



Planning Committee

Thursday 11 September 2014 at 7.00 pm

Board Room 2 - Brent Civic Centre, Engineers Way,
Wembley HA9 0FJ

Membership:

Members

Councillors:

Marquis (Chair)

Colacicco (Vice Chair)

Agha

S Choudhary

Filson

Hylton

Kansagra

Mahmood

Substitute members

Councillors:

Chohan, Choudry, Colwill, Conneely, Duffy Daly

Ezeajuhgi, W Mitchell Murray, BM Patel

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

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democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Members' briefing will take place in Boardroom 7-8 at 6.30pm.

There are no prior site visits for this meeting.

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.		
2. Minutes of the previous meeting - 1 July 2014		1 - 6
Extract of Planning Code of Practice		
3. Sudbury Town Neighbourhood Plan This report provides an overview of the process which Sudbury Town Residents Association has followed to date in producing the draft Sudbury Town Neighbourhood Plan, and a summary of its content. It recommends that the draft Plan be published on 23 October 2014 and made available for comment for 6 weeks. It is also recommended that it be submitted for examination subject to Full Council approval.	Sudbury	11 - 14
4. Wembley Area Action Plan This report explains that the Council has received an Inspector's report into the Examination of the Wembley Area Action Plan Development Plan Document and that the Inspector finds the document sound subject to recommended changes being made. It asks Planning Committee to recommend to Cabinet and Full Council that the Area Action Plan be adopted with the changes incorporated.	Barnhill; Preston; Stonebridge; Tokyngton; Wembley Central	15 - 24
5. 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 17 September 2014

The site visits for that meeting will take place the preceding Saturday **13 September 2014** at 9.30am when the coach leaves the Civic Centre.



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- The Conference Hall is accessible by lift and seats will be provided for members of the public on a first come first served principle.

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LONDON BOROUGH OF BRENT

MINUTES OF THE PLANNING COMMITTEE

Tuesday 1 July 2014 at 7.00 pm

PRESENT: Councillor Marquis (Chair), Councillor Colacicco (Vice-Chair) and Councillors Agha, S Choudhary, Filson, Hylton, Kansagra and Mahmood

Also present: Councillors Colwill and BM Patel

1. **Declarations of personal and prejudicial interests**

None declared.

2. **Proposed introduction of greater gambling protections and controls**

Stephen Weeks (Head of Planning, Regeneration and Growth) presented the report and explained that proposals for greater gambling protections and controls arose from a wider concern about the future of shopping areas. Members heard that the Department for Culture, Media and Sport (DCMS) was consulting on the proposals that included the creation of a separate planning use class containing betting shops. Presently, betting shops fell within A2 use class, meaning any premises with this permission could be converted to a betting shop without requiring planning permission. Under the new proposals, any new betting shop would require separate planning permission for such use.

Stephen Weeks advised that there had been a significant increase in particular amongst smaller betting operators in the borough and their tendency to cluster was affecting the vitality of town centres. Whilst it was not so evident that the number of betting shops amongst the three largest betting operators was increasing, they tended to want to extend their existing premises or find a larger building in order to be able to offer more services. Stephen Weeks drew members' attention to the council's proposed response to the DCMS consultation in appendix A of the report and advised that although the council agreed with DCMS's proposals, it felt that there also that there should be further changes and that a separate use class for payday loan shops and pawnbrokers should be introduced as these also could have a similar negative impact on shopping areas. Stephen Weeks added that such businesses also tended to cluster and threaten the vitality of the area.

During members' discussion, clarification was sought with regard to the role of planning legislation and licensing legislation in regulating gambling premises and whether the Gambling Act 2005 only required operators to prove they were fit to operate and not take into consideration the surroundings. It was queried how a

separate class use for payday loan shops and pawnbrokers could be introduced and could any action be taken to reduce the number of existing betting operators in the borough. Another member enquired whether under previous legislation, it was the responsibility of the gambling operator to prove there was demand and had the subsequent relaxation in gambling regulation been the main cause for the explosion in the number of betting premises. He felt that the increase of betting premises in town centres and other shopping areas was detrimental and was responsible for taking money out of Brent's economy as the costs of those who gambled reduced their spending power to purchase other items or services. He commented that although the proposed new legislation would help reduce the number of new gambling premises, he queried whether it could be used to reduce the number of betting premises already in existence, except possibly in situations where the existing betting operator wished to transfer to a new premises. He indicated his support in respect of separate use class for pawnbrokers and payday loan shops and agreed that such businesses often clustered, as well as betting shops. He also enquired whether smaller gambling operators would challenge the new proposals under competition law.

