

# DEVELOPMENT MANAGEMENT POLICIES



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## FOREWORD

This new Development Management Plan contains detailed planning policies which will guide the future development of the borough. The plan sets out Brent Council's policies towards housing, town centres, open space, employment, community facilities, the built and natural environment (for example, listed buildings, historic parks and conservation areas) and transport – all of which contribute to making Brent a vibrant place to live and work.

We're working hard to improve living standards, make Brent safer, cleaner and greener, support residents to be healthier and happier, and provide more opportunities to learn and work in the borough. This plan aims to help make this happen, by giving clear guidance; such as what can be built, where, how, for what use, where restrictions apply and why.

We're committed to providing a high quality, responsive Planning Service, and realise how important it is to involve the community in helping us create a better service. That's why this powerful plan is the result of ongoing community involvement.

Thank you to everyone who took the opportunity to participate in the process of developing these policies.

**Councillor Mashari**

Lead member for Regeneration, Growth, Employment and Skills



# 1. INTRODUCTION



## Purpose of the Development Management Policies Document

**1.1** This Development Management Policies document sets out the Council's policies which along with other policies within the National Planning Policy Framework, London Plan, Brent Local Plan and Neighbourhood Plans will be used for the determination of planning applications for development in the borough. The National Planning Policy Framework and associated National Planning Practice Guidance sets out the Government's requirements from the planning process in England. Local Planning Authorities are required to plan for their areas and make decisions on planning applications that are consistent with national policy. Within London there is strategic policy set out by the Mayor in the London Plan, this also has to be consistent with national policy. Brent's Local Plan has to be consistent with both national policy and the London Plan. There is also an opportunity but not a requirement for neighbourhoods to adopt neighbourhood plans. Neighbourhood Plans generally seek to provide a finer grain of planning policy for their areas, focussing on very local issues. Again however, they have to be consistent with national policy and strategic policy set out in the London Plan and Brent's Local Plan. To date, whilst there has been interest in neighbourhood planning in Brent, only one neighbourhood plan has been adopted in Brent; the Sudbury Town Neighbourhood Plan in 2015. It will complete Brent's new Local Plan (previously known as the Local Development Framework), and will replace Brent's remaining saved UDP policies.

Figure 1: Documents in the Local Plan



### Area of Brent in which the Brent Development Management Policies Document will apply

**1.2** From 1 April 2015 a Mayoral Development Corporation, the Old Oak and Park Royal Development Corporation (OPDC), became the Local Planning Authority for the purpose of plan making and determining planning applications within the OPDC area. This includes areas within the administrative boundaries of the London Boroughs of Brent, Ealing and Hammersmith and Fulham. The OPDC is taking forward its own Local Plan for its area which it is anticipated will be adopted in 2017. As such the Brent Development Management Policies Document only applies to the remaining area of Brent

outwith the OPDC boundary, where the Council continues to be the Local Plan making authority. The existing adopted Brent Local Plan documents will remain as within the OPDC boundary until they are replaced by the OPDC Local Plan.

**1.3** The Council is required to prepare the Local Plan by the Planning and Compulsory Purchase Act 2004 (as amended). The Local Plan is made up of a number of documents. This includes this Development Management Policies document, as well as the Core Strategy (this sets out strategic policies such as the number of houses to be built and additional to be provided jobs in the Borough), Site Specific Allocations Development Plan Document (which identifies uses and development principles for major

development sites in Brent), the Wembley Area Action Plan (focusing on Wembley town centre and the regeneration around the National Stadium) and the Joint West London Waste Plan (identifying sites for waste facilities and how waste will be dealt with). Policies within the Wembley Area Action Plan area will take precedence where there are locally specific policies covering subjects that might also be covered by this Plan. The Local Plan will also be supplemented by more detailed guidance in the form of Supplementary Planning Documents. The documents that make up the Development Plan are illustrated in Figure 1. Alongside the London Plan, these documents provide the planning framework for the borough, guiding change to 2029 and beyond.

### The Process that the Plan went through to adoption

1.4 This document reflects and builds upon, a consultation stage in June 2007 which proposed



some preferred options for policy at that time. Due to significant changes in the planning system since 2007, including the publication of the National Planning Policy Framework (NPPF) in 2012, and the new challenges and opportunities for Brent, it was necessary to undertake a further consultation on revised policies between June and July 2014. This resulted in publishing a version of the Plan for representations to be received and submitted for Examination to the Secretary of State in January 2016. Following Examination Hearings further modifications to the Plan were proposed, representations sought and considered by the Planning Inspector. These modifications were incorporated into the Plan which was adopted by the Council on 21 November 2016.

