



Executive
11 March 2013

**Report from the Director of
Regeneration and Major Projects**

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

Wembley Area Action Plan – publication and submission

1.0 Summary

1.1 Having considered responses to consultation on the Wembley Area Action Plan Preferred Options document which was available for consultation in July - September last year, it is now proposed to publish a revised plan for consultation and then submit it to Government for examination. This report provides a summary of the consultation responses and explains the main changes that are being proposed to the draft Plan and recommends that this be published on 25th March and made available for comment for 6 weeks. It is also recommended that it be submitted for examination subject to Full Council agreement.

2.0 Recommendations

- 2.1 That Executive agree the revised draft Wembley Area Action Plan for publication and public consultation on 25th March 2013 for 6 weeks, and recommend that Full Council agree the draft Plan be submitted to the Planning Inspectorate for Examination.
- 2.2 That the proposed responses to individual representations, as set out in the schedule attached in the appendices, be agreed.
- 2.3 That the Director, Regeneration & Major Projects is authorised to make further editorial changes to the document prior to finally issuing it for public consultation.

3.0 Detail

Introduction

- 3.1 The reasons for producing the 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.

Public Consultation

- 3.2 So far the Council has engaged in two rounds of consultation on the Wembley Area Action Plan. First the council sought initial views on the planning issues in September 2011 and then consulted upon a draft Plan known as the Preferred Options. Public consultation on the Preferred Options was carried out between August 13th and October 8th 2012. Wide publicity was given to the public consultation. It was advertised in the local press as well as the Brent Magazine and a video about the Plan was shown, and leaflets handed out, at a road show in Wembley Central Square over 1 week in August 2012. It was made available in Brent libraries and One Stop service offices as well as online. A public meeting was held at the Town Hall and a vacant shop unit at Wembley Triangle was used for drop-in sessions.

Current Stage

- 3.3 It is now proposed that the Plan be amended in light of comments received. These changes are highlighted in the accompanying draft Plan. All the comments received, and the proposed council response to these, are included in the Schedule of Responses which also accompanies this report. The Council will make all of the comments, and the Council's response to these, publicly available once the responses have been agreed.
- 3.4 Additionally, changes are proposed because of changing circumstances as well as to improve the clarity of the Plan. These proposed changes are set out in the responses schedule and also highlighted in the accompanying draft Plan.

Summary of Comments and Council Response

- 3.5 Twenty eight organisations and individuals responded to the consultation, generating 240 comments. This included bodies such as the GLA, TfL and the Environment Agency as well as major developers/landowners in the area such as Quintain Estates and Development Ltd and The FA Group (Wembley Stadium).
- 3.6 The following is a summary of the key issues that have been raised, together with the proposed council response and the action recommended:

Urban Design

- WEM1 - **English Heritage** want an explicit reference to the historic environment that helps characterise the area and its surroundings, and the need to conserve and enhance the areas heritage assets and their settings. Policy WEM1 has been amended to reflect this.
- WEM5 - **Quintain** have pointed out that the approved Masterplan for Wembley indicates that parts of the existing Wembley Retail Park are shown as suitable for tall buildings. It is proposed that the Plan be amended to reflect this and that the area be shown as suitable for tall buildings subject to assessment of impact on views.

Business, Industry and Waste

- Map 5.1 - **The GLA** support the proposal to reduce the extent of the Strategic Industrial Location (SIL) designation
- Map 5.1 - **Carey Group** are seeking further de-designation of SIL to include the former Racal site on South Way, currently a cleared site which is used for car parking on event days. It is considered inappropriate to de-designate this land from the SIL as it is would involve a more substantial release of employment land than the “limited release” identified for Brent by the London Plan. Appropriate uses for the site are set out in Site Proposal W29.
- WEM9 - **The GLA** is concerned that waste management capacity will be lost from the area. However, there has been a substantial net increase in waste management capacity across the area as a whole over recent years with the development of a major waste recycling facility in Hannah Close. Additionally, the land area that may be lost is relatively small and has not been identified in the West London Waste Plan as land that is needed to manage future waste arisings in west London. In these circumstances it is considered unnecessary to make any changes.

