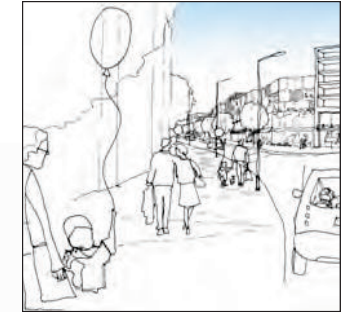


The junction capacities are currently limited and improvements may be needed to increase capacity. Land around railways is often contaminated and site specific Preliminary Risk Assessments would need to be carried out to identify contamination issues.

3.0 Wembley Link: A Connected Future

3.1 Development Opportunities

The overarching concept for this SPD is to strengthen and enhance the role of this part of the High Road as an attractive route from Wembley Central to the Stadium area as well as a place with its own character and identity.

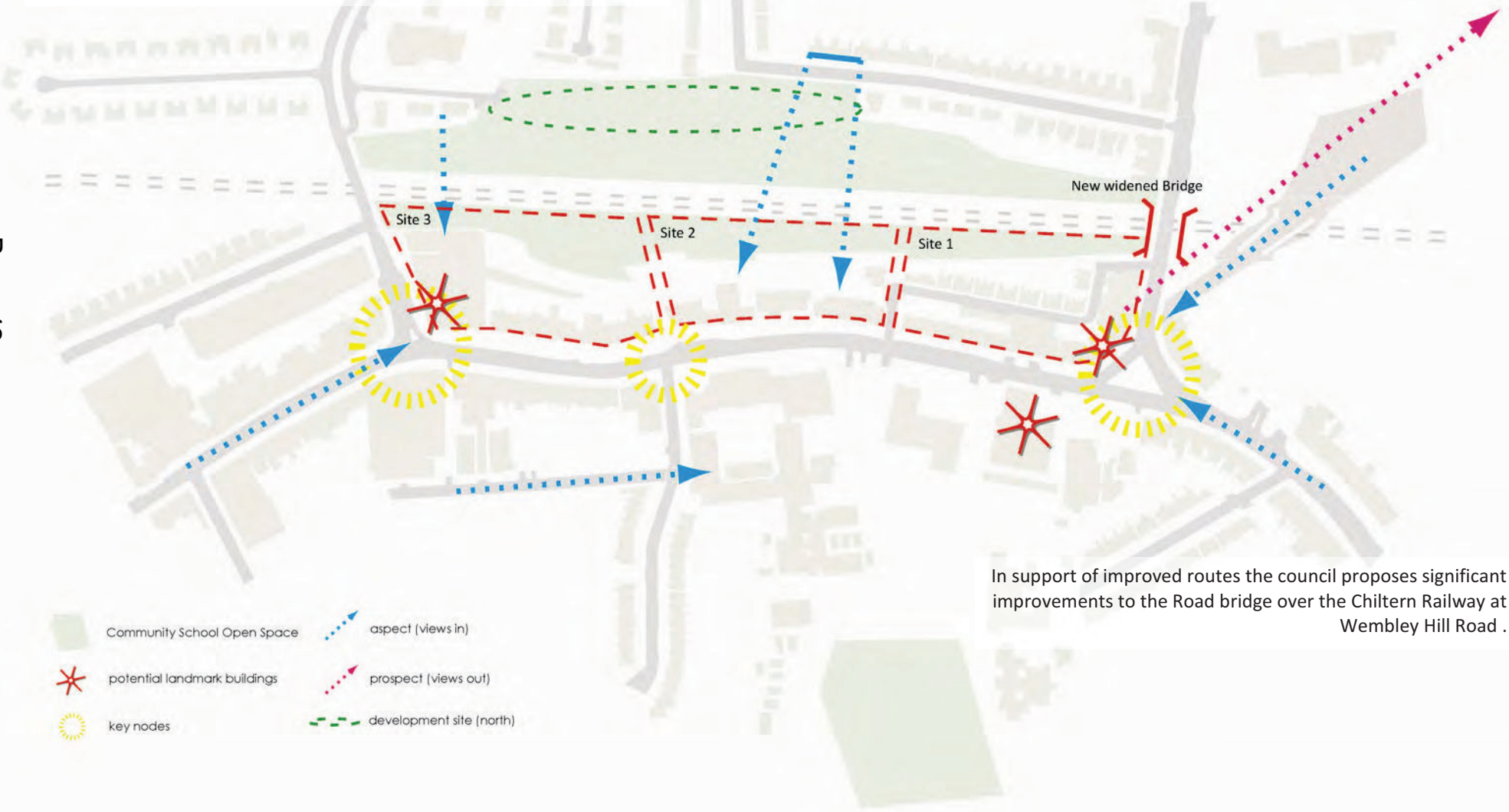


Identified within the Wembley Link area are three locations for potential focal buildings which coincide with the beginning and the end of the stretch of High Road under consideration. The buildings framing the ends of the Wembley Link should be higher than those in its centre but this should be no higher than buildings within the main town centre at Central Square which should have a greater level of prominence being next to the station and public square.

3.2 A New Legible Urban Structure

The council seeks a new legible layout for the Wembley Link-this will involve the creation and improvement of key nodes, the enhancement of key views-such as from Mostyn Avenue south and to ensure that the internal road layout on the north side of the High Road accommodates proper servicing and pedestrian movement through it.

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In support of improved routes the council proposes significant improvements to the Road bridge over the Chiltern Railway at Wembley Hill Road .

3.3 A Strategy for Movement

At the heart of the transport strategy will be the creation of streets as places (rather than vehicular routes) focused on accommodating pedestrians, cyclists and other road users in attractive, safe and legible urban streetscapes. Access and movement considerations are important in deciding how plots can/should be developed. Developments should continue to exploit the proximity of Wembley Central and Wembley Stadium stations and the very good bus routes in the area. The onus will be to reduce car parking and provide car free development for commercial and residential units on both sides of the High Road. This will limit pressure on junctions and encourage public transport use.



Junction Improvements

With the level of development envisaged over the life of this SPD it will be necessary to make some significant enhancements to the Triangle Junction and the bridge over the Chiltern Line on Wembley Hill Road. Improvements could include additional lanes and pedestrian crossings as well as potential bridge widening works. Submitted proposals will require detailed work in respect of transport studies and reasonable contributions to the Wembley Triangle and other adjacent transport improvements will be sought.

Parking:

Controlled Parking Zones (CPZ) already cover surrounding streets in the vicinity of the SPD area. This should help prevent residents of new developments 'over-spill' parking in neighbouring streets. Residents of new developments will not be allowed to apply for residents' parking permits and event day parking permits, and will therefore not be allowed to park on those streets.'

Where the impact of overspill parking from new developments will impact on local streets, consideration will be given to compensating affected residents by the introduction of reduced charge parking permits or, in certain cases, free parking permits over a defined period where new or amended CPZs are introduced.'

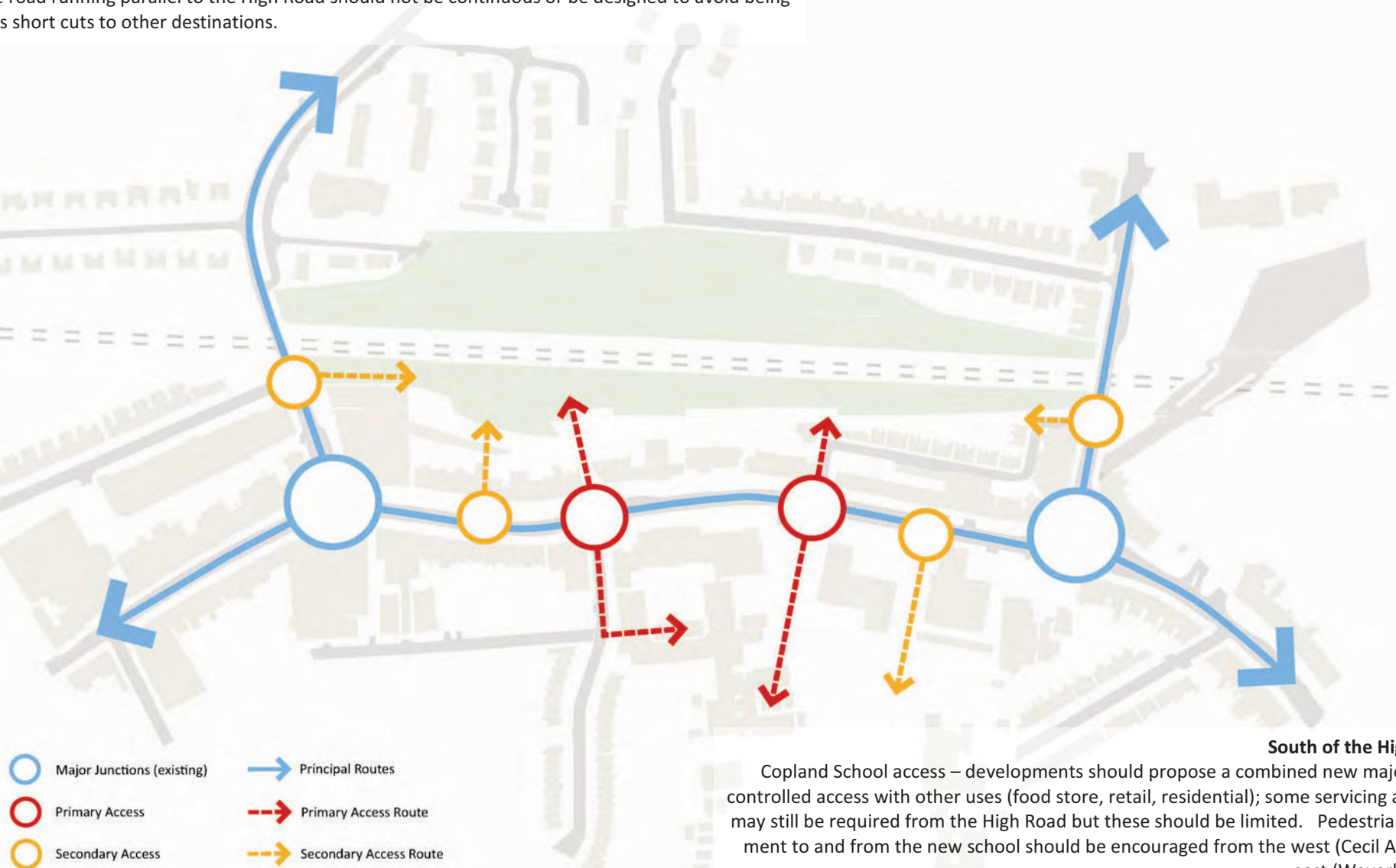
Maximum parking ratios for new residential development in the area will be set at 0.5 spaces per residential unit.



3.4 Access & Movement Opportunities

North of High Road:

The narrow depth of site makes access very difficult. Access solely from Park Lane / Wembley Hill Road would be problematic; at least one major access from the High Road would be desirable. Any service road running parallel to the High Road should not be continuous or be designed to avoid being used as short cuts to other destinations.



South of the High Road

Copland School access – developments should propose a combined new major signal controlled access with other uses (food store, retail, residential); some servicing accesses may still be required from the High Road but these should be limited. Pedestrian movement to and from the new school should be encouraged from the west (Cecil Ave.) and east (Waverley Ave).

4.0 A Framework for Sustainable Mixed Use Development

4.1 Celebrating the Street

Urban Design Principles for the High Road

Our ambition is to strengthen the nature of the 'Link' by focussing on the High Road as the principal public space. This will be achieved by creating a strong, consistent building line, establishing new active frontages and a co-ordinated and innovative public realm strategy.

The council is not seeking to achieve a monotonous line of buildings of the same height but a comprehensive boulevard feel with wide pavements and generous planting. A number of locations for taller buildings have been identified, to mark the beginning and end of the Wembley Link area.



Consideration should be given to the following issues:

- The architectural treatment at the Triangle junction corner of the site should be considered carefully in relation to creating public space, and greater visibility between the White Horse Bridge and the High Road;
- Strong visual and physical connections from the High Road to a range and diversity of open spaces;
- Public realm improvements;
- High Road enhancements would be welcomed to reinforce the "Road to Wembley";
- The commitment to public art;
- Potential to reinforce tree planting to create a boulevard between Park Lane and the Triangle;
- The Café Quarter design guide 2003 is a design guide to encourage active café / restaurant uses to spill out onto streets, includes guidance on boundary treatments, furniture, awnings etc.



4.2 A Place to Live, Work & Shop

Our aspiration for this area is to provide a range of uses (a new school, shops, cafes, houses and offices) that will encourage different communities and user groups to live, work and socialise in a unique and diverse urban area.

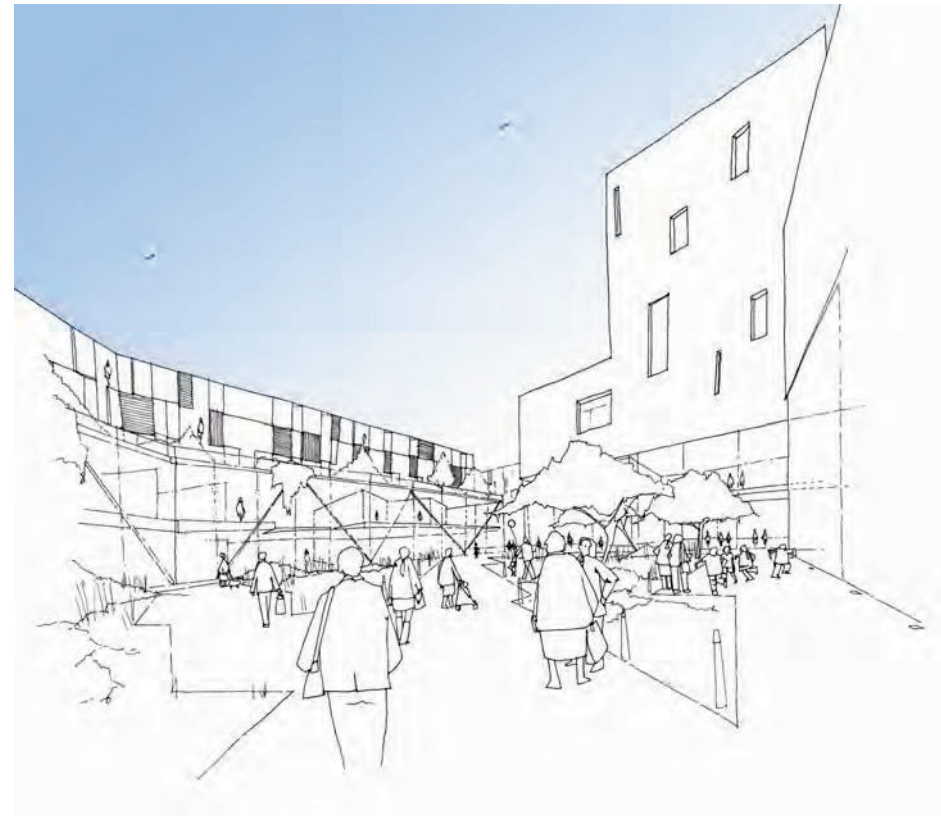
As a way of complementing the existing local retail offer along the High Road, this SPD identifies a suitable location for a medium sized food store. The rationale behind the provision of a new supermarket will be to provide local residents with greater diversity of shopping opportunities within the town centre without adversely impacting on existing retail development. The external treatment of any new supermarket will be critical to the creation of an attractive streetscape. The council will seek active uses fronting all streets where long and blank elevations will be avoided.

One of the core aspirations of this document is to promote this part of Wembley as a place to live as well as a vibrant and active retail destination. There is currently a significant proportion of already consented 1-2 bed accommodation on the nearby Wembley City developments. The council will be seeking to now rebalance that lack of family provision at Wembley City in order to generate a more mixed and balanced community. Although this is a Town Centre area where the provision of non-family housing may be the more obvious choice, careful design should not preclude family housing by using opportunities to create larger units with suitable amenity space in the form of ground floor units with gardens and large apartments with generous balconies and terraces.