### Structure of the Development Management Policies

- 1.5 The draft policies and their supporting text are set out on a topic basis. They relate to the objectives and strategic policies included in the Core Strategy and the London Plan. Each chapter includes a brief introduction setting out the purpose of the development management policy, and the role it plays in responding to and building on the Core Strategy and London Plan. Where a locally specific policy is not required, relevant policy in the NPPF, London Plan and Core Strategy is cross-referenced.
- 1.6 Policy and guidance is followed by explanatory text, providing more information on how policy will be applied and explaining any technical terms. This text sets out any supporting material

that should generally be submitted as part of a planning application in order to show how the proposal addresses policy requirements. Key information *is shown in italics*.

- 1.7 Chapter 11 'Delivery and Monitoring' shows the relationship between the objectives and policies and includes a set of indicators by which progress towards meeting the objectives is to be assessed.

#### POLICY NAME

DMP X

Policy text is shown in a purple box. Each policy has a reference number beginning DMP. The policy generally sets out one or more key development management principles along with any supporting criteria that are required.

#### BRENT COUNCIL

Orange boxes highlight related local policy and guidance.

#### NATIONAL & LONDON PLAN

Green boxes highlight related national and London Plan policy and guidance.

#### EVIDENCE BASE

Relevant evidence base documents are highlighted at the end of each chapter in a pink box.

# 2. GENERAL DEVELOPMENT MANAGEMENT POLICY



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value
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## DEVELOPMENT MANAGEMENT GENERAL POLICY

### **SUBJECT TO OTHER POLICIES WITHIN THE DEVELOPMENT PLAN, DEVELOPMENT WILL BE ACCEPTABLE PROVIDED IT IS:**

- a. of a location, use, concentration, siting, layout, scale, type, density, materials, detailing and design that provides high levels of internal and external amenity and complements the locality;
- b. satisfactory in terms of means of access for all, parking, manoeuvring, servicing and does not have an adverse impact on the movement network;
- c. provided with the necessary physical and social infrastructure;
- d. conserving or enhancing the significance of heritage assets and their settings;
- e. and maintaining or enhancing sites of ecological importance;
- f. safe, secure and reduces the potential for crime;
- g. not unacceptably increasing exposure to flood risk, noise, dust, contamination, smells, waste, light, other forms of pollution and general disturbance or detrimentally impacting on air or water quality;
- h. retaining existing blue and green infrastructure including water ways, open space, high amenity trees and landscape features or providing appropriate additions or enhancements; and
- i. resulting in no loss of community facilities or other land/buildings for which there is an identified need.

Council (and others) might be required to ensure that certain actions or payments are undertaken to ensure that a development is acceptable. The Council aims to ensure that development complies with appropriate national and local planning policy and guidance through effective enforcement action. Enforcement action will be considered against unauthorised development and will be guided by national guidance and the priorities set out in the Brent Enforcement Plan which includes a test of expediency.

**2.4** Some uses have specific policy that prioritises their direction towards certain locations, e.g.

main town centre uses within town centres; others in principle might be appropriate in a wider variety of locations, e.g. residential. Whilst an individual development of a particular use might be acceptable, a concentration of the same or similar uses might not be, for example if giving rise to potential increases in anti-social behaviour, or exacerbating an adverse environmental issue.

**2.5** In relation to the siting, layout, scale, type, density, materials, detailing and design of a development, the surroundings of the site will be an important consideration and in particular,

- 2.1** The Council has a positive attitude towards development and the potential benefits that it can provide to residents, businesses and visitors. Brent seeks to support the presumption in favour of sustainable development within the NPPF and Development Plan documents consistent with this including the London Plan and Brent Core Strategy. To reduce the potential for repetition within policies within the Brent Local Plan a General Development Management Policy is included. This also gives a broad overview of issues that developments should address and seek to satisfactorily resolve prior to a planning application being submitted and subsequently being approved.
- 2.2** In considering the appropriateness of developments a number of factors as outlined in the policy may be applicable, whilst for some, relatively few will apply. A number of the criteria are inter-related. For each criterion there is also likely to be more specific policy considerations in the NPPF and associated Planning Practice Guidance, the London Plan and the Brent Local Plan and associated Supplementary Planning Documents.
- 2.3** Where approved, the impact of the majority of developments is likely to be controlled through approving a set of plans, along with a limited number of associated conditions. For larger scale developments the number of conditions is likely to be larger with potential additional information needing to be supplied prior to commencement or occupation of the development. In a small number of cases legal agreements between the developer and the