In respect of small betting shop operators, a member enquired whether there would be exceptions in allowing new premises in shopping areas where there were a lack of businesses. He also suggested that rather than allowing GP practices and accountants in primarily residential areas, these should be encouraged to move into vacant retail properties. Clarification was sought with regard to the policy for smaller shopping precincts and of the powers the council currently had in relation to betting premises and what they would be if the proposed legislation came into force. In relation to pawnbrokers and payday loan shops, a member asked if planning legislation could take into account social responsibility factors. It was commented that particular attention should be given to the approach where high roads came under Brent and a neighbouring local authority and working jointly with them would be desirable. It was also asked whether the council's response to the DCMS consultation required Cabinet approval.

In reply to the issues raised, Stephen Weeks confirmed that under the Gambling Act 2005, applicants were only required to prove they were fit and proper to operate and did not need to prove there was a demand for betting. Members noted that the Gambling Act 2005 and planning legislation were two separate regulatory pieces of legislation and one did not necessarily prejudice the other. Stephen Weeks felt that the relaxation of legislation had contributed to the increase in betting shops. Members noted that under previous legislation, the applicant had been required to provide evidence of demand and demonstrate what other businesses were in the locality. Stephen Weeks clarified that the new legislation could not be used to reduce the number of existing betting shops, however would primarily be used in restricting the growth of new betting premises or the expansion of existing ones. Members heard that the council could use its discretion in using the policy, including in such situations where a small gambling operator had applied for a use in a shopping area otherwise lacking in businesses and the premises in question was derelict or in a poor condition. He added that the proposals would impact most on smaller operators as this was the main group seeking to obtain new premises. Similarly, although it was difficult to ascertain as to whether there was a saturation of pawnbrokers and payday loan shops in the borough, there was evidently a need to restrict their future growth because of their

impact in shopping areas. Stephen Weeks advised that if the proposals allowed the council to include a separate class use for pawnbrokers and payday loan shops, the council could then write its own policy to define the use and set out terms on which it would be applied, such as restricting such a use in certain areas, particularly if there were already a number of premises of this type there.

Stephen Weeks informed members that a more relaxed approach was taken with regard to premises being used as GP practices and other community uses in residential areas. However, he stated developing a policy to encourage such uses in commercial areas where there were vacant properties could be considered. Members heard that in core shopping areas, A1 use was more strictly controlled unless a high level of vacancies could be demonstrated. More flexibility was afforded in smaller or fringe shopping areas and A1 uses such as newsagents, for example, would be a desirable use in such areas. A more relaxed approach to places of worship and for community use was also taken in fringe areas, whilst A2 uses were more likely to be refused. Stephen Weeks felt that it would be difficult for the DCMS's proposals to be challenged under competition law as there a number of gambling operators in the country. In relation to pawnbrokers and payday loan shops, Stephen Weeks advised that an increase in these type of properties would be a valid planning consideration rather than any perceived effects on the community. He informed members that the council did consult and coordinate with neighbouring London boroughs regarding gambling applications, including where they shared High Streets, although it was not yet at the stage where boroughs were developing similar policies. Stephen Weeks confirmed that the council's response to DCMS's proposals would not be required to be put before the Cabinet and the Planning Committee's endorsement would be the council's formal response on the matter.

The Chair requested that this item be reported back to the committee following the outcome of the DCMS consultation notifying members of any changes to the original proposals.

RESOLVED:-

that the proposed draft response to the DCMS consultation on greater gambling protections and controls in Appendix A of the report which supports the proposed creation of a separate use class for betting shops, and highlights to the DCMS the need for a separate class for pawnbrokers and pay day loan shops, given that they present similar issues to that of betting shops, be noted.

3. Appeals decision monitoring: 2013/2014

Stephen Weeks presented the report and advised that the number of planning appeals allowed by the inspectorate in 2013/14 had risen by 9% compared to 2012/13. As a result of this, he advised that decisions particularly in respect of household applications needed to be revisited. Members noted that the Government had issued a temporary relaxation in respect of permitted developments in the hope that it would encourage the building industry and boost the economy. Stephen Weeks advised that a number of applicants were taking advantage of obtaining the opportunity for prior approval and these arrangements were due to remain until June 2016. The relaxation in permitted developments was impacting on the Planning Inspectorate's decisions and had led to an increase

in appeals being allowed. As a result, Stephen Weeks advised that the Planning Service would issue revised guidance on household applications relaxing some requirements and this would be put before the Planning Committee at a future meeting.