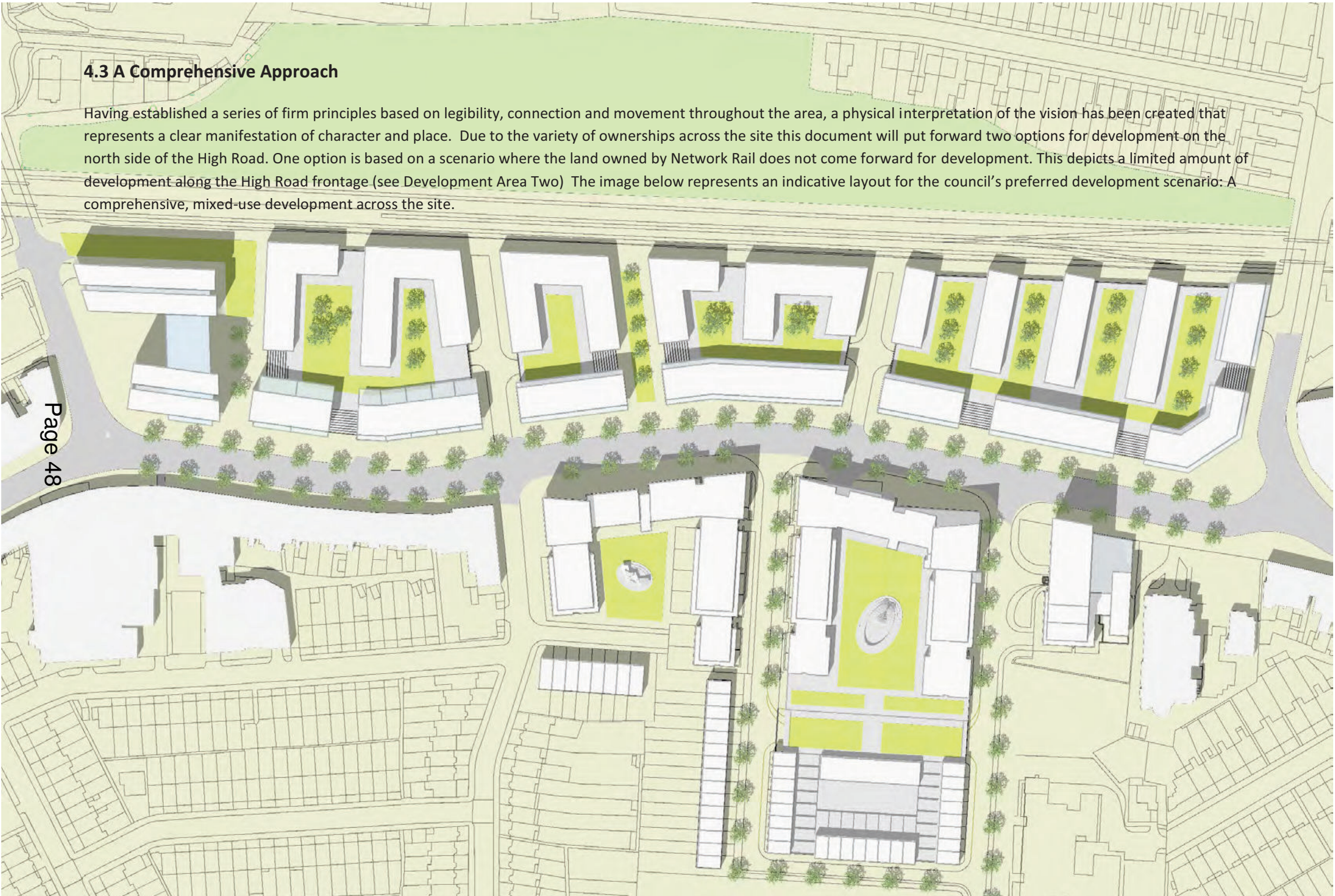
The purpose of the SPD is to encourage the redevelopment of the Wembley Link to:

- improve retail and other town centre uses (cafes, pubs, restaurants, offices, leisure and community facilities) in order to strengthen the link between the existing town centre and the new stadium retail developments and create a strong and continuous ground floor frontage.
- secure office floor space as part of mixed developments to meet the council's employment objectives and add to the vitality of the town centre.
- bring forward the development of a new and expanded Copland School.
- allow residential development over commercial development that wherever suitable enables the provision of family accommodation
- to encourage and promote local employment



4.3 A Comprehensive Approach

Having established a series of firm principles based on legibility, connection and movement throughout the area, a physical interpretation of the vision has been created that represents a clear manifestation of character and place. Due to the variety of ownerships across the site this document will put forward two options for development on the north side of the High Road. One option is based on a scenario where the land owned by Network Rail does not come forward for development. This depicts a limited amount of development along the High Road frontage (see Development Area Two) The image below represents an indicative layout for the council's preferred development scenario: A comprehensive, mixed-use development across the site.



4.4 Scale & Massing



The council will expect development to generally conform with its usual design standards set out in Supplementary Planning Guidance SPG 17. However the Wembley Link SPD does allow an opportunity to respond positively to something interesting and distinctive with character and identity that will realise increased values from inherent quality. This will need to be demonstrated in the quality of design, build, material and surface including both buildings and the public realm and set out in such detail as to ensure delivery on the ground. Proposals should provide variation in the height of buildings, both within and between sites for visual interest and to allow sunlight through the space between buildings

4.5 Environmental Sustainability

New development will need to mitigate climate change and be adapted to its impacts. The council will seek sustainable redevelopment of the Wembley Link area which addresses transport, energy, water, waste, pollution and biodiversity issues.

Transport is one of largest contributors to carbon emissions as well impacting upon local air quality (the site is within Air Quality Management Area, where levels of pollutants exceed EU standards). Wembley Link area has very good links to public transport and proposals should encourage people to use public transport by providing a safe and attractive walking and cycling environment for visitors, workers, students and residents.

New developments should be built to substantially reduce energy and water use. Building designs should follow the London Plan principles of Be Lean, Be Clean, Be Green. Core Strategy policy CP19 requires new housing to be built to Code for Sustainable Homes level 4 and commercial or community development to BREEAM Excellent.

The mix and density of uses within the masterplan provides a good opportunity for Combined Heat and Power technology with opportunities to establish a district wide system. Core Policy 19 requires development in Wembley to connect to, provide or contribute towards CHP. The use of photovoltaic panels, solar water heaters and green roofs would also be encouraged.



A sustainable urban drainage scheme should be proposed, and reference should be made to the Environment Agency's (EA) "Practical Guide to SuDS". Developers should incorporate SuDS early in the site evaluation and planning processes and include provision for maintenance. The EA will require Flood Risk Assessments with specific regard to surface water for developments within the SPD area that are over 1ha. All new development must fully consider water and wastewater infrastructure capacity both on and off the site in order to avoid any potential problems for existing or new users. Developers will be required to demonstrate that adequate capacity exists and in some circumstances it may be necessary for developers to fund studies early on the design process to ascertain whether the proposed development will lead to overloading of existing water and sewerage infrastructure. Where there is a capacity problem and no improvements are programmed by the statutory undertaker, then the developer needs to contact the undertaker to agree what improvements are required, how they will be funded and when they will be provided. Any upgrades required will need to be delivered prior to any occupation of the development.

Brent Council would support the inclusion of green infrastructure such as parks, gardens, allotments, trees, green roofs and natural habitats into the proposed development to improve site resilience to climate change and the urban heat island effect.



4.6 The Development Areas

Due to the physical constraints and the range of land owners in the area, the site has been broken down into three development areas. The purpose of this is to allow for the vision to be brought forward either comprehensively or on a plot by plot basis.

The 3 development areas:

Development Area One: High Road South

The Brent House/Copland School site will be considered as one combined site, to maximise their potential and to stimulate redevelopment on the rest of the High Road (they could, however, come forward separately). The preferred proposal is a mixed use development incorporating a new food store on the current Brent House location. This will act as an anchor for the link area and will help support a certain amount of adjacent retail.

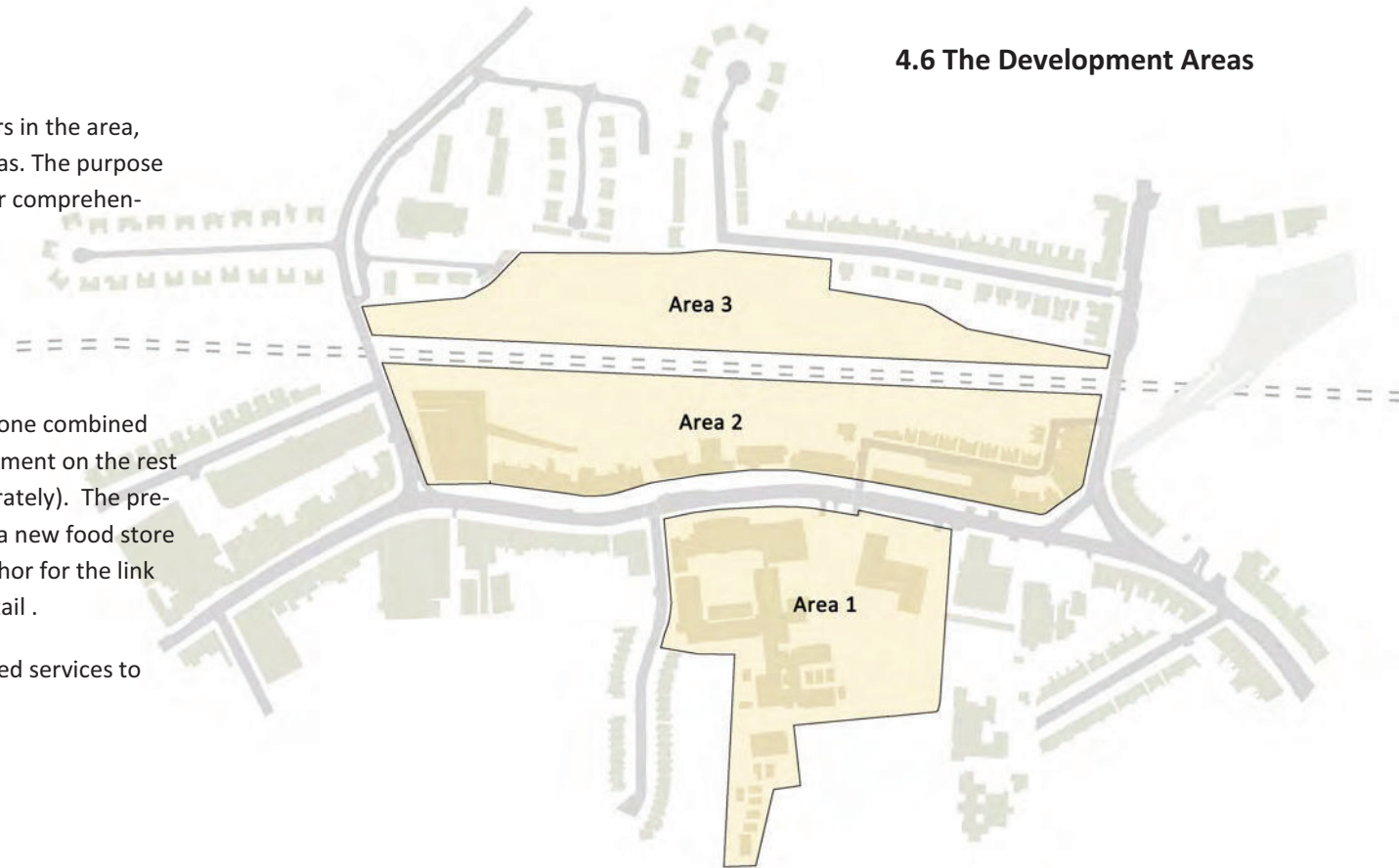
Copland School rebuilt will be a local hub, providing extended services to the wider community.

Development Area Two: High Road North

To facilitate redevelopment this stretch of the High Road can be broken down into 3 distinct zones. Our vision will facilitate each zone to be advanced separately, while following the masterplan design strategy. Two development scenarios are provided for this area to enable a flexible approach to the delivery of development. Option 1 uses the existing plots without including any of the Network Rail owned land, whilst Option 2 suggest proposals that make use of the whole area up to the railway including the land currently owned by Network Rail.

Optional Development Area Three: Mostyn Avenue

This area would support only a very limited amount of new development. The scale of any new development should relate to and respect the adjacent existing neighbourhoods to the north of this development area. The council will seek to maintain and enhance the nature conservation value of this site.



4.7 Development Area One: High Road South

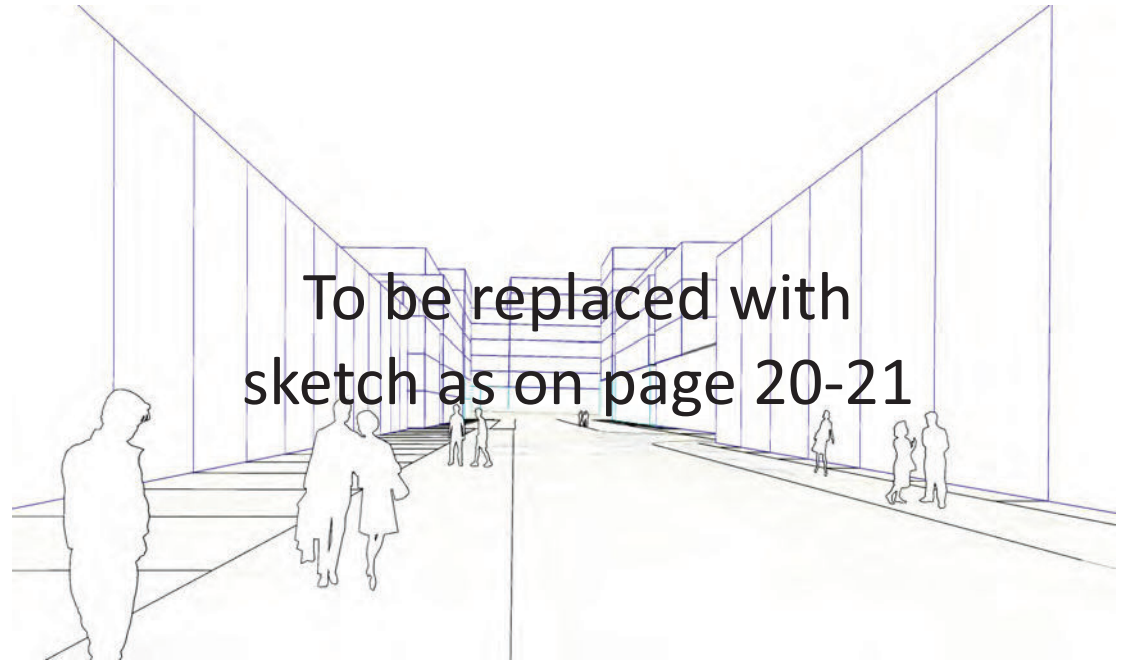


Development Area One is the combined Brent House and Copland School site. Brent House is a 10 storey office building built in the 1960's but subsequently refurbished. It is currently occupied by Brent council staff but will become empty in 2013 on completion of the new civic centre and the relocation of the Brent Council staff. Copland School is a community school also built in the 1960s but in a very bad state of repair. Behind the school are large playing fields which are also referred to in this SPD.

A Sustainable Mix of Uses

This SPD proposes a ground floor commercial retail frontage including a medium sized food store (approximately 6000m²) with undercroft parking predominantly using the natural fall of the site to avoid the costs associated with providing basement parking.

The council is trying to achieve a large proportion of family housing. Housing types should be a mix of units, with a substantial proportion being larger family units (3 beds or more). The council will be seeking to maximise family units, as there is a local need for affordable family housing and the form of proposals should follow this provision. In the event of the school not coming forward with joint development proposals, proposals may be brought forward for the Brent House site only.