the quality of the development and how it would relate to existing buildings and spaces together with its impact on neighbouring occupiers. In areas with a set of consistent characteristics that create a sense of place this does not necessarily mean a slavish reproduction of existing styles or architecture. Modern interpretations based on a demonstrable appreciation of local context can add variety and interest to complement rather than detract from the attributes of recognised high quality areas. For those in the development and neighbours it is important that the development creates a high quality environment, addressing issues like spaces between buildings, privacy, outlook, daylighting, shadowing, micro-climates and amenity space.

- 2.6** The accessibility of a development is a fundamental component of its success. From an equalities perspective development should be as accessible as possible to individuals whatever their characteristics. In addition movements by walking, cycling and public transport should be maximised and functioning of existing movement networks not undermined. Where buildings need to be served by parking and require accessibility for servicing this needs to be fit for purpose in terms of amount and layout.
- 2.7** Development will be expected to provide any associated infrastructure required to make it acceptable from a planning perspective. This includes elements such as on or off-site physical infrastructure for example transport improvements, water and sewerage

infrastructure, surface water drainage or social infrastructure such as additional capacity in schools or health practices.

- 2.8** Heritage assets include a wide variety of statutorily designated and non-designated features. Some are protected by law and cannot be materially altered without consent, e.g. listed buildings and scheduled monuments. This statutory protection together with national planning policy also places a legal duty on the Council to seek to conserve or enhance the significance of such assets and their settings. As such, developments affecting a heritage asset will be required to show that it seeks to conserve or enhance its significance and its setting.
- 2.9** Similarly with ecological sites, some have statutory designations, e.g. Sites of Special Scientific Interest whilst for ecology in general other legislation statutorily protects flora and fauna such as bats and nesting birds. The emphasis is on protecting and ideally enhancing these types of features. Extensive archaeological priority areas of Brent are identified and similarly in such areas developments should seek to identify potential assets and avoid their harm.
- 2.10** Developments should be safe and not expose users or those in neighbouring areas to an unacceptable risk of danger. In seeking to limit the potential for crime the preference is through good design related to factors such as the layout, use, building orientation and materials, as well as security deterrents such as locks,

fences, alarms and CCTV.

- 2.11** Developments should ensure that they do not create unacceptable exposure to adverse environmental factors to users/ occupiers and those in surrounding areas. National policy seeks to steer development away from areas of flood risk (from rivers and others sources), unless exceptions can be justified. Developments should also control water output to ensure flood risk to other areas is not unacceptably increased. Similarly, this approach applies to a range of other potential environmental factors which will have to be controlled by, for example, location away from receptors, or physical measures to bring potential impacts to acceptable levels. In the case of a takeaway introduced into a shopping parade with residential properties above, this could require filters and positioning of extraction fans/flues to reduce the impact of noise, smells and diminished air quality, whilst limits on opening hours might be required to regulate general disturbance from patrons at night.
- 2.12** Environmental assets such as blue and green infrastructure enhance the appearance, quality and bio-diversity of Brent, provide a recreational resource, improve air quality and reduce the potential impacts of climate change. As such wherever possible and in particular where they are of high quality they should be retained. In addition to this developments are encouraged to take every opportunity to provide additional features or where adjacent provide extensions to or enhance the setting of such features.

**2.13** Brent's predicted increase in population size, along with its continuing trend for increased diversity will put pressure on the capacity of supporting community facilities. This allied to the need to provide new homes and employment opportunities means that community facilities which have a low value may be under-pressure for redevelopment for higher value uses. Communities have the potential to identify Assets of Community Value, in addition to this in Brent emphasis will be placed on ensuring that such community facilities are not lost where they meet or could meet a potential need.



# 3. TOWN CENTRES



**3.1** This chapter seeks to ensure Brent’s town centres provide customer choice and a diverse retail offer as required by the NPPF and London Plan. It builds on Core Strategy Policy 16 which establishes the town centre hierarchy, by providing detailed guidance to support the development of strong town centres. It also updates the hierarchy to include Church End as a local centre due to its function and scale, based on the findings of the Town Centre Background Report (2015).

### Supporting Strong Centres

**3.2** Policy DMP 2 ‘Supporting Strong Centres’ seeks to ensure Brent’s town centres provide customer choice and a diverse retail offer as required by the NPPF and London Plan. It sets a locally appropriate threshold for retail impact assessments.