During discussion, a member enquired whether an additional extension to an existing extension on a house dwelling could be done under the current more relaxed planning regulations. Another member expressed interest in receiving a report providing information on funds that had been received from Section 106 agreements and whether it was possible for members to have access to Acolaid. It was queried whether residents were required to consult their neighbours in respect of prior approval applications. Another member asked whether it was possible for future reports to break down appeals allowed by application type. Reasons were sought of the occasions when the Planning Inspectorate had disagreed with the council's decision. In acknowledging that most of the appeals involved household applications, a member asked what the processes for the updating the council's policy on design and neighbourhood amenities would be and how long would the consultation and subsequent implementation of the changes take. It was also asked what approach would be taken to household applications between now and the changes being introduced. Information was sought on the impact this would have on council policy and it was asked whether the permitted development policy applied to conservation areas.

A member asked what impact extensions had on green space and was there a policy to address this. A question was raised as to whether an increase in enforcement appeals was likely because applicants had not understood the changes to permitted developments and they had not obtained prior approval. It was also queried whether permitted developments applied to flats. A member enquired on the costs of the appeal to the council. Another member asked if information could be provided on the council's Supplementary Planning Guidance (SPG) 5 and SPG17.

In reply to the issues raised, Stephen Weeks advised that an additional extension to an existing one would be permitted providing the existing extension had been built as a permitted development and that the additional extension did not exceed that allowed under permitted development. Stephen Weeks informed members that Section 106 agreements did not apply to refused permissions and a separate report on Section 106 funds and the Community Infrastructure Levy could be provided at a future meeting. Members heard that they would each require a separate licence to access Acolaid and this would require further discussion if there was a desire to have this. Stephen Weeks explained that under prior approval, applicants were not required to consult their neighbours other than what was required under the Party Wall Act but the Council were. It was noted that prior approval did not apply to flats and the permitted development policy applied to conservation areas subject to some restrictions. Stephen Weeks stated that future reports could include a breakdown of appeals by application type and he commented that large scale planning application appeals were uncommon to date, and while there were a few more middling sized application appeals, the bulk of the appeals were household applications which was understandable in view that most applications were of this type. Stephen Weeks advised that staff time spent on appeals, as opposed to costs, had a larger on resources. Typically, an informal

hearing may last a day or longer, whilst a public inquiry could take up a number of days and there would be costs involved in legal and specialist representation.

Stephen Weeks advised that the reasons on the occasions that the Planning Inspectorate disagreed with the council's decisions varied, however making changes to design and policy in response to this would reflect a priority area in terms of decisions by the Planning Inspectorate. Stephen Weeks informed members that updating the council's policy on design and neighbourhood amenities would involve consultation that would then lead to changes to the council's SPG5 and SPG17. Consideration of the major issues was already being undertaken and a more cautious approach was being taken. In terms of timescale to implement the changes, Stephen Weeks advised that ideally this would be done by the end of 2014/15, however this would be dependent on filling vacant posts. Members noted that a number of local authorities were also having similar issues and were considering revising their policies. With regard to extensions and loss of green space in rear gardens, members noted that the only policy that applied was in relation to ensuring 'sustainable drainage' in front gardens when hard surfacing took place. Turning to enforcement appeals, Stephen Weeks advised that applicants usually had a reasonable knowledge of what is permissible and that lack of understanding of planning regulations were not the usual reasons for the appeals. Enforcement appeals were rarely upheld and the council was focusing its efforts in particular on outbuildings that may be used as separate dwellings, commonly referred to as 'beds in sheds'. Stephen Weeks added that a report on this issue could be presented at a future meeting. He also agreed to provide members with the web link to the council's SPG5 and SPG17.

RESOLVED:-

that the report on appeals decision monitoring 2013/14 be noted.

4. Any other urgent business

None.

The meeting ended at 8.20 pm.

S. MARQUIS
CHAIR

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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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 Brent	<p style="text-align: center;">Planning Committee 11 September 2014</p> <p>Report from the Operational Director, Planning & Regeneration</p>
<p>Wards affected: Sudbury</p>	
<p>Sudbury Town Neighbourhood Plan</p>	

1.0 Summary

- 1.1 This report provides an overview of the process which Sudbury Town Residents Association has followed to date in producing the draft Sudbury Town Neighbourhood Plan, and a summary of its content. It recommends that the draft Plan be published on 23 October 2014 and made available for comment for 6 weeks. It is also recommended that it be submitted for examination subject to Full Council approval.