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Site Area	30955m ²
Development Potential (Estimated)	Food Store: 6250m ² Local Retail: 1400m ² Residential: 325 flats & 45 houses
Parking (Estimated)	435 spaces

Scale of Development

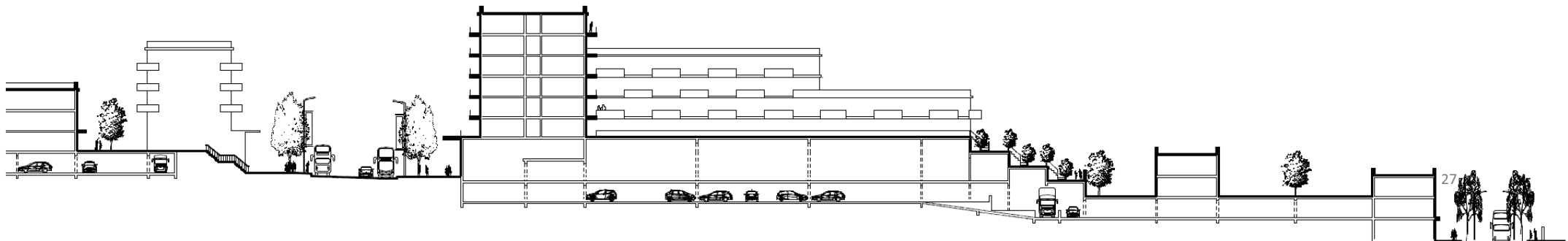
The heights of the proposed scheme have been assessed as likely to be viable at a maximum of 6 storeys over a double height ground floor for the retail units. The council will be flexible on considering proposals but there will be a preference for lower height schemes. The scale of new development near to Cecil Avenue should respect the adjacent suburban surroundings.



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Access & Servicing

Car parking on the food store site should have shared use for town centre parking. The Council's normal parking standards for retail parking will be applied (1 space per 50m² gfa) with the proviso that, subject to available space considerations, the council may accept a suitable enhancement to ensure that the car park is available for town centre users as a whole. In this respect, a suitable charging regime will be applied recognising that a proportion of time may be considered as 'free' time limited parking associated with the site specific retail element. There will be a requirement to achieve an active retail frontage with servicing off Wembley High Road. Access from Cecil Avenue should be limited to some of the residential development only.



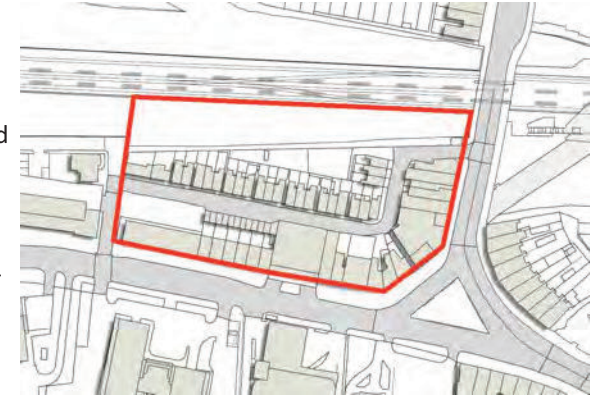
4.8 Development Area Two: High Road North

The area divides into three **sites** which are formed by existing access roads:

Site 1

The area is defined by Ecclestone Place to the west, Chiltern railway line to the north, Wembley Hill Road to the east and Wembley High Road to the south. The boundary includes part of the railway embankment which currently is designated as wildlife corridor in the UDP. Network Rail requires an 8m buffer from the railway line. Nevertheless a 16m buffer is required if additional tracks are planned. There is a variety of different building uses, ages and conditions, with multiple commercial ownerships.

Ecclestone Place is one way from 1 – 25 Ecclestone Place and is currently used as a rat run by drivers who try to get to Wembley Hill Road from the High Road. The properties are mainly two storey, two-bedroom houses. They lack front gardens, privacy and off street parking. The SPD options show proposals which include retaining the existing housing on Ecclestone Place.



There are two options for redeveloping the land in Site 1:

1. Concentrate the development on the land to the south of Ecclestone Place.
2. Take in the railway embankment and include Ecclestone Place in a more comprehensive development.

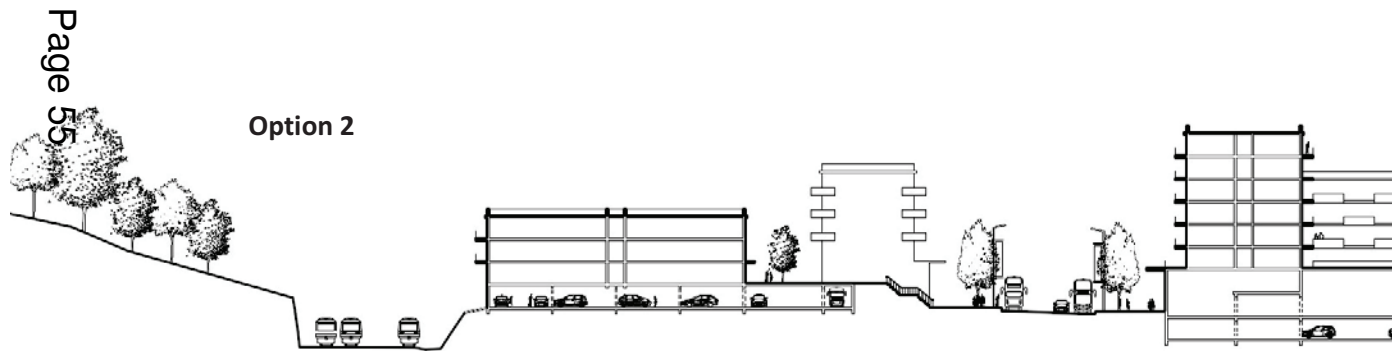
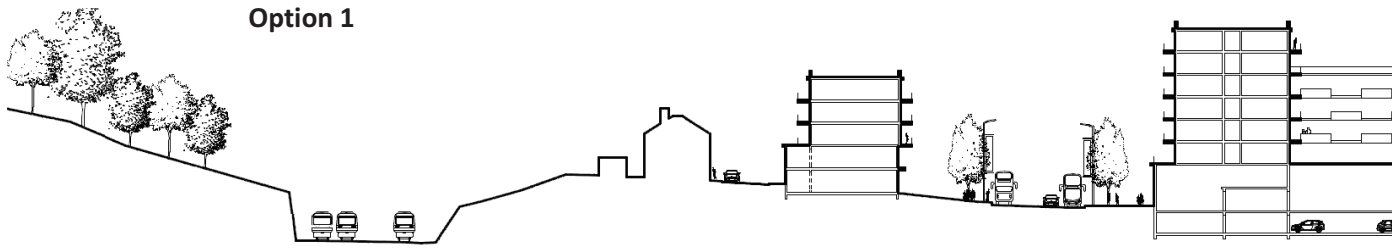
A Sustainable Mix of Uses

Both options consist of a mixed use development with a strong retail frontage onto the high Road and Wembley Hill Road. There is the potential to include office uses above the retail as well as a range of residential accommodation. Option 2 allows for the creation of further residential development to the rear which could take the form of larger family housing. This option creates a solution whereby parking and servicing is undertaken from within the development (under a podium). This reduces the current problems of conflicting land uses.



Scale of Development

The open nature of the Triangle junction and its role as a gateway to the area mean that it is considered appropriate for a taller building on this corner. The relationship with existing buildings at Ecclestone Place means that the frontage development in Option 1 should be no higher than 4-6 storeys. Option 2 allows for significantly more development across the site, but heights should remain relatively low at 4-6 storeys on the frontage and 3 storeys above a podium at the rear.



Access & Servicing

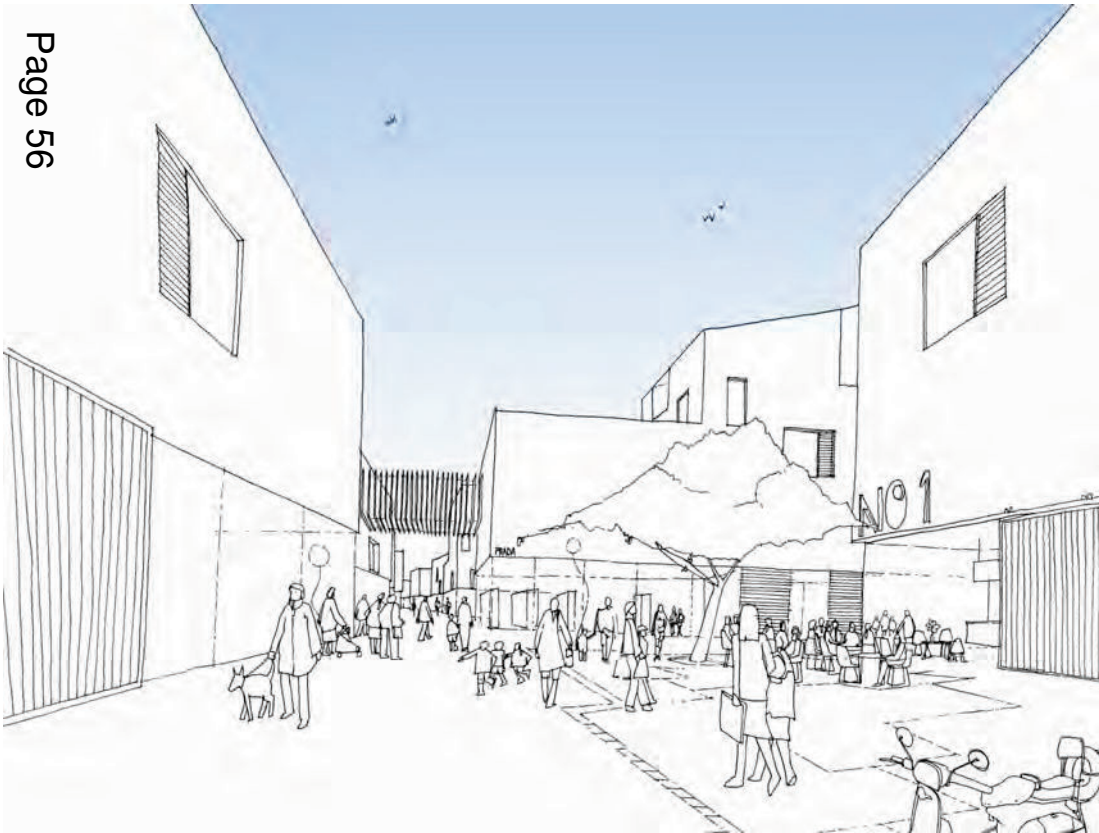
Both options should propose improving the servicing arrangements without encouraging a through route. Proposed transport improvements to the Triangle junction involve the removal of the “triangle” and an increased pavement width on the corner, opening the opportunity for public realm improvements and a landmark public space opposite the White Horse Bridge marking the beginning of the High Road. Any proposals for this corner should continue this aspiration.

Site 2

The area which this plot covers is defined by the High Road to the south, Chiltern railway line to the north, Ecclestone Place to the east and the existing access road to the west. The site is made up of four principal blocks fronting onto the High Road and a residential property to the rear. There are a range of uses including some ground floor retail, but principally the existing buildings are in use as offices. All of the existing buildings are somewhat dated and provide a significant opportunity for redevelopment or refurbishment.

There are two options for the development of Site 2, depending on whether Network Rail embankment land is added to the rear of the development sites.

The first option without the embankment secures a strong frontage with some buildings running to the rear boundary and depends on a rear service road to meet servicing requirements and providing limited parking.



The second option that includes the embankment proposes a series of streets and squares, creating a distinctive character from the High Road, providing a mixture of private and semi-private space with a more intimate scale and character. Buildings and spaces between them will need careful design to ensure good daylight and sunlight. Frontage buildings in this option will be lower in height overall than in option 1

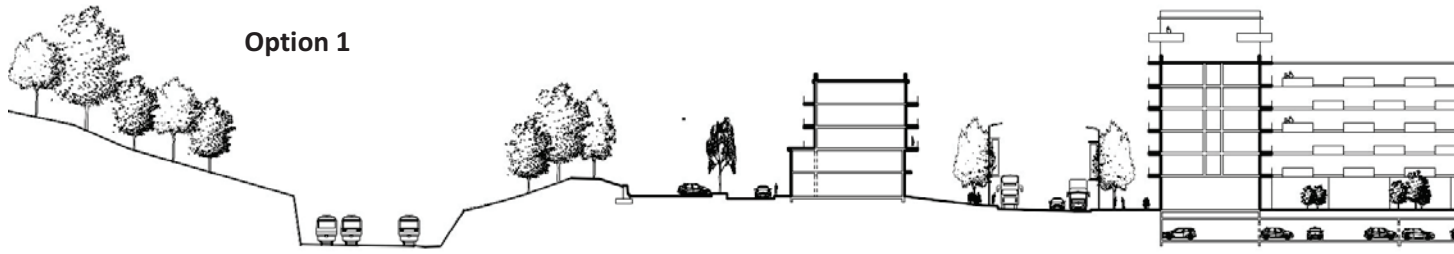
A Sustainable Mix of Uses

The council will support the following form of development:

- A commercial ground floor that supports retail and other town centre uses (4.5m floor height) and provide sufficient depth (20m) to provide deeper plots not available in the primary frontage.
- Upper floors may contain residential but should also contain an element of office accommodation (needing similar floor heights to commercial)

Scale of Development

Over the whole of Site 2 frontage development should sit within a 4-8 storey envelope. This building footprint is estimated to provide a viable development quantum of floor-space. It is however important to ensure that sites are deliverable.



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Development on Option 1 is serviced via an service road and parking spaces to the rear of the development whilst the building in Option 2 are serviced from within the buildings. The access roads on both options are based on the existing access into the site.

Access & Servicing

Site 3

The site defined by the High Road to the South, Chiltern Railway line to the north, Park Lane to the west and the existing access road to the east. Wembley Court Parade is a three storey, brickwork, mock Tudor block with shops on ground floor, residential above.

Apart from multi-ownership of the area, the state of the back land is also very challenging. The back land area not only is used as a business car park but also used by a car repair business. Access to the back land via the passage under 428 High Road is regularly blocked with vehicles attempting to manoeuvre. All the flats above shops at Wembley Court Parade are accessed from the stairs at the back. Some of the duplex maisonettes have been subdivided into smaller flats.



To be replaced with
sketch as on page 20-21

Chesterfield House

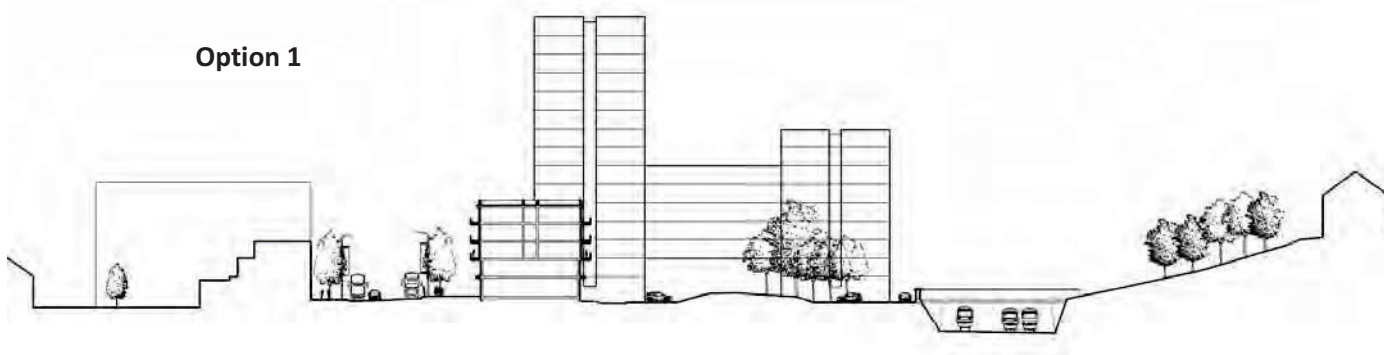
Chesterfield House is located within the primary shopping frontage of Wembley Town Centre at the corner of Park Lane and Wembley High Road. The existing building is a 7 storey 1960's building on a 2.67ha site comprising office and retail accommodation. Vehicular access to the site is off Park Lane.