Transport

- Cycling - There are a number of comments, primarily from **Brent Cyclists and Dr Anoop Shah**, seeking significant changes to the plan so that facilities for cyclists will be improved and cycling encouraged as an alternative mode of travel to the car. The need to strengthen policy for cycling is accepted so, consequently, the relevant section is to be changed to
 - emphasise the importance of improvements for cyclists and pedestrians including prioritising their safety at junctions for example.
 - clarify where shared space would be appropriate
 - include a map showing existing infrastructure and improvements proposed through the Plan
 - set out some best practice for cycling infrastructure
 - show how it will be planned and delivered

- Paragraph 6.15 - **Quintain** asked for clarification that land required for junction improvements in a number of cases had been identified through existing agreements on consents for development of Quintain-owned land. This is accepted and clarification is included in the revised draft.
- WEM13 - **Quintain** do not accept that re-connecting the junction of North End Road is necessary to mitigate impacts of development. The council disagrees, although it is accepted that it is not required to mitigate the impact of development already consented. The council will progress this scheme at the earliest opportunity and are currently negotiating with landowners.
- WEM13 - **Henry Lancashire** has expressed concerns about the re-connection of the North End Road junction including the impact of this upon the existing pedestrian area and on the safe access for pedestrians to the bus stops adjacent to the junction and for cyclists to Olympic way and Brook Avenue. He also has concerns about the loss of green space. In response, any scheme will be required to ensure safe movement for pedestrians and cyclists. The loss of any greenspace is minor and does not result in the loss of public space. There are substantial areas of public space nearby, especially Olympic Way. The significant advantages delivered to traffic movement in the area on events and the ability to turn round buses and make better interchange with the underground services at Wembley Park are considered to outweigh any disadvantages.
- WEM14 - Both **Quintain and the FA Group (Wembley Stadium)** are concerned that this policy, which aims to improve access for public transport, pedestrians and cyclists from Forty Lane along Bridge Rd, Empire Way and the High Road to Ealing Road, will further constrain vehicle capacity along this corridor. In response the council points out that policy clearly states that any junction improvements along the route will improve general highway performance as well as favour non car users.
- Para 6.18 - **Brent Cyclists** object to the phrase that there is a need to provide a level of car-parking similar to other competing centres. It is accepted that this is not needed in Wembley and that, in bringing forward development in Wembley, the levels of car parking cannot be at the levels of other strategic centres in North West London. Emphasis needs to be placed on access by modes other than the car, although it also has to be recognised that there is a need for development to be economically viable and this means that there has to be some access by car. Parking standards are pitched at a level to achieve this balance. The paragraph is to be amended to better express the balance.
- WEM15 & WEM16 – **Quintain** consider the parking standards for retail to be too onerous and inconsistent with the London Plan. The council disagrees as the London Plan standards are maximum standards. Many boroughs operate standards well below the maximums set out in the London plan and it is appropriate for Wembley, where a reduction in modal share for the car is to be achieved to facilitate the level of development proposed, to have lower standards.
- WEM15 - **The FA Group (Wembley Stadium)** have stated that the main cause of the additional delay and congestion that is experienced for events is as a result of the cars parked in pirate car parks. Although there are few ways that this can be addressed through the Plan, there is a concern that pirate parking can undermine the council's

aim of minimising traffic congestion. Efforts will be made to use whatever means available to address the problems.

- WEM17 – **Quintain** have questioned how the reduction in the proportion of through traffic using the town centre can be achieved without significantly constraining capacity and increasing pressure on other parts of the highway network. It has been agreed that an amendment will be made to say that this will be done in ways that maintain capacity for vehicles on the wider network.
- WEM18 - **The FA Group (Wembley Stadium)** have expressed concerns about the service for customers on Stadium event access and egress which they consider to have deteriorated. In particular they point to a reduction in traffic capacity along alternative egress routes onto the NCR as well as the on-going and increasing levels of pirate car parking.

In response, the Council will seek to find the optimum balance between car traffic and pedestrians crossing at the Triangle, such that traffic exiting via Harrow Road to the NCR is not unnecessarily hindered. The Council is keen to work with the stadium to identify innovative solutions to the management of pedestrians crossing to reach Wembley Central. The Council will continue, also, to explore ways of reducing the impact of pirate parking.

Housing

- WEM19 - **The GLA** has strongly advised that Affordable Rent be incorporated within the targets for Social Rent to achieve the objectives of the London Plan and the NPPF. In response, it is proposed that the policy on affordable rent be deleted from the Wembley Area Action Plan and that a new policy which will apply to the whole borough be brought forward in the Development Management Policies DPD, which is now being progressed. This is because the proposed policy in the London Plan, to which Brent policy should generally conform, has been subject to objections from a number of London Boroughs, including from Brent. Those objections have been heard by an independent planning inspector whose report is expected to be published shortly. Any new Brent policy will be determined by new London Plan policy which will, in turn be dependent upon the Inspector's recommendation.

Town Centres, Shopping, Leisure and Tourism

- WEM26 - **RPS** objects to policy which is considered to be too prescriptive and not consistent with national planning policy guidance. The council disagrees that policy is inconsistent with NPPF. Policy WEM26 is in line with para 23 of the NPPF which requires local authorities to allocate appropriate sites and set policies for the consideration of proposals for main town centre uses which cannot be accommodated in or adjacent to town centres
- WEM26 – **Quintain** object to the policy directing large foodstores (over 2,000 sq m) to the High Road. The response states that the council retains a preference for a new large foodstore to be located on the High Road because of a need to continue to ensure that regeneration continues to benefit the whole of the area and that regeneration of part should not lead to decline of another part.