2.0 Recommendations

- 2.1 That the Planning Policy Committee recommend to Cabinet that the draft Sudbury Town Neighbourhood Plan be agreed for publication and public consultation from 23 October 2014 for 6 weeks, and recommend that Full Council agree that the draft Plan be submitted for Examination.

3.0 Detail

- 3.1 Neighbourhood Planning was introduced through the Localism Act 2011. It enables communities to develop planning policies that will become part of the planning framework for their area. Neighbourhood planning is delivered by 'neighbourhood forums' for their 'neighbourhood area'. Neighbourhood forums and areas need to be agreed by local authorities, following local publicity.
- 3.2 In 2011 Sudbury Town Residents' Association successfully applied for £22,000 'frontrunner' money which they used to engage consultants (SKM Colin Buchanan) to produce an Issues Paper for the area. In August 2012 the Association applied to become a neighbourhood forum and to have Sudbury Town designated as a neighbourhood area. In line with the Neighbourhood Planning (General) Regulations 2012, the Council publicised the applications for a six week consultation period ending on 19 October 2012. No comments were received. On 12 December 2012 the Council approved the designation of Sudbury Town Neighbourhood Forum and Neighbourhood Area.

- 3.3 The forum undertook a series of consultation events and exercises between May 2012 and March 2014, as outlined in the accompanying Consultation Statement. This included consultation on an Options Report during November and December 2013, and consultation on the Draft Neighbourhood Plan for a 6 week period during January and March 2014. The consultation undertaken informed the draft Neighbourhood Plan which was formally submitted to the Council on 12 August 2014.
- 3.4 The vision of the Neighbourhood Plan is ‘to create a greener, cleaner, safer Sudbury Town, with a High Street at the heart of the community that we can all be proud of.’ The Plan contains six key planning policies. In summary these are:-
- STNP 1 seeks to promote a mix of uses within Sudbury town centre which will support the viability and attractiveness of the centre.
 - STNP 2 sets design criteria for the continuation of public realm works.
 - STNP 3 sets design criteria for shopfronts within the Plan area.
 - STNP 4 seeks to protect open spaces and allow the reuse or redevelopment of buildings within Butlers Green and Barham Park, for uses which support the function of the green space.
 - STNP 5 sets priorities for spending Neighbourhood CIL, including public realm improvements.
 - STNP 6 identifies uses which will be appropriate in Sudbury town centre and support development that strengthens Vale Farm as a regional centre for sports excellence, whilst preserving open space.
- 3.5 In addition items that the community are seeking, but that cannot be delivered through planning policy are identified as aspirations.
- 3.6 Following the formal submission of the Sudbury Neighbourhood Plan and supporting documents, the Council has assessed the Plan against the relevant statutory requirements. The Council is satisfied the Plan and process followed complies with the statutory requirements as set out in paragraph 6 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).
- 3.7 To allow the Plan to progress approval is sought to publicise the Plan for a 6 week period. Following this period the Council, with agreement from the forum, must select and appoint an independent examiner to Examine the Plan.

4.0 Financial Implications

- 4.1 The Council was awarded £10,000 to support the preparation of the Plan. A further payment of £5,000 is made when the Plan is publicised prior to Examination and £20,000 on successful completion of an Examination into the Plan. This is towards the cost of Examination and referendum.

5.0 Legal Implications

- 5.1 Once adopted a Neighbourhood Plan will form part of the development plan for the borough. There is a duty upon the Council to provide support and advice to communities wishing to bring forward a neighbourhood plan.

6.0 Diversity Implications

- 6.1 There is a requirement for the Council to ensure that, in granting neighbourhood forum and neighbourhood area status, those applying are representative of the area covered. Sudbury Neighbourhood Forum satisfied this requirement.

7.0 Staffing/Accommodation Implications

- 7.1 Staff resources will be diverted from other plan making projects to provide support and advice.

8.0 Environmental Implications

- 8.1 A Strategic Environmental Assessment (SEA) Screening Opinion was produced in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 and concluded the Plan is unlikely to have significant environmental effects. The Basic Conditions statement outlines how the Plan will contribute to sustainable development.