A Sustainable Mix of Uses

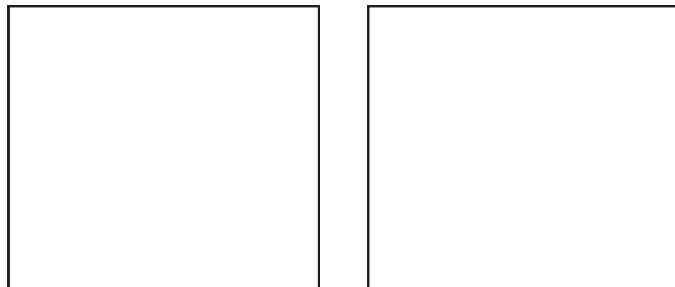
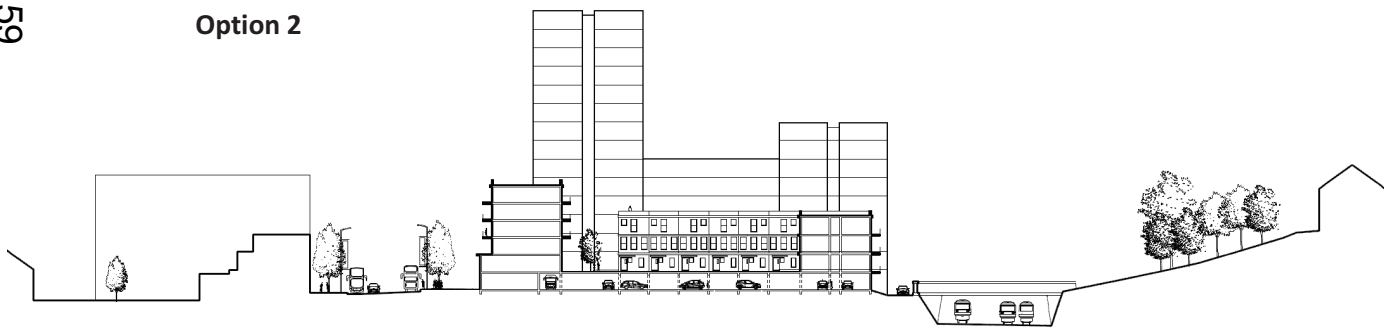
- the provision of active ground floor uses with a mix of uses on the upper floors that could include office, hotel and/or residential uses (where suitable amenity space can be provided)
- where hotel or residential uses were provided solely there is a limited element of office use

Scale of Development

- a new approach that limits heights to reflect those established by the newly approved and built schemes (Central Square and Elm Road).
- set back of any building on the corner and the provision of an expanded public realm
- the provision of a more considered relationship to the east and a more neighbourly building through set backs from the boundary and other devices



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Access & Servicing
The provision of a new access road into the east of plot 1 to improve servicing arrangements

4.9 Optional Development Area Three: Mostyn Avenue

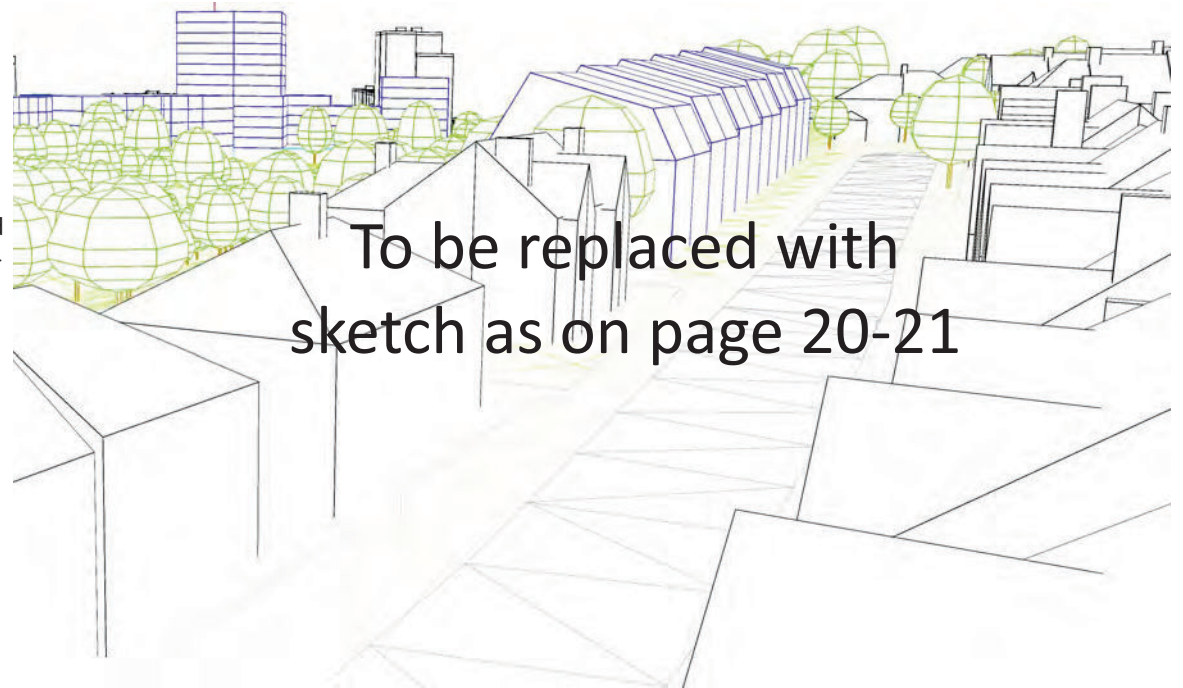


The area north of the railway comprises Network Rail owned land bounded by the Chiltern Railway to the south and existing residential areas of predominantly 2 storey housing to the north.

Ecology considerations and development opportunities

The Chiltern railway embankments are designated Grade I for Nature Conservation Importance. The area is also protected as wildlife corridor and provides a continuous wildlife link between Barham Park and the River Brent. There is roughly 1 ha of vegetated area south of the railway line and 2 ha north of the railway line. Taken together this provides one of the largest areas of woodland in Brent. Development on the site of nature conservation importance will only be accepted where it provides substantial benefits to the town centre and meets the objectives of this SPD. Mitigation and compensation measures will need to be provided to ensure there is no overall net loss to biodiversity value and a continuous wildlife link is provided through the site.

Planning policy guidance for this area are set out in the council's Unitary Development Plan (UDP) 2004 and in the council's draft Site Specific Allocations 2010 (SSA W10). The UDP envisages potentially a more significant development linking both sides of the embankment with a range of town centre uses. The draft SSA in 2010 seeks a mixed use development on the south side of the Chiltern railway and limited residential development on the north that is respectful of the nature conservation value of the northern embankment in particular. Both the UDP and the SSA refer to the need for a more detailed masterplan that sets out key development considerations and this SPD is intended to fulfil this role.



To be replaced with sketch as on page 20-21

The adjacent plan illustrates one possible solution restricting residential development to the northern part of the embankment using Mostyn Avenue as a connection. The road connection allows some views of the embankment to be maintained. It is expected that any development close to Mostyn Avenue will be of a similar height to existing properties and that development can then use the slope to increase storeys without increasing heights. A possible alternative is to create a ribbon development between Mostyn Gardens and Park Court at the southern end of Lea Gardens again restricting low scale residential development to the northern edge of the embankment and limiting the impact on the nature conservation value of the site.

Any redevelopment of this area should be accompanied by an assessment of the nature conservation value and contributions towards improvement of the nature conservation area with the potential to secure public access to this space.



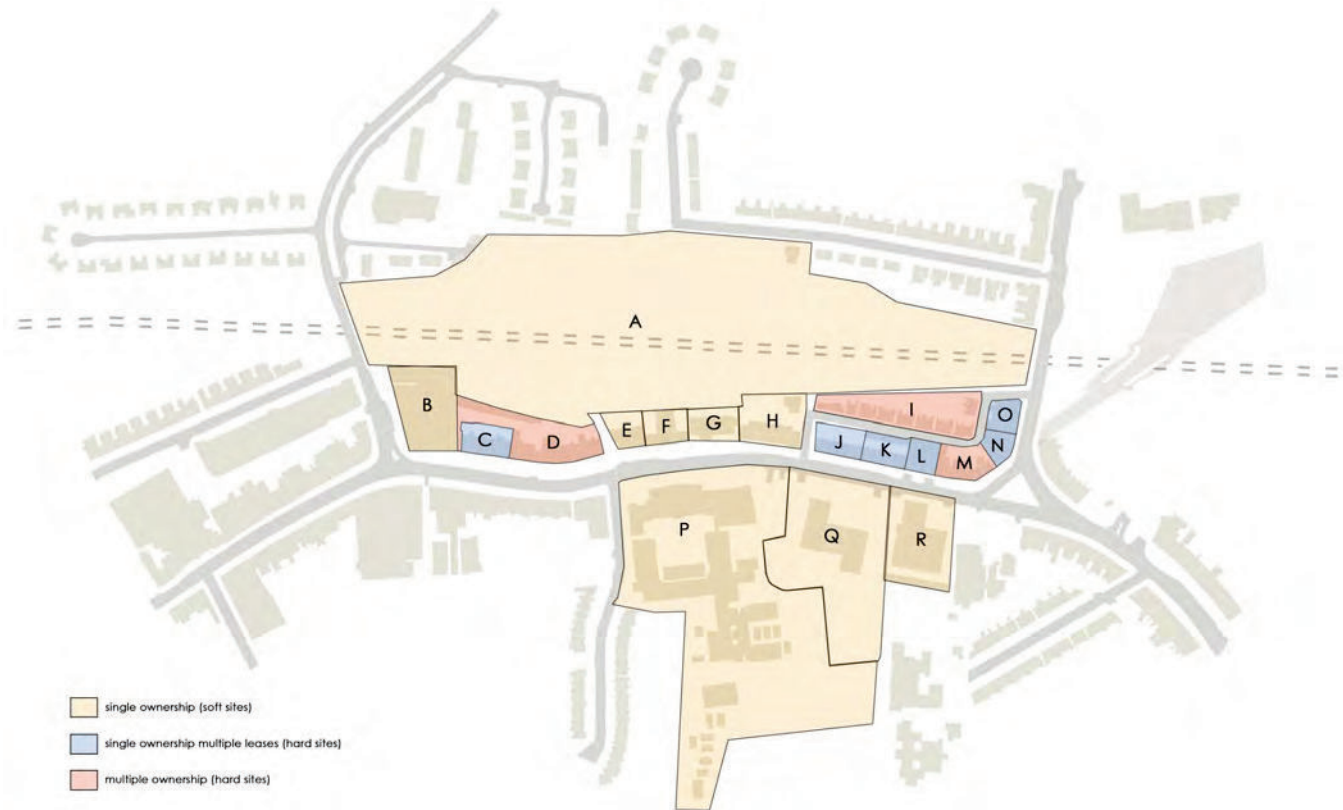
Page 61



5.0 Delivering Change

5.1 Working together

The two largest pieces of land in the area are owned by Network Rail (site A) and Copland School (site P). Brent House (site Q) is owned by Brent Council. Brent Council will work together with delivery partners to bring forward development in accordance with this guidance and the council's Core Strategy and Site Specific Allocations (SSA) Development Plan Documents (see Section 6.0). The SSA document includes targets for the delivery of housing and the phasing of development. If it becomes apparent that targets are unlikely to be met, the council will review its approach to delivery. Of particular importance is the council's role in delivering or facilitating infrastructure provision necessary to enable development.



Brent Council has a key facilitation role to play in terms of:

- Negotiating development proposals through the planning system
- Securing planning obligations/Community Infrastructure Levy
- Forming partnerships between delivery agencies
- Implementing public realm infrastructure projects

Flagship projects will exist in which the council will have a direct role in delivery. For many other projects, delivery will rely on development coming forward, and the council will need to secure these projects through the planning process. The council does have compulsory purchase powers and will be minded to use them to remove blockages to the transformation of Wembley Link to deliver the objectives.

5.2 Development Phasing

The delivery of the Wembley Link is likely to take more than a decade, so careful consideration has been made of the various options for the phased development of the area. This notional sequence of development represents an indicative timeline for the implementation of projects on the ground. It is designed to illustrate a logical phasing of buildings that could enable distinctive places to be created with the right level of infrastructure to address the needs of new development.

Although there are many combinations of possible proposals and design schemes the council is of the opinion that in the light of advanced negotiations, the south side of the High Road, encompassing Brent House and Copland School will come forward for development first. However, phasing in the Wembley Link area is not sequentially constrained or inter-reliant upon other phases or site schemes. The sequence of development is not designed to be overly prescriptive as the council will assist in the development of all suitable sites, providing the necessary infrastructure can be delivered.

There are a number of projects that could be delivered at an early stage of development, such as Elizabeth House, Brent House and Chesterfield House. These all have the potential to build investor and community confidence and set the benchmark for design quality in the area.

It is likely that the phasing of the Wembley Link will be dictated by land owner partnerships and cooperation. There is much to be gained from comprehensive development and the council encourages partnership working with fellow land owners, developers and Housing Associations.

5.3 Business relocation

The message of this SPD is clear. The run down Wembley Link area will be transformed into a sustainable mixed use community.

A supply of space could be delivered that includes a number of units at a range of sizes. Rents could be “stair-cased” or “pump primed” so that early years were more affordable but could then increase as businesses grow. Units could be located around shared business administrative space (such as meeting space, reception and copying). This will require the management of space across premises.



5.4 Securing the Infrastructure

Section 106 Strategies (S.106)

Contributions from Planning Obligations (s106 agreements) are determined and triggered by the quantum and nature of proposed development. The council has a Supplementary Planning Document that outlines its community benefits requirements and sets out a standard charge for most forms of development.

This SPD establishes a number of essential infrastructure priorities that would result from a comprehensive development of the Wembley Link area. The highest priority is to deliver a new, fit for purpose secondary school to replace Copland School. The second highest priority will be to seek contributions to junction and bridge improvements at the Triangle Junction and the Chiltern line railway bridge on Wembley Hill Road. The list below sets out potential mitigation to the public realm and open spaces in and around the High Road. The total planning contributions will, of course, need to be tested against the viability of developments. The council is considering the conversion of the s106 standard charge into new Community Infrastructure Levy provisions and is likely to bring these forward later in 2011.

Social Infrastructure

- Affordable housing
- Affordable work space/B1 office space
- Biodiversity measures including: maintenance, partial restoration and enhancement of the railway cuttings as a wildlife corridor
- Play space/community space
- Public conveniences
- Community access to school playing fields & facilities

Sustainability

- District wide or clustered Combined Cooling, Heat and Power
- Demolition Protocol
- Renewable energy where energy savings are not met
- Ensure appropriate recycling facilities are in place
- Sustainable Urban Drainage Systems (SUDS)

- Local sustainable transport measures
- Considerate constructors scheme

Transportation

- Site wide cycling and walking routes and links to wider networks
- Parking strategy and travel plans
- Bus network enhancements
- Bus priority and infrastructure improvements
- Smarter travel initiatives (separate from parking strategy)
- Traffic and public transport monitoring
- Car clubs
- Cycle clubs/cycle hire schemes
- Signage
- Car-free development

Others

- Public art and public realm contributions
- Local employment and training
- CCTV cameras
- Waste management Strategies

6.0 Policy Framework & Process

6.1 Status of the document

The Wembley Link will be a Supplementary Planning Document (SPD) to Brent's Core Strategy (Policy CP7) which was adopted in July 2010 and also to SSA DPD Policies W7-W10. The intention is to bring together and review policy for the Wembley area that is contained in the Wembley regeneration area chapter of the UDP and the SSA DPD together with the key guidance in various Wembley SPDs, to form a single Wembley Area Action Plan Development Plan Document (DPD). However, in the mean time there is an urgent need to bring forward this SPD particularly to assist in the provision of Copland School since the collapse of the Building Schools for the Future programme and also to set out the infrastructure improvements needed to Wembley Triangle and Wembley Hill Bridge. In the interim, this leaves a number of planning documents that need to be considered in the development of land in the Wembley Link.

Core Strategy, July 2010

Brent's Local Development Framework (LDF) Core Strategy sets out the council's ambitions for Wembley up to 2026 as the borough's key growth area that will drive the economic regeneration of the borough. Policy CP7 seeks the provision of 10,000 new jobs and over 11,500 new homes in the Wembley area. It is intended that jobs will be provided in a range of sectors including retail, offices, hotels, sports, leisure, tourism, creative and cultural industries. New retail facilities are promoted with a growth of the town centre eastwards into the stadium area. As well as this substantial housing and jobs growth, social and physical infrastructure will be required to meet the needs of the new population living and working in the Wembley Area. <http://www.brent.gov.uk/tps.nsf/Planning%20policy/LBB-26>

London Plan, Consolidated with Alterations since 2004

The London Plan is also part of the council's Development Plan and is used in determining planning applications in the borough. Wembley is an Opportunity Area in the London Plan. Opportunity Areas are identified as areas with good public transport facilities, capable of accommodating substantial growth with appropriate social infrastructure. Wembley is also recognised as an important visitor attraction.