- WEM27 – **Quintain** are concerned about the identification of the Stage 1 Lands eastern element as a location for a major leisure, tourist and cultural use as shown on Map 8.1. These concerns are accepted and it is proposed that a new map be included showing a wider Strategic Cultural Area on new strategic map at the beginning of the Plan. Also the Site Proposal for W19, which covers the site in question, will be amended to acknowledge the existing consent which does not include a major leisure attraction.
- WEM28 – **Quintain** object to policy limiting the proportion of frontage in the town centre that can be occupied by hot food take-away (A5) use. Council response is that there is widespread support for such a policy, including from the GLA, and that there can be adverse impacts on the health of the population from fast foods.

Climate Change

- WEM32 & 33 – **Brent Campaign Against Climate Change** have reservations about the implementation of Combined Heat and Power (CHP) systems because it is considered that fossil-fuel-based CHP cannot be a long-term solution on climate or energy, and efficiency claims for CHP systems are frequently greatly overstated. There are also reservations about energy from waste because the incentive to reduce waste is removed, to keep plants going could result in the net importation of waste as in Germany and the emerging technologies from which there would be emissions could result in impacts upon health.

It is proposed to respond by pointing out that CHP does not have to rely upon fossil fuels and that even if reliant initially on fossil fuels it will be more efficient than the use of individual gas boilers. It is proposed to add to the supporting text to make it clear that “reduce” is the first priority in the waste hierarchy. It should be pointed out also that policy WEM 33 does not imply that residual waste would be the only fuel source to power the decentralised energy system and that the emphasis is on self-sufficiency and, therefore deriving fuel from “waste generated locally”.

- WEM34 – The **Environment Agency** have suggested that policy on urban greening could be improved by recognizing the importance of connectivity between green spaces. It has been agreed that this can be incorporated into the policy.
- WEM35 - The **Environment Agency** point out that the Plan needs to demonstrate that a sequential test has been applied to all sites that fall within flood zones 2 and 3 so as to avoid flood risk to people and property and manage any residual risk, taking account of the impacts of climate change. The sequential test has now been applied to all relevant sites and the Plan has been modified accordingly. It has not resulted in any significant amendments to site proposals although specific flood risk reduction measures and flood risk assessment requirements are now set out for each site proposal. The EA have indicated that they are satisfied that the approach is acceptable.
- WEM35 – **Thames Water** recommended that policy WEM 35 Flood Risk is expanded to incorporate flooding from all sources including foul sewers. This is agreed and policy amended to incorporate this.

Open Space, Sports and Wildlife

- WEM36 – **Quintain** consider that policy for the proposed park north of Engineers Way contains too much detail at this stage, particularly the reference to the orientation being east – west. However, officers consider that it is appropriate to require an east – west orientation at this stage because this is of fundamental importance in achieving a more open aspect in what is to be a densely developed area and that it will help to better connect the proposed new primary school site to the east on Fulton Road to its catchment area to the west. Furthermore, an east-west oriented park will receive significantly higher levels of sunlight than one oriented north-south due to the separation that is provided by Engineers Way.
- WEM42 – The **Environment Agency** would like to see naturalisation as part of the policy for the River Brent. It is proposed that a sentence be added to the policy requiring development adjacent to the River Brent and Wealdstone Brook to contribute towards naturalisation.

Site Proposals

Wembley High Road

- Site W3, Chiltern Line Cutting North – **Solum Regeneration** consider that the site needs to be developed in tandem with the land to the south of the railway line to generate the necessary funding for ecological planting and maintenance works and public footpath provision. They also say that public access to open space can be improved by development on the two sites together. Officers do not accept that the maintenance and enhancement of nature conservation value requires the two sites to be developed together.
- Site W4, High Road / Chiltern Line Cutting South – **Solum Regeneration** envisage that this area will be redeveloped for a mix of town centre uses, with a retail frontage, and offices and residential above. Solum argue that their proposals will lead to this area of currently secondary shopping frontage being enhanced with the introduction of a food store on the northern part of the High Road, rather than being diluted with a food store on the south.

In response, it is considered that the inclusion of a food store on either side of the High Road should help to increase footfall to this part of the High Road. However, the provision of the store on the south side (Site W5) would help to strengthen the frontage along the southern side while the northern frontage already includes a number of town centre uses. Additionally, the indicative proposals put forward by Solum are likely to significantly impact upon a designated Site of Importance for Nature Conservation.

- Site W5, Copland School and Brent House – **Solum Regeneration** take the view that the necessary phasing of development on this site is likely to result in a food store not opening until 2018/2019. They believe, also, that a food store in the Quintain development may also open, further reducing the likelihood of a food store being developed on the Copland School / Brent House site. They also consider that there remains significant uncertainty whether the Copland School and Brent House proposal

can be achieved given that the parties are not in any formal agreement and that there is a dependence on public funds for the redevelopment of the school.