9.0 Background Papers

Sudbury Town Neighbourhood Plan, Draft Final, July 2014

Sudbury Town Neighbourhood Plan: Basic Conditions Statement, July 2014

Sudbury Town Neighbourhood Plan: Consultation Statement, July 2014

Contact Officers

Any person wishing to inspect the above papers should contact Claire Jones, Policy & Projects, 020 8937 5301

Aktar Choudhury

Operational Director, Planning & Regeneration

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Planning Committee

11 September 2014

Report from the Operational Director, Planning & Regeneration

Wards affected:
Wembley Central, Tokyngton, Barnhill,
Preston, Stonebridge

Wembley Area Action Plan

1.0 Summary

- 1.1 This report explains that the Council has received an Inspector's report into the Examination of the Wembley Area Action Plan Development Plan Document and that the Inspector finds the document sound subject to recommended changes being made. It asks Planning Committee to recommend to Cabinet and Full Council that the Area Action Plan be adopted with the changes incorporated.

2.0 Recommendations

- 2.1 That the Planning Committee recommends that Cabinet and Full Council adopt, with the recommended changes, the Wembley Area Action Plan Development Plan Document.

3.0 Detail

Examination of the Wembley Area Action Plan

- 3.1 The reasons for producing the Wembley Area Action Plan (AAP) derive from the need to bring UDP policy, particularly the Wembley Regeneration Area chapter, first drafted in 2000 and adopted in 2004, up-to-date. It is a logical step in drawing up the folder of Development Plan Documents (DPDs) that will make up the borough's development plan and ultimately supersede the UDP. The AAP also consolidates detailed policy and guidance currently contained in a number of documents, including the Wembley Masterplan 2009, the Wembley link SPD 2011 and the Wembley West End SPD 2008.
- 3.2 The AAP was subject to examination by an independent Inspector, who held hearing sessions to consider oral evidence in March 2014. A number of changes to the document were proposed both before and during the hearing sessions and these were made available during public consultation for a six week period commencing 15 May 2014. 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.

Inspector's Report

3.3 As indicated above, the Inspector has found the AAP sound subject to a number of recommended changes. This means that the Council can adopt the document with the changes incorporated. Planning Committee is asked to recommend to Cabinet and Full Council that the AAP be adopted with the changes included. The recommended changes included in the Inspector's report are attached as Appendix 1.

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

This report concludes that the Wembley Area Action Plan Development Plan Document 2013 is sound, providing the Main Modifications, all of which have been requested by the Council. I have recommended their inclusion after considering the representations from other parties on these issues.

The changes required to meet legal and statutory requirements relate to a limited number of topics. The Main Modifications can be summarised as follows:

- *The Town Centres of Wembley and Wembley Park will have separate, though contiguous, boundaries;*
- *There is potential for the development of a food store north of Wembley High Road but south of the Chiltern Line Cutting rather than to the south at the Copland School Brent House site;*
- *Remove 'indicative' from all the housing capacities of the Proposal Sites;*
- *Changes to the housing capacities of several proposed housing sites to reflect planning permissions or to optimise the housing potential of the area;*
- *Clarification that all affordable housing subsidies released by the disposal of dwellings in intermediate housing tenures will be re-used for alternative affordable housing projects;*
- *Car parking standards will be applied other than in exceptional circumstances where the need for a higher level of provision can be demonstrated;*
- *Local transport corridor improvements will support non-car modes and local vehicular access including stadium events to assist event day transport;*
- *A transport assessment would be required if a proposal to remove the pedestrian ramp is considered as part of future development in the area;*
- *The Wembley Retail Park is to be a site which is 'Appropriate for Tall Buildings' to correct an error;*
- *Urban greening is to be sought rather than required in new developments;*
- *Major new developments are to be designed to connect to a decentralised energy heat network rather than energy centre;*
- *Flood risk assessments are to be required for sites of 1ha or more on land in Flood Risk Zone 1;*
- *Viability is to be taken into account in assessing the requirement for foot/cycle paths and contributions on sites requiring biodiversity improvements and flood risk adaptation in the Eastern Lands.*

None of the above changes alters the thrust of the Council's overall strategy for the regeneration of the Wembley area.

3.5 When the AAP is adopted, it will supersede the Wembley Regeneration Area chapter of the UDP, and the Wembley Growth Area chapter of the Site Specific Allocations DPD.

4.0 Financial Implications

- 4.1 The preparation and ultimate adoption of an AAP will provide 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 Plan have a good chance of receiving planning consent.
- 4.2 The cost of preparing the AAP has been met mainly from Planning & Development budget. To date the total cost of studies has been estimated at about £100,000 and consultation at an estimated £20,000. The Examination was funded by the Departmental Projects budget.
- 4.3 The costs of examining the AAP are estimated at about £60,000. The Council has yet to be invoiced by the Inspectorate for the costs of examination. If the AAP was not adopted and resubmitted a similar cost would be required.
- 4.4 There will also be costs associated with road widening and junction improvements proposed in the Plan.