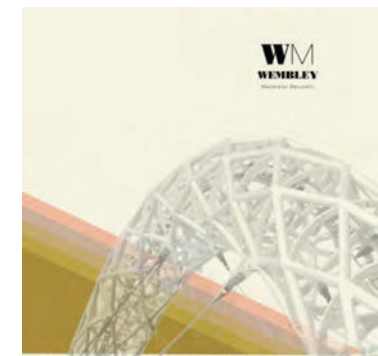
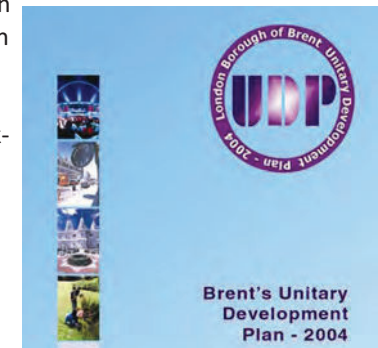
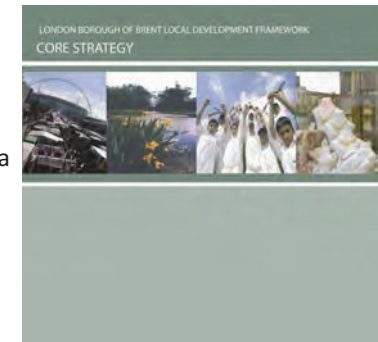
http://static.london.gov.uk/mayor/planning/docs/parkroyal/park_royal_1_thematic_strategies.pdf

Brent's Unitary Development Plan (UDP) 2004

Policy WEM28 deals with development sites in the Wembley Link area, WEM28 (e) sets out development proposals for Copland School and WEM28(f) for Chiltern Line Cuttings.

Wembley Masterplan SPD 2009

This document sets out a clear strategy for the development of the area to the north and east of the Stadium over the next 20 years. It has significant impacts for development in the Wembley Link area and any potential developer should fully consider this document in order to provide a response that is successfully coordinated with the wider Wembley area.

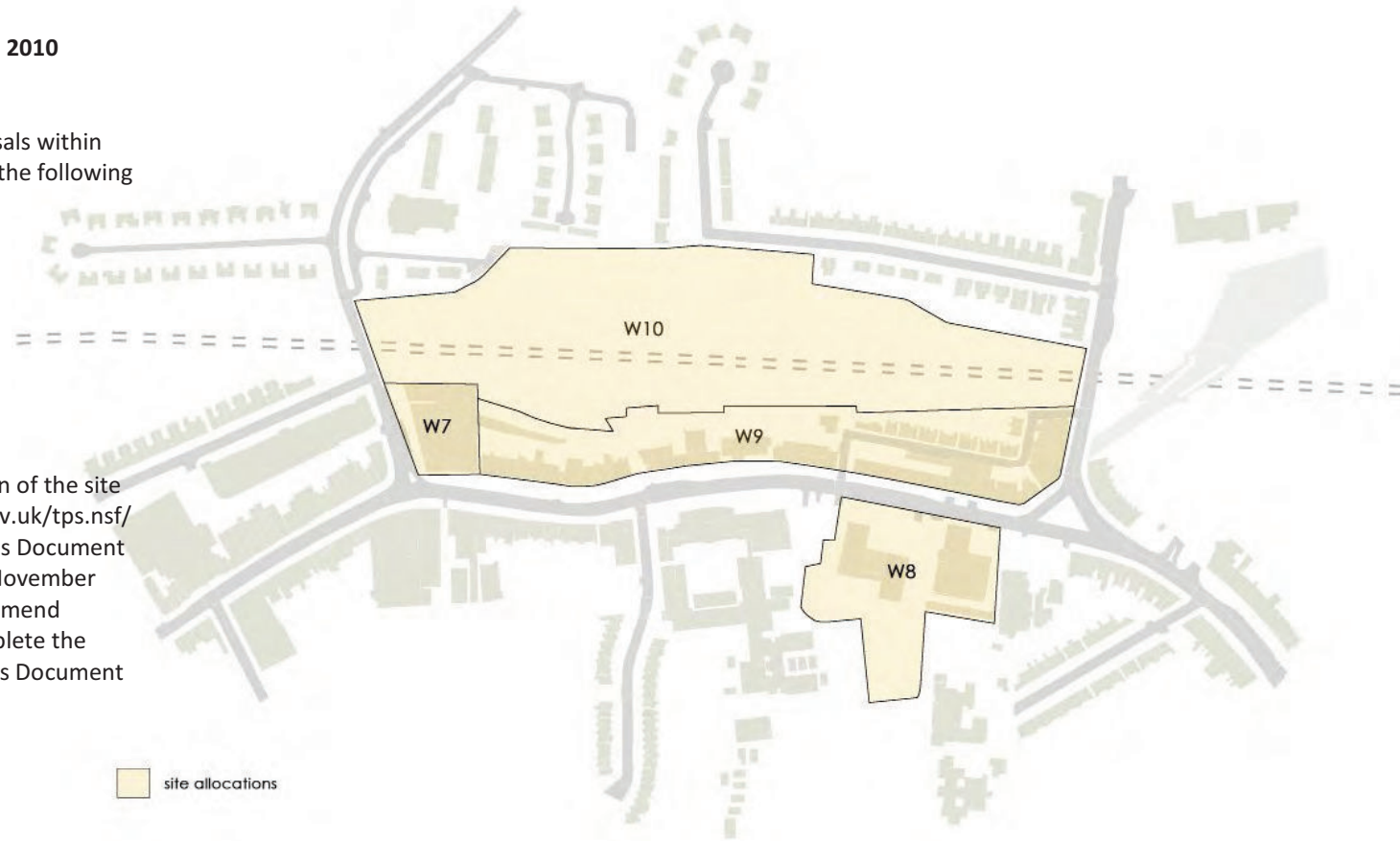


Site Specific Allocations DPD, Submission version June 2010

These policies and proposals will be replaced by proposals within Brent's draft Site Specific Allocation DPD, notably with the following sites:

- W7 Chesterfield House
- W8 Brent House & Elizabeth House
- W9 Wembley High Road
- W10 Wembley Chiltern Embankments

These SSA's can be seen in full in the submission version of the site specific allocations document at <http://www.brent.gov.uk/tps.nsf/Planning%20policy/LBB-27>. The Site Specific Allocations Document DPD is the subject of an Examination in Public (EIP) in November 2010 before an independent inspector who may recommend changes to the current draft. Once this process is complete the council will be able to adopt the Site Specific Allocations Document as a DPD in Spring 2011.



The Wembley Link SPD

The role of this SPD is therefore to set out more detailed proposals than the strategic policies in the Core Strategy and the broad parameters for development set out in the Site Specific Allocations. The Wembley Link is the result of a considerable body of work to ensure that the proposals are realistic, viable and deliverable. The proposals in this document are set out in some detail, but the council is clear that they will be interpreted flexibly to deal with changing circumstances. They are not intended as a rigid blueprint for future proposals but simply to provide the public, partner organisations, developers and landowners of the nature and quality of development that the council is seeking.

6.2 The Masterplan Process

There has been a considerable amount of work undertaken prior to the production of this masterplan. In order to bring forward regenerative proposals on this challenging site the council has looked carefully at ways of developing the Wembley Link area and considered the viability of a number of options.

The adjacent illustrations show some of the previous design ideas for the Wembley Link.



At an early stage of the process a comprehensive transport assessment of the area was undertaken. The study looked at the existing situation and a series of future development scenarios in order to gain a full understanding of the likely impacts of development over time.



6.3 Consultation Process

This SPD has followed a rigorous programme of consultation with local residents, groups and organisations.

Key date	Event
20th October 2010	Planning Committee approves draft SPD
1st November 2010	Public Consultation commences
10 th November 2010	Exhibition (Copland School)
24 th November 2010	Public Consultation Meeting (Patidar House)
17 th December 2010	Consultation ends (7 weeks)
9 th March 2011	Report to Planning Committee
14 th March 2011	Executive Committee

6.4 Contacts & Useful Links

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neil.mcclellan@brent.gov.uk

David Glover – West Area Team Deputy Manager (Planning Applications)
Tel. 020 8937 5344
david.glover@brent.gov.uk .

Enquiries in writing should be addressed to:

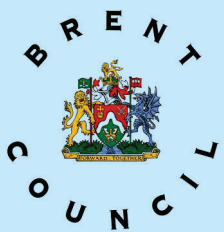
The Planning Service
Brent House
349 High Road
Wembley
Middlesex HA9 6BZ

Useful Links:
www.brent.gov.uk/wembley
www.brent.gov.uk/planning


Disclaimer

The information contained in this SPD is, as far as Brent Council is aware, correct but developers should satisfy themselves about any information contained within it. The council is not responsible for any loss arising from any error of information contained in the SPD.

Potential purchasers and developers are advised to consult the relevant Brent Council officers about their specific proposals before making any application for redevelopment within this area. The SPD does not bind Brent Council to grant consent for any particular development within the area.



London Borough of Brent Feb 2011

	<p style="text-align: center;">Planning Committee 9th March 2011</p> <p style="text-align: center;">Report from the Director of Regeneration & Major Projects</p>
<p>For Action Wards affected: All</p>	
<p style="text-align: center;">Site Specific Allocations DPD</p>	

1.0 Summary

- 1.1 This report explains that the Council has received the Inspector's report into the Examination of the Site Specific Allocations Development Plan Document of the LDF for fact checking, and that the Inspector finds the document sound subject to recommended changes being made.

2.0 Recommendations

- 2.1 That the Planning Committee notes the Inspector's findings as set out in the non-technical summary of his report.

3.0 Detail

Examination of the Site Specific Allocations DPD

- 3.1 The Site Specific Allocations DPD forms part of the Council's Local Development Framework (LDF). It follows on from the adoption of the Core Strategy and provides more detailed planning guidance for the majority of development sites in the Borough. Both these DPDs will be supplemented by a Wembley Area Action Plan, and then a Development Management Policies DPD. When both of these documents are adopted the UDP will have been replaced as the local Development Plan for the borough.
- 3.2 The Allocations were subject to examination by an independent Inspector, who held hearing sessions to consider oral evidence in November/December 2010. A number of changes to the document were proposed both before and during the hearing sessions and these were made available on public consultation for an eight week period commencing before Christmas 2010. All comments were passed on to the Inspector who then considered these alongside the representations made prior to submission. The Council has now received the Inspector's report for fact checking. The Council cannot publish the report until the final report has been received therefore the detailed

recommended changes are not set out in this report. However, should the final report be received before March 9th then this will be circulated to Members and Member's will be asked to recommend that Executive and Full Council adopt, with the recommended changes, the Site Specific Allocations Development Plan Document.

Inspector's Report

3.3 As indicated above, the Inspector has found the Site Specific Allocations DPD sound subject to a number of recommended changes. This means that, on receipt of the final report assuming no material changes, that the Council can adopt the document with the changes incorporated. All of the changes were proposed by the Council.

3.4 The Non-technical summary of the Inspector's report is repeated below:

"This report concludes that the London Borough of Brent Site Specific Allocations Development Plan Document (DPD) provides an appropriate basis for the planning of the Borough over the next 15 years. The Council has sufficient evidence to support the strategy and can show that it has a reasonable chance of being delivered.

A limited number of changes are needed to meet legal and statutory requirements. These can be summarised as follows:

Changes to clarify the relationship between the DPD, the Core Strategy and the 'saved' parts of the Council's Unitary Development Plan and to explain the format and content of the DPD;
Changes to bring the DPD into line with up-to-date negotiations with developers and site owners;
Changes to bring the DPD into line with up-to-date national and strategic policies; and,
Changes to ensure that there is a proper framework in place to ensure delivery of the allocated sites.

All of the changes recommended in this report are based on proposals put forward by the Council in response to points raised and suggestions discussed during the public examination. The changes do not alter the thrust of the Council's overall strategy."

3.5 When the DPD is adopted, it will supersede those parts of the UDP referred to in the DPD, including the whole of the 'Site Specific Proposals' chapter.

4.0 Financial Implications

4.1 The adoption of the Site Specific Allocations DPD provides a more up to date statutory Plan which carries greater weight in making planning decisions, which leads to fewer appeals and reduced costs associated with this. It also provides greater certainty for developers who are more likely to bring forward sites for development in the knowledge that schemes which comply with the requirements of the allocation have a good chance of receiving planning consent. This helps to deliver more housing in the borough, including affordable housing, and

4.2 The costs of examining the Site Specific Allocations DPD are estimated at about £60,000. The Council has yet to be invoiced by the Inspectorate for the costs of

examination. If the Core Strategy were not adopted and resubmitted a similar cost would be required.

5.0 Legal Implications

5.1 The preparation of the LDF, including the Site Specific Allocations DPD, is governed by a statutory process set out in the Planning and Compulsory Purchase Act 2004 and associated Government planning guidance and regulations. Once adopted the DPD will have substantial weight in determining planning applications and will supersede part of the UDP.

6.0 Diversity Implications

6.1 Full statutory public consultation has been carried out in preparing the DPD and an Impact Needs / Requirement Assessment (INRA), which assessed the process of preparing the Core Strategy and SSA DPD, was prepared and made available in November 2008.

7.0 Staffing/Accommodation Implications

7.1 There are no staffing or accommodation implications arising directly from this report.

8.0 Environmental Implications

8.1 The DPD deals with the appropriate development of 71 sites around the borough and thus will have a significant effect on controlling impacts on the environment including requiring measures to mitigate climate change. Sustainability appraisal has been undertaken at all stages of preparing the DPD.

9.0 Background Papers

Brent Core Strategy July 2010

Brent Site Specific Allocations DPD, Submission Version, June 2010

Proposed Changes to Site Specific Allocations, Nov. 2010

Contact Officers

Any person wishing to inspect the above papers should contact Ken Hullock, Planning & Development 020 8937 5309

Andy Donald
Director of Regeneration & Major Projects

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Planning Committee

9th March 2011

Report from the Director of Regeneration & Major Projects

Action

Wards affected:
ALL

Response to Mayor of London's CIL consultation

1.0 Summary

- 1.1 This report asks Planning Committee to support the consultation responses on The Mayor of London's Community Infrastructure Levy (CIL) Proposals. The Mayor proposes to levy a CIL charge on most forms of development to help pay for Crossrail. This would have a significant impact of the collection of the council's S106 standard charge. The council's response strongly objects to the imposition of the Levy on Brent.

2.0 Recommendations

That the Planning Committee;

- 2.1 Endorse the consultation response to the Mayor of London regarding his Community Infrastructure Levy proposals set out in Appendix 1.

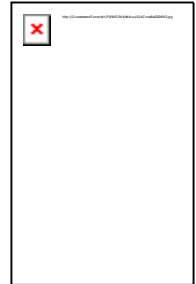
3.0 Detail

Introduction

- 3.1 In January 2011, the Mayor of London issued a consultation paper on his proposals to introduce a Community Infrastructure Levy on all London boroughs to assist in the payment for Crossrail. The closing date for the consultation document was March 1st 2011. This has not allowed time to present a report to the council's Executive. Officer's have therefore submitted comments to the Mayor of London to meet the deadline but is seeking Planning Committee support for those comments. The comments are set out in a letter to the Mayor attached as Appendix 1.

Main Proposals

- The levy will be charged on new buildings of 100 sq m (GIA) or more or the creation of one dwelling, even where this is below 100 sq m.
- The levy will be based on the net additional increase in floorspace of a development.
- Brent's Levy will be £35m² of any development (education/health/charities have exemption and social housing)-there are also £50 per m² and £20 per m² zones in other London boroughs depending on their 'ability to pay' through development.
- The levy will be payable for developments that receive planning permission after the date the Charging Schedule comes formally into force.
- Payment of the levy will be made by developers when they commence their developments.
- The levy will be collected by the London boroughs, who will forward the payments to the Mayor.
- There is no indication is given that the rate can be negotiated where a development cannot afford the full payment but S.106 payments should be scaled back to enable developers to pay the CIL.