In response it is proposed that the council points out that a food store could be brought forward on the Brent House site in isolation and, therefore, is not contingent on the delivery of Copland School. The inclusion of a food store at Brent House will benefit the town centre as a whole by providing an active link between the older part of the town centre on the High Road and the new shopping area adjacent to the stadium. The proposals for the provision of a food store on the Brent House site are considered to be more advanced than those in relation to the Chiltern Cutting sites.

Comprehensive Development Area

- Site W9, York House – **Quintain** object to the policy requirement that development on the car park should be relatively low rise and that development should include a substantial area of open space. The response is that there is still a significant deficit of open space in the local area and that this site provides scope for the provision of publicly accessible open space between the buildings. The reference to a “relatively low rise” reflects the high rise nature of York House and to promote the provision of good levels of sunlight to existing and new open spaces.
- Site W13, Stadium Retail Park – **Quintain** object to an indicative development capacity which at 45 units per hectare is significantly below the site densities permitted elsewhere.

In response it is argued that the specified residential development capacity reflects the presumption that the redevelopment of this site will incorporate a predominance of commercial floorspace, as set out within the site proposal rather than be led by residential development.

- Site W18, Wembley Retail Park – **Quintain** consider that the Indicative Development Capacity set out for Wembley Retail Park at W18 is unacceptable as it is significantly below acceptable levels for the anticipated type of regeneration. Brent’s case is that the indicative residential development capacity reflects the high proportion of family housing sought on this site (thus affecting the number of habitable rooms per unit), the domestic character (resulting in an “urban” character rather than “central”) and the incorporation of the public open space within this site.

Publication and Submission

- 3.7 Appendix 2 sets out in full the revised draft submission version of the document with the proposed changes from the Preferred Options version highlighted. Executive is asked to agree this for public consultation, subject to officers making further minor changes such as improving the document’s legibility with better images, illustrations, etc. It is proposed that the consultation starts on 25th March for 6 weeks.
- 3.8 Those who wish to respond to the consultation will have the opportunity to do so in detail to separate parts of the document via the online consultation module, and to make written submissions including by e-mail. All those commenting will be asked to indicate whether or not they consider the Plan to be sound and, if not, why not. All

representations made will be submitted to the Planning Inspectorate, alongside the Submission version of the Plan, for examination when agreed by Full Council. After Examination the council will receive an Inspector's report which may find the Plan sound without modifications or may, if the local planning authority request, recommend modifications that would make the Plan sound and then it can be adopted.

Timetable for Progressing the Area Action Plan

3.9 The timetable for taking the Area Action Plan forward is set out below:

Pre- submission Consultation (Publication)	March 2013
Submission following agreement of Full Council	June 2013
Examination Hearings	Oct 2013
Adoption	Feb. 2014

4.0 Financial Implications

4.1 The preparation and ultimate adoption of an Area Action Plan 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 costs of preparing the WAAP will be met mainly from Planning & Development budget. However, additionally there has been a need for studies, particularly dealing with transport matters, which provide evidence to support new policies and proposals. Much of this work has already been undertaken, or is underway, and funded. If further work is necessary then a business case for undertaking the work will be prepared. Any additional funding will be sought from existing budgets in Regeneration and Major Projects Department. To date the total cost of studies has been estimated at about £100,000.

4.3 It is not possible to estimate at this stage how much examination will cost because this will depend upon the level of objection when it is published. It is anticipated it will be in the region of £50,000. The Examination will be funded by the Departmental Projects budget.

4.4 There will also be costs associated with road widening and junction improvements proposed in the Plan. These will be funded largely by S106 and/or CIL funding. It is also possible that any gap in funding can be met by other sources of funding such as the London Growth Fund.

5.0 Legal Implications

5.1 The preparation of the borough's local plan, including the Wembley 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

Plan 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 is being carried out in preparing the DPD and an Impact Needs / Requirement Assessment (INRA), which assessed the process of producing the LDF, was prepared and made available in 2008 and has recently been updated.

7.0 Staffing/Accommodation Implications

- 7.1 The timetable proposed for progressing the Plan to adoption is contingent upon staffing levels being maintained.

8.0 Environmental Implications

- 8.1 The DPD 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 is undertaken and updated at all stages of preparing the DPD.

9.0 Background Papers

Brent Core Strategy July 2010
Brent Site Specific Allocations Development Plan Document
Wembley Masterplan, June 2009
Wembley Link SPD, July 2011
Wembley AAP, Issues & Options, Sept 2011
Wembley AAP Preferred Options, August 2012

Contact Officers

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

Appendix 1 – preferred options
Appendix 2 – proposed submission

Andy Donald

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