5.0 Legal Implications

- 5.1 The preparation of the Local Plan, including the AAP, 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 AAP will have substantial weight in determining planning applications and will supersede part of the UDP and Site Specific Allocations DPD.

6.0 Diversity Implications

- 6.1 Full statutory public consultation has been carried out in preparing the AAP and an Impact Needs / Requirement Assessment (INRA), which assessed the process of producing the Local Plan, was prepared and updated as required during the process.

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 AAP deals with the development of the Borough's main regeneration area and thus will have a significant effect on controlling impacts on the environment including requiring measures to mitigate climate change. Sustainability appraisal was undertaken at all stages of preparing the AAP.

9.0 Background Papers

Brent Site Specific Allocations Development Plan Document, 2011

Wembley Masterplan, 2009

Wembley Link SPD, 2011

Wembley AAP, Submission DPD, March 2013

Report to the Council of the London Borough of Brent, The Planning Inspectorate, 20 August 2014

Contact Officers

Any person wishing to inspect the above papers should contact Claire Jones, Policy & Projects, 020 8937 5301

Aktar Choudhury
Operational Director, Planning & Regeneration

Appendix 1 – Inspector’s Recommendations

The modifications below are expressed either in the conventional form of strikethrough for deletions and underlining for additions of text, or by specifying the modification in words in italics. The page numbers and paragraph numbering below refer to the submission DPD (March 2013), and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification
MM1	13	Para 2.8	Amend text as shown: <u>Most new</u> retail floorspace will be located in an extended Wembley town centre which will <u>adjoin</u> connect the existing centres of Wembley and Wembley Park <u>town centre</u> . The new designer outlet centre, next to the Hilton Hotel, includes around 85 shops, restaurants and cafés, and a nine screen cinema. A new pedestrian and cycle priority boulevard will create a link through the heart of the growth area to a new shopping street north of Engineer’s Way.
MM2	40	Map 4.4	<i>The area covered by Site Proposal W18 is to be shown as a Site Appropriate for Tall Buildings rather than a Site Sensitive to Tall Buildings.</i>
MM3	58	Para 6.25	Insert the following text after the final sentence of the paragraph: <u>There may be exceptional circumstances where it can be demonstrated, for example for reasons of maintaining town centre vitality and viability, that there is a need for parking provision above that normally allowed by the maximum standards, subject to the usual transport assessment.</u>
MM4	59	Policy WEM15	Amend the policy as shown: <u>The council will apply car parking standards in Wembley as set out in the tables above unless, in exceptional circumstances, it can be demonstrated that there is an overriding need for a higher level of provision.</u>
MM5	67	Map 6.3	Amend the legend of Map 6.3 where it shows ‘Corridor improvements to support non-car modes and local vehicular access’ by adding: <u>and local vehicular access including for stadium events.</u>
MM6	70	Policy WEM 18	Amend the policy as shown: The housing mix guidance provided in table 7.1 will be applied in the relevant parts of Wembley <u>to the Districts as defined by the map on page 132 of the Wembley Masterplan</u> . Additionally, new Affordable Rent that meets <u>addresses</u> the needs of households eligible for social housing, with eligibility determined with regard to local incomes and local house prices, will be accepted <u>encouraged</u> as part of the tenure mix. The council will encourage intermediate affordable housing tenures, such as discounted market sale products, where the council <u>or other registered providers</u> can secure future equity payments that can be recycled into new affordable