- 3.2 The idea of CIL was introduced by the previous government and it was intended to be a more flexible form of Planning Obligation (S106) that allowed for the funding of large scale infrastructure projects. In broad terms there is support for such an approach as it will allow the council for example to set an overall charge on all developments and then have the flexibility to fund key bits of infrastructure in a timely manner. There would be less restriction on expenditure than in the S106 system but under the new Localism proposals, the government would want a proportion of CIL to be used and prioritised locally. The council will also be able to set a CIL charge and the council has applied to be a pathfinder authority that would introduce CIL early on. The key feature of CIL is that the Mayor's charge will take precedence over local authority CIL, or indeed S106 obligations, and will always need to be paid first. It is therefore very important to examine the Mayor's proposals as they are likely to have a direct impact on Brent meeting its own local needs unless payments can be made on both local S106 and the mayor of London's CIL and ensure that any development scheme in the borough remains viable.

The Rationale behind the Mayor's CIL proposals

- 3.3 The Mayor introduced a S106 payment for Crossrail for directly affected boroughs in 2010 through changes to the draft London Plan and a Supplementary Planning Document that set out the tariff to be paid and the area that would be affected by the payments-this was the areas that most directly benefited from cross-rail and where an uplift of planning values may be expected as a consequence of improved accessibility and included areas such as Canary Wharf that received most benefit and has the best ability to pay without affecting the viability of development.

3.4 Cross-rail will cost £14.1bn

TfL £7.1bn

Cross-rail bus supplement £4.1bn

S106 £0.3bn

TfL from station development etc the remainder

3.5 The Mayor will raise £300m by charging S106 on development near the affected route, mostly in Canary Wharf, the city and other central boroughs. The Panel report following the Examination into the London Plan supports this S106 contribution and a further £300m through CIL from all London boroughs. The requirement to raise £300m only fell to the Mayor if CIL remained on the statute. CIL will fall away once the £300m is reached (GLA estimate 7 years at current rates of construction). The Mayor has powers to set CIL for strategic transport proposals so this could be the first of many or CIL could be kept to extended to fund further Crossrail needs.

3.6 When setting the level of charge the Mayor is required to strike what appears to him to be “an appropriate balance “ between the desirability of funding infrastructure from CIL and “the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area”. The Mayor makes two important points:

- CIL will not affect scheme viability in boroughs
- CIL is justified by economic benefits (£66m) to the borough

3.7 It is important to stress that the council supports the Crossrail project overall. In past times such important strategic public transport projects have been paid mostly by government funding, through fare payers and by funding used by TfL via government. A limited amount of funding was secured through development usually close to potential stations that secured significant benefit from it. The CIL seeks to charge a much wider geographical spread of development on the basis that it does not affect viability and is justified as a ‘contribution’ to the benefits each borough may receive through Crossrail.

What is the effect on Viability ?

3.8 Set out below is a table of impacts comparing S106 standard charge with CIL. The impacts will vary because our standard charge is mostly based on securing S106 from the housing rather than commercial development.. The council only collect from ‘B class’ office and industrial development otherwise. So from an individual unit CIL will be about 29-44% of our current charge. When we get to mix use development such as Quintain’s NW lands, they would take all of our nominal S106 in CIL before any local needs are met. For Industrial development our standard charge is £25 per m2- CIL would take 140% of what we currently require under S106 standard charge. In the current climate this would make most if not all industrial development in places like Park Royal unviable.

Table 1: Development & Impact of CIL vs S106

Development	S106 standard charge (£)	CIL	Difference	% of current S106
50m 1 bed flat	3,000	1750	1250	29
75m 2 bed flat	6,000	2625	3375	44
3 bed house 100m2	9,000	3500	5500	39
1300 bed QED scheme with 20% affordable	5.63	£3.15m	2.48m	56
1300 bed QED scheme with 60k m2 commercial	5.63	£5.6m	0.03	99
Pure B1, B2, B8 scheme of 40,000m2	£1m	£1.4m	+0.4m	140

3.9 The council will therefore have to decide whether it adds the CIL charge to our S106 requirements which meet local need, accept that only a CIL or CIL with reduced S106 payment is made or refuse applications until both the CIL payment and the S106 standard charge can be met. On most mixed development schemes the effect of the mayor's CIL will be to double the overall contribution required from developers- otherwise it will add between 29 and 56% extra on Brent's standard charge S106. In the current client the council would be most concerned that this would damage the viability of many developments. If Brent reduced its S106 demands it would require the council to find significant payments towards schools and other infrastructure generated by the development., capital monies it clearly does not have The only way out of this bind would be to refuse development unless a development can support both CIL and the council's S106 standard charge. This denies the borough the regenerative development it so needs. The next alternative is to reduce down to a fraction, the amount of affordable housing any development viably supplies. This will frustrate the boroughs attempts to meet housing need and bring forward mixed and balanced communities.

CIL justified by Economic Benefits

3.10 CIL charging for Crossrail is, according to the Mayor of London, justified by an assessment by Buchanans, of the value of the economic benefits of Crossrail to every London borough. This evidence was given to the London Plan Inquiry. This £66m package of 'economic benefit' of itself, according to the London Mayor, justifies the

CIL contribution. The package of economic benefits assumes largely that there is no other choice to the borough. However it may be that the opportunity cost of this package of mostly indirect benefits could be replaced with a package of direct provision of equal or better benefit. It may be more direct than that. The loss of S106 standard charge funding local infrastructure improvements could be almost as great as the indirect benefit the borough receives. If the test of economic benefit also impacts on the viability of development then the council would reasonably prioritise meeting local infrastructure needs with viable development over Crossrail, recognising its strategic benefit but understanding its full economic costs. The Draft charging schedule assumes that CIL is justified by indirect economic benefits but does not consider whether it impacts on development, nor whether, boroughs would chose a different package of economic benefit based on firstly meeting key local infrastructure needs.

- 3.11 There are other anomalies in the proposals- boroughs like Newham gain most of the economic benefit (£99m), get 3-4 cross-rail stations but are on the lowest of the charging zones (£20 per m2 of development), based on historic house prices rather than uplift of values. It is not clear also why the contributions don't accrue interest (page 49 of consultation document) or whether the cumulative total includes the 3.3% indexation applied to 2019. While the rate levied on development may change in each borough, the overall contribution will also be determined by the amount of development as each square metre of it will face a charge. Brent as the seventh biggest contributor to new floor space in London (if trends 2000-2009 continue) will therefore pay a bigger total of the overall bill than those boroughs developing a lower amount of overall floor space. Our conclusion is that a borough that receives little direct benefit is likely to pay a higher proportion of the costs than many boroughs deriving a greater direct benefit.
- 3.12 Why should a mixed-use regeneration scheme, a considerable distance away from the Crossrail line should make a payment to the CIL instead of funding other local infrastructure necessities ? This is particularly pertinent at a time when the public purse is under considerable pressure.

Are there other realistic alternatives ?

- 3.13 The council accepts that boroughs are contributing a limited proportion of the overall costs, yet the burden of CIL is likely to be considerable. The council is concerned that the albeit 'limited contribution' sought by the Mayor of London will have disproportionately negative impacts. These impacts will limit development sorely needed, affect the provision of affordable housing, and impact on the ability of local authorities to secure key infrastructure such as schools. The Mayor should examine the alternatives. These are among others:
- Shifting the burden to developments and /or boroughs that more directly benefit from Crossrail and new Crossrail stations/interchanges
 - A longer funding period to allow both government/TfL/developer contributions accepting a longer build out period
 - A lower charging per m2 charge over a longer period so as not to stifle development in the fragile short-term

- A ratchet mechanism with a lower early charge to allow land-values to adjust to a rising charge but bring forward viable development
- To consider using new proposed mechanisms for funding infrastructure such as Tax Increment Financing or TIFs

3.14 The council suggests a number of ways the £300m Crossrail 'CIL' gap could be bridged by most directly charging those developments and boroughs that receive most benefit or by spreading the impact of payments over a greater number of years. The government is actively reviewing the use of Tax increment Financing or TIF's. In essence this allows councils or other authorities to fund infrastructure schemes against an uplift in business rateable value created by the infrastructure and retained in part by the local authority. Other ways of reducing the impact on boroughs should be considered where the burden may stifle development and the 'benefits, do not outweigh significant dis-benefits not considered by the Mayor of London.

Conclusions

- 3.15 CIL as proposed will have significant effects on the viability of future development in the borough because it increases the amount sought by the Mayor and the council of between 30% and 140% of that required now.
- 3.16 The impact will be either reducing affordable housing, refusing development because both S106 and mayoral payments cannot be met or the council funding key infrastructure requirements such as schools in order to receive the more intangible benefits of crossrail.
- 3.17 The council does not consider that the charging structure is fair in that it burdens authorities who have less direct benefit of crossrail and those boroughs creating more overall development will be penalised the hardest.
- 3.18 The Mayor should preferably consider looking at other financial mechanisms such as TIFs to fund the crossrail gap or at the very least propose a more graduated charging system that would allow adjustment in the land and development market so that the burden imposed by Crossrail CIL and reasonable Planning obligations or Boroughs CIL could be afforded without destabilising the fragile development industry.

4.0 Financial Implications

4.1 The imposition of CIL will have significant financial impacts on the borough. It is likely to reduce the amount of regenerative development coming forward in the development. It is likely to reduce the amount of affordable housing increasing the temporary housing cost burden on the council. It is likely to increase the amount of local but strategic infrastructure costs such as schools that will no longer be funded through S106 standard charge contributions. This would need to be met by the council in discharging its legal responsibilities.

5.0 Legal Implications

5.1 CIL is a London wide Community Infrastructure Levy under the powers set out in Part 11 of the Planning Act 2008 and the Community Infrastructure Levy Regulations 20101 ("the Regulations"). These enable the Mayor to set a charge called the

Community Infrastructure Levy (CIL) which will be paid by most new development in Greater London.

6.0 Diversity Implications

6.1 It is not possible at this stage to identify clearly the possible impact of the proposals on individual ethnic and other groups.

7.0 Staffing/Accommodation Implications

7.1 None.

8.0 Environmental Implications

8.1 The proposals support improved public transport provision strongly supported by the council, but the cost burden is likely to be too high to support it.

9.0 Background Papers

Mayors Preliminary Draft Charging Schedule January 2011

Contact Officers

Any person wishing to inspect the above papers should contact Dave Carroll, Planning Service 020 8937 5202

Andy Donald

Director of Regeneration & Major Projects

Appendix 1 – Copy of Response to Mayor of London



Regeneration and Major Projects
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Boris Johnson, Mayor of London
Preliminary Draft CIL Charging Schedule
FREEPOST LON15799
GLA City Hall post point 18
The Queen's Walk
London SE1 2BR

Date: 18th February 2011

Dear Mayor

LB Brent Response to Consultation on Draft CIL Charging Schedule

I have set out the council's comments on the Draft Charging Schedule for Crossrail CIL. These are officer level comments but it is my intention to get these endorsed by the council's planning committee and I attach the report that will be considered and I expect endorsed by the council's planning committee on 9th March. The council wishes to object to the CIL Charging Schedule on the following grounds:

1. The proposed CIL does affect the viability of development in the borough
2. The Economic Benefits are overstated and are not considered in the round
3. The Mayor has not fully considered reasonable alternatives

Viability

We have compared the council's S106 standard charge with CIL. In Brent the standard charge is levied at £3000 per bedroom, so from an individual residential dwelling CIL will be about 29-44% of our current charge. In larger mixed use development such as Quintain's NW lands, the mayor would take all of our S106 charge in CIL before any local needs are met. For Industrial development our standard charge is £25 per m²-CIL would take 140% of what we currently require under S106 standard charge. In the current climate this would make most if not all industrial development in places like Park Royal unviable.

If Brent reduced its S106 demands because it was replaced by CIL, the consequence would be that the council would need to find significant payments towards schools and other infrastructure generated by the development, capital monies it clearly does not have. The only way out of this bind would be to refuse development unless a development can support both CIL and the council's S106 standard charge. This denies the borough the regenerative development it so needs. The next alternative is to reduce down to a fraction, the amount of affordable housing any development viably supplies. This will frustrate the

boroughs attempts to meet housing need and bring forward mixed and balanced communities.

In conclusion the council considers that CIL will have a direct and significant effect on the viability of development, contrary to the views expressed in the draft charging schedule

Economic Benefits

This £66m package of 'economic benefit' of itself, according to the London Mayor, justifies the CIL contribution. The package of economic benefits assumes largely that there is no other choice to the borough. However it may be that the opportunity cost of this package of mostly indirect benefits could be replaced with a package of direct provision of equal or better benefit. It may be more direct than that. The loss of S106 standard charge funding local infrastructure improvements could be almost as great as the indirect benefit the borough receives. If the test of economic benefit also impacts on the viability of development then the council would reasonably prioritise meeting local infrastructure needs with viable development over Crossrail, recognising its strategic benefit but understanding its full economic costs. The Draft charging schedule assumes that CIL is justified by indirect economic benefits but does not consider whether it impacts on development, nor whether, boroughs would chose a different package of economic benefit based on firstly meeting key local infrastructure needs.

There are a number of other anomalies that the council points out in its report relating to the actual amounts of CIL that is likely to be collected set against the direct benefits.

Alternatives to CIL

The council does not consider that the charging structure is fair in that it burdens authorities who have less direct benefit of Crossrail and those boroughs creating more overall development will be penalised the hardest.

The Mayor should preferably consider looking at other financial mechanisms such as TIFs to fund the Crossrail gap or at the very least propose a more graduated charging system over a longer period that would allow adjustment in the land and development market so that the burden imposed by Crossrail CIL can be planned and adjusted for. This can be done to allow boroughs to and reasonable Planning obligations or Boroughs CIL could be afforded without destabilising the fragile development industry in the borough.


Yours Sincerely,

Chris Walker,

Assistant Director, Planning Service

Enc.

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	<p>Planning Committee 9th March 2011</p>
<p>Report from the Director of Regeneration & Major Projects</p>	
<p>For Information</p>	<p>Wards affected: All</p>
<p>Proposed changes to legislation and planning policy</p>	

1.0 Summary

- 1.1 This report summarises key proposed legislative and planning policy changes including the Localism Bill, Parking Standards policy changes, social housing reform and the New Homes Bonus. This report is for information purposes only.

2.0 Recommendations

- 2.1 That the Planning Committee notes the key legislative and planning policy changes as set out in this report.

3.0 Detail

Localism Bill and Neighbourhood Plans

- 3.1 The Localism Bill was introduced to Parliament in December 2010. The Bill proposes wide ranging changes to the powers and responsibilities of local government in a push to decentralise power from central government. This report focuses on the key changes that directly affect planning and in particular the proposals for Neighbourhood Plans. It is anticipated that the bill will be enacted in spring 2012. The major planning provisions are likely to remain as set out in the Bill but inevitably there will be changes to the detailed contents as it passes through parliament.
- 3.2 The Bill introduces the following key changes to the planning system:
- Abolition of regional strategies – the London Plan is the Spatial Development Strategy for London and as such is unaffected by the removal of regional strategies;
 - New National Planning Framework – consolidate and streamline existing national planning policy;

- Neighbourhood planning – the bill introduces a new right for local communities to draw up a “neighbourhood development plan”, further details below;
- Compulsory pre-application consultation on very large applications;
- Strengthen enforcement rules – retrospective planning applications where enforcement action is being taken will not be determined;
- Changes to the Community Infrastructure Levy – including limitations to the binding nature of Planning Inspector’s recommendations and requirement to pass a proportion of collected CIL funds onto local communities.

3.3 The Localism Bill introduces a new tier of planning policy document - Neighbourhood Development Plans (NDP). These will form part of the development plan i.e. they will have equal status as other development plan documents such as the Core Strategy. The local planning authority has a duty to respond to proposals for a NDP. Proposals for a NDP must come from an organisation or body which has first been designated as a Neighbourhood Forum. There are a number of criteria in forming a neighbourhood forum:

- membership must be open to individuals living, or wanting to live, in the neighbourhood area;
- at least three members must live in the neighbourhood area;
- it must have a written constitution;
- there can only be one neighbourhood forum for any neighbourhood area.

3.4 The NDP will be prepared with the assistance of Local Authority and consist of drawing up plans for development, improvements, retention of facilities and land uses etc. They could also propose development that should receive deemed consent through a Neighborhood Development Order. A NDP must conform to the strategic elements of the Local Plan, so importantly it cannot propose less development than allocated by the Local Planning Authority.