MAJOR	DISTRICT	LOCAL
Kilburn Wembley	Burnt Oak	Church End
	Colindale/ The Hyde	Kensal Rise
	Cricklewood	Queen’s Park
	Ealing Road	Sudbury
	Harlesden	
	Kenton	
	Kingsbury	
	Neasden	
	Preston Road	
	Wembley Park	
	Willesden Green	

Table 1. Town Centre Hierarchy

## DMP 2

### SUPPORTING STRONG CENTRES

#### DIVERSITY OF USES

Non-A1 or A2 uses will be permitted within town centres where:

- it would not reduce the proportion of frontage in A1 and A2 use to less than 65% of the primary frontage; or
- if vacancy rates exceed 10% of primary frontage it would not reduce the proportion of frontage in A1 and A2 use to less than 50%; and
- the proposal provides, or maintains, an active frontage.

Unviable secondary frontage on the periphery of town centres will be acceptable for residential development.

#### RETAIL IMPACT ASSESSMENTS

Proposals involving 500 sqm gross retail floorspace or above, which are outside of town centres and do not accord with the Local Plan, should be accompanied by a Retail Impact Assessment.

#### MEANWHILE USES

The use of vacant sites or buildings for occupation by temporary uses that will benefit a town centre’s viability and vitality will be permitted.

### NATIONAL & LONDON PLAN

London Plan policy 2.15: Town Centres  
Town Centre Supplementary Planning  
Guidance (2015), GLA

### BRENT COUNCIL

Core Strategy Policy CP 16: Town Centres and  
the Sequential Approach to Development  
Shopfront Supplementary Planning Document

**3.3** The policy approach will also be applied in assessing permitted development prior approval applications for retail to residential and retail to a restaurant or café.  
*The proportion of frontage is to be calculated based on the length of the primary frontage in metres in the centre as a whole.*

**3.4** Main town centre uses, as defined in the NPPF, will be considered acceptable in designated frontage subject to meeting other policy requirements. As an exception the conversion of peripheral secondary frontage to residential development will be permitted where this will not impact on the vitality and viability of the town centre.

**3.5** Frontage will be considered peripheral where it is outside of the primary frontage and its conversion would not result in residential development between frontage in main town centre use.

**3.6** Developers will be required to demonstrate that the frontage is unviable by providing evidence that the unit has been vacant for a year despite an active marketing campaign, or that vacancy levels are such that uses could reasonably be relocated elsewhere in the centre. Marketing must be through a commercial agent at a price that genuinely reflects the market value in relation to use, condition, quality and location of floorspace. A professional valuation of the asking price and/or rent will be required from at least three agents to confirm that this is reasonable.

**3.7** A 'meanwhile use' is the temporary use of vacant buildings or land for a socially beneficial purpose until such a time that they can be brought back into commercial use again. A 'meanwhile use' is not the same as a normal temporary lease or license because it recognises that the search for a commercial use is ongoing.

### Non-Retail Uses

**3.8** To ensure there is not an over-concentration of particular uses within any single length of frontage the policy seeks to prevent adult gaming centres, pawnbrokers, betting shops and takeaways locating in close proximity to a unit in the same use.

**3.9** The NPPF states planning policy is to take account of and support local strategies to improve health, social and cultural wellbeing. Local studies have found that takeaways and shisha cafés are impacting negatively on the health of Brent residents, particularly young people. Accordingly, to support local health

strategies, this policy sets a limit on the proximity of these uses to secondary schools and further education establishments.

**3.10** Brent's town centre health checks indicate in the borough pawnbrokers often also provide a payday loan service, and these uses are often indistinguishable from each other, therefore for the purposes of this policy the term pawnbrokers

is inclusive of payday loan companies.

**3.11** Further education establishments are those which deliver post-compulsory education for people over 16. The hot food takeaway policy applies to all town centres with the exception of Wembley and Wembley Park, which are covered by policy WEM 26 in the Wembley Area Action Plan.

## NON-RETAIL USES

### BETTING SHOPS, ADULT GAMING CENTRES AND PAWNBROKERS

Betting shops, adult gaming centres and pawnbrokers will be permitted where it will result in:-

- no more than 4% of the town centre frontage consisting of betting shops;
- no more than 3% of the town centre frontage consisting of adult gaming centres or pawnbrokers/payday loan shops;
- no more than 1 unit or 10% of the neighbourhood parade frontage, whichever is the greater, consisting of betting shops, adult gaming centres or pawnbrokers/payday loan shops;
- a minimum of 4 units in an alternative use in-between each.