Ref	Page	Policy/ Paragraph	Main Modification
			housing. <u>The maximum amount of affordable housing, subject to viability and the achievement of other planning objectives, will be sought.</u>
MM7	76	Para 8.5	Amend text as shown: There are no <u>few</u> development opportunities identified within the centre itself - currently approved applications lie outside the town centre boundaries. <u>A small extension (shown on Map 8.1) is proposed for the town centre which will include Site W23 which is designated for ground floor retail uses. South of the centre, construction has started on a new Wembley designer outlet centre and cinema and food and drink complex alongside the new Wembley pedestrian boulevard. Also, in 2011 planning consent was granted for a new retail street which will link the Boulevard with Wembley Park centre. This will be a further extension of Wembley town centre as the new boulevard will extend from close to Wembley Stadium station eastwards to Engineers Way.</u>
MM8	76	Para 8.6	Insert additional text at the end of the paragraph: <u>New development which will expand the centre includes the Wembley designer outlet centre, cinema and food and drink complex alongside the new Wembley pedestrian boulevard. In 2011 planning consent was granted for a new retail street outside the existing town centres which will link the Boulevard with Wembley Park centre. The Wembley Area Action Plan will therefore extend Wembley town centre boundary northwards to reflect these permissions for new town centre development (shown on Map 8.1).</u>
MM9	76-77	Para 8.7	Insert additional text at the end of the paragraph: <u>The two centres of Wembley (Major centre) and Wembley Park (District centre) will continue to be considered as two separate centres, although the boundaries will be contiguous. The extension to Wembley town centre will strengthen its role as a Major Centre. The town centre hierarchy will remain in place until such time that any change in the role of the centres can be reflected in future alterations to the London Plan town centre network.</u>
MM10	78	Para 8.15	Amend paragraph heading: Expansion of Town Centres Delete across the new part of the centre extending from the final sentence.
MM11	78	Para 8.16	Delete the word: the and insert: <u>Wembley</u> between 'expand' and 'town centre' in the first sentence.
MM12	78	Para 8.17	Amend as shown: The boundary of Wembley town centre defined in the Core Strategy takes account of, and includes, land where consents have been granted for retail

Ref	Page	Policy/ Paragraph	Main Modification
			expansion. This includes land at South Way close to Wembley Stadium station as well as the proposed outlet centre, cinema, etc., currently under construction to the west of the Stadium. However, since the Core Strategy was adopted in 2010, consent has been granted for a further 30,000 sq m of new floor space on the NW Lands to provide a new shopping street between the two centres. When all schemes are implemented, there will be largely continuous active frontage from Ealing Road to Bridge Road. It is logical to define the town centre from Wembley Park to Ealing Road as shown on Map 8.1. The scale of proposed new development is in keeping with a major town centre and it is therefore logical to extend Wembley town centre to include this area (shown on Map 8.1). This includes the office buildings and hotel on the east side of Olympic Way. Within this, The long-standing designated Primary and Secondary frontages will remain largely as currently defined for the present, although the council is committed to reviewing these once the new retail and leisure developments (Quintain stage 1 and North West Lands) are built out and open.
MM13	79 Also Also Also	Map 8.1 Map 2.1 Map 21.1 Map 21.2	<i>Delete the single town centre boundary for Wembley and insert tangential boundaries of the extended Wembley Park Town Centre and the extended Wembley Major Town Centre. Apply diagonal hatching to the extension to the Wembley Park Town Centre and vertical hatching to the extension to the Wembley Major Town Centre. Make corresponding modifications to maps 2.1, 21.1 and 21.2.</i>
MM14	87	Policy WEM30	Amend the policy to delete energy centre and insert <u>heat network</u>
MM15	88	Policy WEM32	Amend the policy as shown: Development proposals <u>should</u> must incorporate urban greening measures such as green roofs, green walls, trees and soft landscaping. Wherever possible, opportunities to connect new green spaces to existing green spaces should be maximised to help create green infrastructure. Where site constraints limit the level of urban greening that can be provided on site, a financial contribution will <u>may</u> be required. Local food growing facilities will be supported as stated in (see policy WEM 38 <u>36</u> in the Open Space chapter).
MM16	89	Policy WEM33	Amend policy WEM 33 by inserting text as shown: All proposed development in Flood Zones 2 and 3, <u>and proposed developments over 1 ha in flood zone 1,</u> will require a detailed Flood Risk Assessment (FRA), in accordance with Section 6.7 of Brent's Strategic Flood Risk Assessment.
MM17 Also	102 103	Site Proposal	Delete the word indicative from the development capacity for each of these site proposals.