3.5 There will be an independent examination to check the proposed NDP conforms to strategic elements of the Local Plan (DPDs) and national policies. Once a NDP has been examined there will be a local referendum in the neighbourhood area. A majority of those voting is required to demonstrate support for NDP which can then be adopted as part of the statutory development plan.

3.6 There is much yet to be confirmed and understood in terms of the full implications of the proposed Neighbourhood Development Plans. For example, it is not clear whether the criteria for forming neighbourhood forums also allow for a collection of local businesses to propose a NDP. Whilst the proposals to give greater power to local communities to shape and determine their local area is welcome, substantial support, assistance and skills will be required to help local communities in achieving this objective. This requires resources which many of the borough’s residents will not have access to. It is possible that potential developers will step in to back the creation of NDPs in partnership with a number of local residents.

Changes to Parking Standards and Charges

- 3.7 In order to better support Localism, the Government has decided that it is down to individual local authorities to determine the appropriate level of parking provision for their area. Consequently, the Secretary of State for Communities and Local Government has removed the requirement for local authorities to set maximum parking limits for residential development and, instead, has allowed them to decide what level of parking is right based on the needs of their local community. In addition, he is also amending planning policy to allow local authorities to set parking charges that reflect local needs rather than higher charges intended to encourage walking, cycling and the use of public transport.
- 3.8 Although the proposed change to parking standards signals a major shift in Government approach to car restraint by allowing authorities to revert to minimum standards for residential development, as maximum standards continue to apply for all other uses there are unlikely to be significant immediate effects locally. In addition, London Boroughs will continue to be required to set maximum standards for residential development by the London Plan, although the Mayor could review this policy at any time if he so wished. One implication may be that significantly increased standards outside London may encourage developers to look beyond London for residential development opportunities where higher levels of parking can be achieved. The removal of the requirement to use parking charges to encourage alternatives to the car may lead to a reduced level of charges generally as town centres compete to attract custom. This would have implications for local authority income derived from parking charges.

Social Housing Reform

- 3.9 The government propose a radical shake up in the procurement and funding of social housing -probably the most significant change than any in the last 20-30 years. 'Local Decisions: a Fairer Future for Social Housing' was issued for consultation by CLG in November 2010, the consultation closing in January 2011. The proposals are indeed radical:
- Affordable Rented Housing will be redefined as Rents up to 80% of Open Market Value-typically council and housing association rents are 30-50% of private sector rents.
 - In Brent this would require rents to rise by an average of 80% but in high rent areas affordable rents could double.
 - Housing Associations will no longer get significant capital grant to fund affordable housing (typically £100,000-£140,000 per property) but will be expected to fund affordable development through financing associated with higher rents (Grant rates for affordable housing are likely to be no more than £20-£30k a property at best).
 - There will however be Housing Benefit Caps on rents and they will be pegged to a local average
 - Existing tenants will keep their rights intact: all others should expect increases in rents and less security of tenure
 - homeless families mostly are housed within the social rented stock-councils under the proposals will discharge their homeless obligations by offering a private rented let-this does not need to be vetted by the tenant-tenants will have no choice but to take it or come off the list
 - councils will have greater flexibility over who gets priority on waiting lists-this could be existing tenants and not homeless families for example

- Councils and housing associations will no longer be obliged to offer a tenancy for life-the likely to be minimum will be two years-succession to spouses/children can be limited by local authorities
- Tenancies can be ended where need has changed/economic circumstances of tenant has improved over time

- 3.10 The potential effects of these enormous changes will be significant and will be felt in planning applications coming forward in the next months. The new system is completely untried and it is not clear whether housing associations and councils will be able to operate new build under the restrictions on grant and caps on rent.
- 3.11 What is very likely from the proposed changes is that they will significantly reduce the proportion of affordable housing in most development. This will involve much lower proportions of affordable housing as the lack of grant will force housing associations to produce more market housing to cross-subsidise any affordable housing. Some of that 'affordable' housing will be only 20% cheaper than the market rents of the local area and this is likely to affect the type of tenants that may occupy this element.
- 3.12 The proposals are likely to have other repercussions; it may force tenants out of high rent areas where rents over benefit caps (e.g. south of borough, Westminster). The lack of grant will certainly slow down the development of affordable housing. Some associations may stop developing because developing will be more risky as relies on revenue (rents) rather than grant. The proposals will make delivery of regeneration schemes more difficult-existing tenants may retain existing tenancy terms but are likely to face higher rents as they move to pay for regeneration process. It is not clear whether the private rented sector will readily house homeless families that council may want to use, nor whether council's consider that such re-housing is an acceptable practice.

Change in Definition of Affordable Housing in PPS3

- 3.13 Communities and Local Government (CLG) are also consulting on changes to the Planning Policy Statement on Housing (PPS3). They wish to introduce a new definition of affordable housing which includes an extra category of affordable housing, known as Affordable Rented Housing. The new proposed definition in PPS3 is set out below.
- Affordable rented housing is:***
Rented housing provided by registered providers of social housing, that has the same characteristics as social rented housing except that it is outside the national rent regime³, but is subject to other rent controls that require it to be offered to eligible households at a rent of up to 80 per cent of local market rent
- 3.14 This allows Housing Associations to charge rents up to 80% of Open Market Value and for them still to be classed as affordable. Currently affordable rents are between 30-50% of Open Market Rents. The consultation finishes in April 2011. Since the Homes and Community Agency (HCA) have issued guidance in February of this year that any financial support from them will only be on the basis of the new affordable housing definition, there appears little to be gained by responding to CLG.
- 3.15 The implications of this change for planning will be felt in two ways:
1. On existing built developments with housing secured through a S106, the definition is based on the old rent basis and housing associations will seek to have the S106 varied so that re-letting of affordable units could be on the new 'affordable rented' definition.
 2. Housing Associations and developers will expect all new consents to be on the basis of the new definition of affordable. Most developers and housing associations will seek to

change existing unimplemented consents so that they are on the basis of the new definition. If they are not then the viability of any development will be such that much less affordable housing overall will be possible.

New Homes Bonus

- 3.16 The council responded to a consultation paper from the government's Communities and Local Government (CLG) department that closed in December 2010 on the proposed New Homes Bonus (NHB). The NHB is intended to encourage a fiscal incentive to local authorities to produce new homes. The 480 respondents to the consultation largely supported a NHB. The Department for Communities and Local Government has now (February 2011) produced the final scheme design. The scheme will pay a bonus equivalent to the national average council tax band for at least six years. So for every new home built the council will receive around £1200 -£1400, with an additional £350 for every year for 6 years for an affordable home (following the new governments definition of affordable homes) and a bonus for bringing vacant homes back into use. The first payment will be for the 2011/12 financial year based on the Council Tax returns for the previous year. Payments will be made on the net new homes added to the Council Tax register in the preceding financial year. The CLG website calculates the payment to Brent to be £1.06m in the first year of the scheme.
- 3.17 If the council continued to build and complete 718 units a year and bring back into use 138 vacant homes (the 09/10 figure) over the following six years the NHB would run at £6.39m a year. It is proposed to use the monies to fund the council's regeneration programme and hence bring forward more homes to enhance the NHB in future years. This money is not ring fenced and be spent by the council at its discretion. The government considers that this will be a powerful incentive to encourage communities and indeed councils to see new housing development as a benefit rather than a drain.
- 3.18 CLG however is being less than generous with public funding. The total fund for the NHB nationally in year 6 could exceed £1bn. Only £250m of this is allocated funding. The remainder will be top sliced from Formula Grant to local authorities in its annual settlement. So put another way, those local authorities with healthy housing growth are likely overall to receive an overall increase in government funding. Those with little or no new net housing growth will receive an overall cut in resources.

4.0 Financial Implications

4.1 Neighbourhood Plans

The Localism Bill does not detail how the costs of producing Neighbourhood Development Plans will be met. Further regulations will set this out. However, it is anticipated that neighbourhood forums will be responsible for the production of the document itself and local authorities will need to meet the costs of holding an examination and referendum. CLG have estimated that the cost of producing each neighbourhood plan could be between £17,000 and £63,000 with the cost of a referendum in addition to this.

4.2 Parking Charges

The removal of the requirement to use parking charges to encourage alternatives to the car may result in a reduction in income to the Council if there is a general trend towards the reduction of charges elsewhere in the local area.

4.3 Social Housing Reform

Reductions in Grant to Housing Associations will reduce the amount of affordable housing and bring further pressure on the council's housing costs, such as for homeless families. It remains to be seen whether any of these costs can be offset by the council receiving higher rents on re-let council homes and in any ability to discharge homelessness duties into the private sector.

4.4 New Homes Bonus

The New Homes Bonus will provide substantial potential income for the council, predicted to rise to over £6m a year in year six of the scheme. The cost to the exchequer will be over £1bn and the scheme will be funded by top slicing Formula Grant. This authority, if it maintains recent levels of housing growth is likely to be a net beneficiary.

5.0 **Legal Implications**

5.1 The Localism Bill is currently being progressed through Parliament and there will inevitably be changes to the detail before it is enacted. As it stands it will place a duty on local planning authorities to support the preparation of Neighbourhood Plans

6.0 **Diversity Implications**

6.1 It is anticipated that Neighbourhood Plans, as is the case with Development Plan Documents, will be subject to full consultation with the opportunity for all to express their views and for objectors to have their concerns considered at an examination. All residents within a neighbourhood forum area will be able to vote in a referendum on the Plan.

7.0 **Staffing/Accommodation Implications**

7.1 Neighbourhood Plans

Staffing resources to assist in the creation of NDP may include providing background information/maps/data etc, running engagement/plan making workshops, advising on existing relevant policies that should be taken into account and turning community ideas into plan text, maps and diagrams. It is difficult to anticipate how many proposals for neighbourhood plans may come forward.

8.0 **Environmental Implications**

8.1 As Neighbourhood Development Plans have statutory development plan status they will require Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA).

9.0 **Background Papers**


A plain English guide to the Localism Bill, CLG January 2011
Consultation Paper on New Homes Bonus, CLG November 2010
New Homes Bonus: Final design Scheme, CLG February 2011
Planning Policy Guidance 13: Transport, January 2011
Planning Policy Statement 3: Planning for Housing - Technical change to Annex B,
Affordable Housing definition: Consultation, February 2011

Contact Officers

Any person wishing to inspect the above papers should contact Dave Carroll, Planning Service 020 8937 5202

Andy Donald**Director of Regeneration & Major Projects**

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	<p style="text-align: center;">Planning Committee 9th March 2011</p> <p style="text-align: center;">Report from the Director of Regeneration & Major Projects</p>
<p style="text-align: center;">For Action</p>	<p style="text-align: center;">Wards affected: All</p>
<p style="text-align: center;">Local Issues and Development Management Policies</p>	

1.0 Summary

- 1.1 This report summarises a range of planning issues that have been raised as a concern for Brent, primarily by Planning Committee or other Councillors. It discusses these in relation to the programme for the Local Development Framework and seeks the Planning Committee's views on priorities and a future programme.

2.0 Recommendations

- 2.1 That the Planning Committee notes the issues outlined in this report and agrees that they should be considered as part of the programme for the preparation of the Development Management Policies

3.0 Background

Local Development Scheme (LDS)

- 3.1 The Planning Committee endorsed a revised LDS covering the production of Brent's Local Development Framework (LDS) on 20th October 2010. This was agreed by Executive in December 2010. The LDS sets out the initial adoption of the Core Strategy followed by the production of Site Specific Allocations Development Plan Documents (DPD) which give more detailed planning guidance for more significant development sites in the Borough. Both these DPDs will be supplemented by a Wembley Area Action Plan, and then a Development Management Policies DPD. When all of these documents are adopted the UDP will have been replaced as the local Development Plan for the borough.
- 3.2 There is a separate report on the agenda which updates the LDS's progress and outlines the progressive sequence of DPD's. In practice, the initial programme has been prolonged and a primary reason for this was the need to review the Core Strategy after the first Inspector's examination. However, its production also reflects agreed priorities in terms of the need for guidance where significant change is envisaged as well as the resources required to service the production of the LDS. This was specifically acknowledged by the

Planning Committee in November when considering a referral from the Health Select Committee on the issue of planning policy and take away restaurants.

Local Issues

- 3.3 The following issues have usually been raised in relation to the interpretation of existing policy with specific planning applications or enforcement matters.

Loss of Public Houses

Perceived Issues

- 3.4 That there is a continuing loss of facilities for those sections of the community who value them for the purpose for which they were designed, that these can involve the loss of distinctive buildings and community focal points and that the Use Classes Order 2010 allows pubs (Class A4) to change to restaurants/cafes (A3), financial services (A2) and retail shops (A1) without the need for planning permission.

Discussion

- 3.5 Brent has experienced similar trends to other areas. These include the demolition or conversion of freestanding pubs to other Class A uses and the creation of smaller pubs/bars, often by converting former shops in town centres and local parades. In addition to such market factors as brewery ownership, retail competition and land values, social changes and tastes are also key factors in this changing picture. It is difficult to predict that development management policies could significantly influence the above factors unless distinctive local planning merits can be identified.
- 3.6 Existing policy (UDP CF3) seeks to retain Community Facilities where there is planning control but identifies this as publicly available function space rather than the bar itself. In any event, S106 contributions are usually sought to offset such losses where they can be identified. Where control over demolition exists, policies seek the retention of distinctive buildings or a high quality replacement. Most recently, these issues were highlighted in the agenda report dealing with the former Betsy Brogans (once The Hopbine) in East Lane.

Basements

Perceived Issues

- 3.7 That basements can threaten the structural integrity of adjoining properties, that the inclusion of lightwells can severely harm an areas character and that the works involved can have a significant effect on the local area during construction.

Discussion

- 3.8 These issues have been rehearsed during a number of applications in recent years, particularly in the south of the Borough. The Planning Committee have normally approved applications involving basements on the basis that they are designed to minimise their visual impact on front gardens and neighbours. This discussion has included reference to structural issues as well as the practice in other authorities although none of these is understood to have a policy with prevents them. The Planning Committee has also recognised the potential nuisance factor and the scope of planning and environmental health to control this.

- 3.9 If there are grounds to control basements beyond the current interpretation of policy then these are likely to relate to the specifics of an area. Conservation Area Design Guidance would be the most effective forum to discuss these issues but, to be effective, would need widescale local support. Issues such as obstruction and harm related to skips would be best reviewed as part of the issue of licences.

Shisha Bars

Perceived Issues

- 3.10 That these are likely to cause problems of nuisance for local residents due to late night and open air operation and that there are health concerns associated with the practice.

Discussion

- 3.11 The growth in Shisha establishments reflects demographic change. Problems with several sites prompted a review in 2010 across those services which have a direct responsibility. This recognised health concerns, including for younger users, and concluded that this needed to be targeted by education and publicity. However, the improved liaison does not necessarily assist businesses in setting up new ventures as, for example, controls over smoking establishments are often difficult for establishments to comply with. Unauthorised operations are a significant planning enforcement issue and almost always relate to new uses in shop premises or a change in the way that a café or restaurant operates.
- 3.12 The above review has informed the interpretation of existing planning policy covering the protection of shopping areas and residential amenity. The approach is to try and assist businesses, usually retrospectively, to redesign and reduce seating areas and to operate more restrictive hours in locations where existing policy allow non retail uses. Shopping parades on busier streets and with wider footpaths may offer scope for businesses which can operate with smaller outdoor semi- covered areas although temporary planning permissions for later hours may need to be considered where there are residential properties above.

Betting Shops

Perceived Issues

- 3.13 That there is a link between betting shops and serious anti-social behaviour.

Discussion

- 3.14 There has been a general increase in the number of betting shops although existing planning policies are generally effective in limiting the number of non retail uses. However, new establishments in some areas where operators perceived demand can create local concerns over the number in a particular shopping area. Retail policies are generally supported on appeal unless a property has been vacant for a while or an Inspector feels that the policy of protecting an areas vitality and viability is unlikely to harmed by an additional betting shop. Similar issues apply to 'amusement' centres.
- 3.19 If there have been cases of specific concerns about unlawful activity then is has led to consultation with the police. However, the outcome is more likely to influence a licensing rather than a planning decision. The degree of any lower level anti-social behaviour is not known and would be unlikely to support a generally restrictive planning policy.