Ref	Page	Policy/ Paragraph	Main Modification
Also	104	W1	
Also	105	W2,	
Also	106	W3,	
Also	109	W4,	
Also	110	W5,	
Also	111	W6,	
Also	112	W7,	
Also	113	W8,	
Also	114	W9,	
Also	115	W10,	
Also	116	W11,	
Also	117	W12,	
Also	118	W13,	
Also	121	W15,	
Also	121	W17,	
Also	122	W18,	
Also	122	W20,	
Also	123	W21,	
Also	125	W22,	
Also	126	W23,	
Also	127	W24,	
Also	128	W25, W26, W27, W28.	
MM18	102	Chapter 12	Insert new text at the beginning of the section on site proposals: <u>The residential development capacity figures for individual sites are subject to development proposals meeting design considerations, amenity standards and minimum space standards (as set out in London Plan policy 3.5) and optimising housing potential as required by London Plan policy 3.4.</u>
Also	108	Chapter 13	
Also	121	Chapter 14	
Also	125	Chapter 15	
MM19	104	Site W3	Insert additional text at the end of the first paragraph of site Proposal W3, Chiltern Line Cutting North, as shown: <u>The council will support limited development of the north cutting where it connects from the south (Site Proposal W4) and supports commercial development which benefits the town centre.</u>
MM20	104	Para 12.15	Amend the supporting justification for Site Proposal W3 as shown: As the whole of the cutting on the north side is identified as an Area of Nature Conservation Importance as well as a Wildlife corridor, then <u>more</u> significant development would be appropriate only if there were substantial benefits in terms of the regeneration of the town centre as well as major compensatory provision for the loss of habitat. The existing residential areas to the north are predominantly two storey which limits also the

Ref	Page	Policy/ Paragraph	Main Modification
			scale of development that would be appropriate. Consequently, only a limited development can be accommodated.
MM21	104-105	Site W4	Amend paragraph 2 of the Site Proposal, as shown: The council's objective is to transform the Wembley Link area into a sustainable mixed use community. This would be best delivered through developing the concept for cafés, restaurants and bars and appropriate retail, <u>including potentially a food store. along the frontage.</u> , potentially with Office <u>Residential development should form part of any mixed use scheme. above these, and residential above this, where appropriate.</u> <u>Offices,</u> student accommodation or hotel would also be appropriate within this site. Development proposals should include active frontages.
MM22	105-106	Site W5	Amend Site Proposal W5, as shown: The ground floor on the High Road frontage should be commercial retail development, potentially including a medium sized food store (approximately 6000m²) with associated car parking. Residential development either above or adjacent to the retail should include a high proportion of family housing.
MM23	108-109	Site W6	Amend the Development Capacity for the site as shown: 264 <u>400</u>
MM24	111	Site W9	Amend the Development Capacity as shown: 60 <u>100</u> units
MM25	113	Site W12	Amend the Development Capacity as shown: 815 <u>1300</u> units
MM26	113-114	Site W13	Amend the Development Capacity as shown: 50 <u>100</u> units
MM27	117-118	Site W18	Amend the Development Capacity as shown: 500 <u>700</u> units
MM28	118	Site W19	Insert: Development Capacity: 1500 units
MM29	125	Site W25	Insert at the end of the 3 rd paragraph of the site proposal: <u>The viability of development will be taken into account in assessing the appropriate width of the buffer strip and the level of contribution towards restoration work.</u>
MM30	126	Site W26	Insert after: '... will be required to contribute towards the restoration work.' <u>The viability of development will be taken into account in assessing the appropriate width of the buffer strip and the level of contribution towards restoration work.</u>
MM31	127	Site W27	Insert at the end of paragraph 4: <u>The viability of development will be taken into account in assessing the appropriate width of the buffer strip and the level of contribution towards restoration work.</u>
MM32	156	Para 21.1	Amend as shown: The following maps show the detailed changes to the Proposals <u>Policies</u> Map as a result of the Wembley Area Action Plan. These include the extensions to Wembley and Wembley Park town centre boundaries y

Ref	Page	Policy/ Paragraph	Main Modification
			extension which combines Wembley and Wembley Park into one town centre , release of two sites from the Strategic Industrial <u>Land Location</u> (SIL), and the SIL area proposed for change from Preferred Industrial Land to Industrial Business Park.
MM33	61	Para 6.40	Amend as shown: The needs of spectators coming to the Stadium are also important. There are still some locations where there is potential conflict between crowds and traffic, such as along Wembley High Road and the crossing of Wembley Hill Road by the White Horse Bridge. The option to remove the pedestrian ramp over Engineers Way to the Stadium from Olympic Way and replace it with steps could be considered as part of future development. This would mean, however, that <u>a transport assessment would be required to assess the impacts, and to highlight the interventions which would be necessary to mitigate them to ensure the continued safe and efficient movement of people to and from the stadium. The assessment should include, among other options, consideration of whether an alternative east – west through-route for vehicular traffic would be needed. especially for event days.</u> The council supports the removal of the pedestrian ramp and its replacement with an improved access arrangement between Olympic Way and the Stadium providing that access to the Stadium and emergency egress are integral to the design, and that any changes help address what is currently a poor street environment.