Increase in the number of flat conversions and HMO's

Perceived Issues

- 3.20 A review of the issues behind this concern has been provided by the Lead Member for Human Resources and Diversity, Local Democracy and Consultation. It focuses on the effect that a high number of conversions from houses to flats and HMO's may have on particular residential streets in terms of parking and activity as well as the affect on local community cohesion. She stresses the scale of unauthorised activity that occurs and the implications of a significant increase in shorter term rented accommodation. She refers to scope for local authorities to consider Development Orders to limit such changes and recognises that effective enforcement needs to be adequately resourced.

Discussion

- 3.21 The above issues have a reflection in existing policies that seek to maintain family accommodation while increasing the housing stock. However, while it may be possible to develop the suggested idea of adopting an upper limit on the total number of conversions, this does raise a number other matters. In particular, it is unlikely that there could be justification for a policy that discriminated between the tenure of the occupants and this may limit an important way of increasing the housing stock where normal standards can be met. It also raises the issue of not being able to quantify the unknown number of unauthorised premises without a significantly increased level of investigation by a number of Brent's regulatory services.

Fast Food Outlets and Schools

This matter was been considered by the Planning Committee in November 2010 when it was resolved that it was appropriate to consider this as part of the preparation for the Development Management Policies DPD.

4.0 Financial Implications

- 4.1 This report does not propose any change to the agreed or projected costs of preparing the LDF.

5.0 Legal Implications

- 5.1 The preparation of the LDF is governed by a statutory process set out in the Planning and Compulsory Purchase Act 2004 and associated Government planning guidance and regulations. Once adopted the DPD will have substantial weight in determining planning applications and will supersede part of the UDP.

6.0 Diversity Implications

- 6.1 Statutory public consultation is required when preparing DPD's and an Impact Needs / Requirement Assessment (INRA), which assessed the process of preparing the Core Strategy and Site Specific Allocations DPD, was prepared and made available in November 2008.

7.0 Staffing/Accommodation Implications

7.1 There are no staffing or accommodation implications arising directly from this report.

8.0 Environmental Implications

8.1 Many of the issues discussed above have a range of potential environmental implications. These would need to be further assessed during the preparation of the Development Management Policies DPD.

9.0 Background Papers

Brent Core Strategy July 2010
Unitary Development Plan 2004 – Saved Policies


Contact Officers

Any person wishing to inspect the above papers should contact;
Stephen Weeks, Head of Area Planning, Planning & Development 020 8937 5238

Andy Donald

Director of Regeneration & Major Projects

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	<p style="text-align: center;">Planning Committee 9th March 2011</p> <p style="text-align: center;">Report from the Director of Regeneration & Major Projects</p>
For Consideration	Wards affected: ALL
Amendments to Terms of Reference of the Planning Committee as set out in part 5 of the Brent Constitution	

1.0 Summary

1.1 The terms of reference for decision making for the Planning Committee were last reviewed in their entirety as part of the drafting of the Council's Constitution in 2002. With the reduced staff resources now available, and a desire expressed by some members of the Committee to reduce the overall workload and frequency of meetings, it is now appropriate to review arrangements. The report recommends that amendments are made to the Planning Committee terms of reference that will reduce the overall Committee workload, removing less significant and all domestic applications from the terms of reference, in part by changing the objection criteria where an application is recommended for approval from more than 1 objection to more than 5. Alterations are also proposed to the member call-in procedure. These changes would still mean that the Planning Committee would determine all major development proposals. Any decision to change the Constitution requires a decision by the full Council.

2.0 Recommendations

2.1 That the Committee considers the following changes to the terms of reference to the Planning Committee in the manner set out in appendix A to reflect the following:

- a) To allow the determination of applications of more than 20 dwellings (currently 10). The implication being that Officers would be able to determine applications of less than 20 dwellings.

- b) That in cases where approval is recommended, the number of objectors required to determine that the decision is made by the Committee be raised from 2 to 5;
- c) That all applications for alterations and additions to residential buildings be determined by officers unless they are called in by members for a decision by the Committee;
- d) That the number of members required to call in an application be increased from 2 to 5.

2.2 To agree to reduce the overall number of Planning Committee meetings from 23 to 15 per year (comprising 12 planning application and 3 policy meetings), and to confine site visits to major proposals.

2.3 That the terms of reference of the Planning Committee include consideration of development proposals at a pre-application stage that allows for informal feedback on schemes prior to their formal submission, and that this is reflected in the Planning Code of Conduct.

3.0 Detail

3.1 The existing scheme of delegation for planning decisions has remained unchanged, with the exception of one amendment governing telecommunication masts, since the original adoption of the Council's Constitution in May 2002. The agreement allows for approximately 93% of planning decisions to be made using Officer delegated powers, with the remaining cases being reported to the Planning Committee for a decision. This has allowed the authority to meet government performance targets on planning applications (based on time taken to deal with applications), although in benchmarking terms with other authorities, Brent has been under pressure to raise its game. The current terms of reference for the Planning Committee (delegation agreement) are appended to this paper. The costs of processing applications, and the time it takes, increase when an application is reported to the Committee. The current system employed is robust however it requires a significant senior staffing resource to support it.

3.2 There are several pressing reasons for a review of the terms of reference and these are set out in paragraphs 3.3 to 3.6 below. They relate to the reduced resources now available to deliver the Planning function and support the Planning Committee, and need to ensure that the Planning Committee has a formalised role in providing feedback to developers on pre application discussions on major proposals.

3.3 The Planning service has and is likely to continue to face very significant budget reduction pressures brought about by the Council's efficiency programme, a reduction in fee income, largely due to fewer major applications, and the recent loss of the Housing and Planning Delivery Grant. In considering the implications of the loss of grant in July last year the Executive acknowledged that staff reductions would be required and that part of the consequence of this reduction would be decision making efficiencies through changes to the delegation agreement to determine planning applications by officers. There are also specific pressures on the resources

that support the Planning Committee including overtime allowances, support services and Case Officer time, and again in the absence of additional resources in the near future this situation will continue.

- 3.4 Members of the Planning Committee have expressed some concern over the frequency and length of meetings and the added time burden of site visits, undertaken on a Saturday morning prior to each meeting. In the past this has discouraged some members from being on the Committee.
- 3.5 Too many applications for domestic house extensions and outbuildings end up being reported to the Committee because of neighbour disputes and member call-ins. This has increasingly become a distraction for members at both the site visits and at the Committee meetings, and takes up too much member time. There are also many examples of discussions at the Planning committee on minor cases taking much longer than the determination of major schemes. Members of the public often have to wait for substantial items to be determined and this gives a poor impression of the decision making role of the Committee and the Council. For more minor and householder applications, the statutory target period for reaching a decision is 8 weeks. It is very difficult for applications that are considered by the committee to meet this target and most applications in these minor categories that are reported to the Committee go over time and affect the published performance figures within NI 157. Brent was one of London's highest performing authorities but has fallen back in recent years, partly as a result of most authorities improving performance and exercising greater decision making at officer level.
- 3.6 Local authorities are now being encouraged to involve Planning Committee members with pre-application discussions on more significant developments. In Brent we have started to do this through presentations to the Committee by developers either prior to a scheduled meeting or prior to or after Saturday site visits. This new function needs to be properly reflected in the terms of reference for the Committee and acknowledged in the Planning code of Conduct for members and officers.
- 3.7 There are currently 19 meetings of the Planning committee scheduled for the year of which 4 are meetings reserved for the discussion of policy and guidance. Policy meetings are sometimes cancelled if there is a lack of business. The cycle for meetings for decisions on planning applications is generally between three and four weeks. For each Planning application meeting there is a Saturday morning site visit that consists of prearranged visits to 4 to 7 or so sites. There has also been a meeting with Committee members prior to the start of the main meeting for Officers to provide updates on matters that have arisen since the Committee report was prepared and often covering issues that were raised at the members site visit. As from July 2010 this has changed, following discussions with members, to issue supplementary information the day before the Committee meeting in order to focus the briefing meeting on member's questions. The pre-meeting starts at 18-15, with the main meeting commencing at 19-00. A decision was taken several years ago to bring the start time of the Committee forward by half an hour to try and ensure that all business was conducted prior to the 22-30 p.m. deadline.

- 3.8 There are presently (last 6 meetings) on average 14 planning applications for determination on each Committee agenda (numbers have been higher in past years). Of these applications over 30% consist of domestic extensions, and 10% of minor residential schemes (Houses in multi-occupation, alley gating and 1 or 2 new units). Of the 36 domestic and minor residential cases considered over the last 6 meetings (average 6/meeting) 4 had no objections, 18 (56%) had two objections, 4 had 3 objections, 1 had 4 objections, and the remainder between 5 and 10 objections. All applications were approved with no recommendations overturned. There has been an average of 10 member call-ins in the last three years, mainly on minor domestic proposals. Members are often approached by applicants or their agents to request call-ins when they hear that the officer recommendation is to refuse an application.
- 3.9 It is proposed that the delegation agreement be amended to allow for the frequency of Planning Committee meetings to be reduced, whilst maintaining performance to government targets. It is also considered that the number of site visits be reduced to the point where a site visits will be confined to major schemes only, with photographs of sites being available to members on all reported items. For major applications the Council is now increasingly entering into Planning Performance Agreements that allow us to obtain the agreement of an applicant to a timetable leading to a Committee date that does not take the Council outside the statutory targets unless it fails to meet the agreed timetable. This will give the Council greater flexibility in the way it deals with major applications and will accommodate a less frequent cycle of meetings. The current statutory period for handling major applications is 13 weeks.
- 3.10 The recommended changes for the Council to consider are set out in appendix A to this report in the form of amendments to the terms of reference for the Planning Committee in Part 5 of the Constitution. They are also set out below:
1. Changes to the terms of reference to the Planning Committee to allow the determination of applications of more than 20 dwellings (currently 10). The implication being that Officers would be able to determine applications for less than 20 dwellings.
 2. That in cases where approval is recommended, the number of objectors required to determine that the decision is made by the Committee be raised from 2 to 5.
 3. That all applications for alterations and additions to residential buildings be determined by officers unless they are called in by Members for a decision by the Committee.
 4. That the number of members required to call an application in be increased from 2 to 5.

5. To comment on development proposals following presentations by applicants and their agents of more significant proposals at a pre-application stage.

4.0 Financial Implications

- 4.1 The Council's response to the mid year government spending reductions last year involved swift action taken to reduce spending in affected areas. This included the Planning Service where the loss of the Housing and Planning Delivery Grant left a £390k budget gap. The Executive acknowledged that staff reductions would be required and that part of the consequence of this reduction would be decision making efficiencies through changes to the delegation agreement to determine planning applications by officers. A reduction in the number of Committee meetings will reduce overheads associated with the meeting including site visits, with coach hire and officer time, and the resources from Legal and Democratic Services.
- 4.2 The cumulative impact of Wave 1 savings and a reduction in fee income have also further affected the planning establishment and have reinforced the need to work more efficiently. Changes have been made to staffing the technical support function and work is ongoing on streamlining processes. A reduction to the frequency of committee meetings, and a smaller Committee caseload will assist in this respect and allow the Service to remain effective in maintaining performance. National Indicator 157 (planning application processing times) is a long standing indicator that is likely to be retained by the government, possibly as the only planning indicator.

5.0 Legal Implications

- 5.1 The terms of reference for the Planning Committee are set out in Part 5 of the Council's Constitution which also contains the Planning Code of Practice for Members and Officers. Changes to the Constitution require the agreement of Full Council. Any amendments to Part 5 of the Constitution will need to be reflected in the Code of Practice.

6.0 Diversity Implications

- 6.1 It is not considered that the proposed changes will have any adverse impact on those affected by the planning process. The statutory requirement to consult on most applications will remain and representation made will still be considered prior to any decision on an application. Both applicants and parties affected by planning applications will continue to have access to planning staff and elected members, where they will be able to raise concerns.
- 6.2 The greatest change will be on householder applications where applications are generally made by property owners, with adjoining neighbours being notified. It must be borne in mind that the majority of householder applications are already considered under powers delegated to Officers. Equalities monitoring of planning applications has not revealed any specific issues.

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 Staffing levels in the Area Planning teams, where planning applications are considered, have reduced in the last four years, most recently as a result of the mid year budget reductions in 2010, with the loss of the Housing and Planning Delivery Grant. The proposed changes will reduce the Committee workload and lead to the more efficient processing of more minor, less contentious applications. This in turn will allow a better staff focus on more complex work, particularly more senior staff.

Background Papers

Brent Constitution (as revised)

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Appendix A – (Suggested amendments marked bold)

TERMS OF REFERENCE OF COUNCIL COMMITTEES AND SUB-COMMITTEES PLANNING COMMITTEE

Membership

The committee is comprised of 11 councillors.

Terms of Reference

1. To determine applications for planning permission, consent or approval (including listed building and conservation area consent) in respect of the following types of development:-

- (i) construction of **20** (40) or more dwellings;
- (ii) outline residential development with a site larger than 0.1 hectare (approximately ¼ acre);
- (iii) construction of non-residential building exceeding 500 sq. metres in floorspace outside a designated employment area; and
- (iv) outline non-residential development with a site larger than 0.1 hectare (approximately ¼ acre), outside a designated primary employment area.

2. To determine applications for planning permission, consent or approval (including listed building and conservation area consent) which the Planning Committee has specifically indicated it wishes to consider itself.

3. To determine any application for planning permission, consent or approval (including listed building and conservation area consent) which at least **five** (~~two~~) members of the Council have requested, in accordance with the Planning Code of Practice, be considered by the Planning Committee.

4. To determine any other application for planning permission, consent or approval (including listed building and conservation area consent) in respect of which written objections have been received from **5** (~~2~~) or more households or businesses except where those objections relate to:-

- (i) **alterations to residential buildings including extensions, outbuildings (including garages)**, walls, vehicular accesses and hardstandings, and porches
- (ii) satellite television dishes or aerials
- (iii) other domestic aerials
- (iv) certificates of lawful use or development (~~except applications which relate to the lawfulness of the use of a dwelling house by more than one family unit~~)

AND except where the officers are in any event minded to refuse the permission, consent or approval.

5. To determine any application for planning permission, consent or approval (including listed building and conservation area consent) which would, in the reasonable opinion of the Director of Environment and Culture or the Head of Planning, significantly conflict with Council policies.

6. To determine any application for, or revocation of, planning permission or consent or approval (including listed building and conservation area consent) in case where the approval or revocation would, in the reasonable opinion of the Director of Environment and Culture or the Head of Planning, give rise to the payment of compensation.
7. To authorise the service of an enforcement or stop notice in respect of breaches of planning, listed building, advertisement and hazardous substances control where such action would involve the payment of compensation.
8. To agree to enter into agreements pursuant to section 106 of the Town and Country Planning Act 1990, section 38 of the Highways Act 1980 or any other agreements required in connection with any permission, consent or approval granted by the committee and to authorise officers to make such agreements subject to such restrictions as it considers appropriate.
9. To determine any matter relating to planning or hazardous substances which are delegated to officers, other than Executive functions, but which the Director of Environment and Culture or Head of Planning considers appropriate for the committee to consider.
10. To authorise the making of Tree Preservation Orders in cases where the relevant officer has declined to make an order.
11. In relation to other planning and/or development control matters:
 - (a) where requested by officers or the Executive to do so, to provide comments back to them on any applications for development in neighbouring boroughs and any changes to planning policy in other boroughs.
 - (b) to consider and recommend to the Executive or officers amendments to adopted or draft development plan documents , supplementary planning documents, planning briefs or other similar documents.
 - (c) to comment on development proposals following presentations by applicants and their agents of more significant proposals at a pre-application stage.**

Limitations

- (a) None of the above will apply to any application for permission or consent which the Council is required to refuse in accordance with a direction to do so from the Mayor of London or any Minister of the Crown issued pursuant to any legislative provision in which case the refusal shall be issued by the Director of Environment and Culture or the Head of Planning but reported to the Planning Committee for information.
- (b) Nothing in paragraphs 1-12 above shall apply to applications for permission for telecommunication masts submitted by telecom operators under Part 24 of Town and Country Planning (General Permitted Development) Order if the meeting at which the matter would be considered would take place after the deadline specified in that order for responding to the application in which case the application may, for the avoidance of doubt, be determined by officers under delegated powers.