### TAKEAWAYS

Subject to other policies within the development plan, takeaways will be

approved except where it would result in:-

- An A5 use within 400 metres of a secondary school or further education establishment entrance/ exit point;
- More than 6% of the units within a town centre frontage in A5 uses;
- more than 1 unit or 15% of the units within a neighbourhood parade, whichever is the greater, in A5 use;
- less than two non-A5 units between takeaways; or
- on-street parking in front of the premises creating highway safety problems.

Policy WEM 26 in the Wembley Area Action Plan applies to takeaways in Wembley and Wembley Park centre.

### SHISHA CAFÉS

Shisha Cafés will only be permitted outside 400 metres of a secondary school or further education establishment entrance/exit point.

**DMP 3**

## Neighbourhood Parades and Isolated Shop Units

**3.12** Outside of town centres, neighbourhood parades and isolated shop units provide convenient access to goods and services which are needed on a day to day basis. To promote sustainable communities the loss of retail and services will be resisted in under-served areas.

it provides a similar offer which meets the same need, such as the need for fresh food or a financial service. Marketing evidence will be required demonstrating an active marketing campaign for a continuous period of at least a year whilst the premises were vacant or in 'meanwhile use', which has shown to be unsuccessful. A change of use to a community facility such as a community centre will be

the possible effect on the amenity of adjoining residential properties. The Council's Shopfront SPD provides further guidance on sympathetically converting shops to residential units.

## Shop Front Design and Forecourt Trading

**3.15** Shop fronts play a key role in establishing the character of Brent's town centres and neighbourhood parades. Policy DMP 4A is to ensure shop fronts and forecourts contribute to an attractive environment. It is supplemented by detailed guidance in the emerging Shop Front Supplementary Planning Document.

## NEIGHBOURHOOD PARADES AND ISOLATED SHOP UNITS

### DMP 4

Loss of A1, A2, A3 uses or launderettes in neighbourhood parades or isolated shop units outside designated town centres will be permitted where the parade or unit is within 400 metres of equivalent alternative provision and;

- is unviable; or
- the proposal will provide a community facility for which there is a demonstrable need.

Where there is no equivalent alternative

provision within 400 metres, loss will not be permitted unless retention is unviable for these range of uses with associated evidence to show that the premises having been vacant and actively marketed for a minimum of 2 years.

Where permitted sympathetic retention of any existing shop front will be required unless a high quality alternative more sympathetic to the building's qualities or street scene will be delivered.

**3.13** In determining applications for planning permission and retail to residential permitted development prior approval, development resulting in the loss of local retail and service provision will not be permitted unless there is alternative equivalent provision within 400 metres. This is considered a reasonable walking distance (5 minutes for the average person) to access convenience shopping and local services. Provision will be considered equivalent where

permitted where it can be demonstrated there is a need for such provision. Demonstration of need must include evidence of consultation with service providers and the local community and an audit of existing provision within the local area.

**3.14** Where a loss of retail or local service is allowed, the most appropriate alternative use would be housing. In considering applications for alternative uses, particular regard will be given to

## SHOP FRONT DESIGN AND FORECOURT TRADING

### DMP 4A

Proposals for shop fronts and forecourts will be required to retain shop fronts of architectural or historic merit, demonstrate a high quality of design, complementing the building and adjoining properties.

Forecourt trading will be permitted where it does not cause an obstruction to pedestrians or nuisance to neighbouring residential occupiers.

## Markets and Carboot Sales

**3.16** Markets can make an important contribution to the vitality of town centres and therefore are to be retained and enhanced. However,



if poorly designed or managed, markets and carboot sales can cause harm to surrounding areas. This policy establishes the factors the Council will consider when determining an application for such uses.

**3.17** Applications for markets and carboot sales must be accompanied by site layout plans

and Management Plans. For carboot sales the layout plan should indicate vehicle trading areas, maximum number of vehicles, spacing and aisle widths. Management Plans must include details of time and duration of the sale, arrangements for marshaling access, parking, servicing, safety measures and signage, with arrangements for the display and/or collection of sellers' details.

**3.18** Management Plans for the operation of such sales should satisfactorily address the following considerations:

- a. The proposal should include adequate arrangements for the storage and/or collection of waste during the sales, as well as its disposal afterwards;
- b. The scale of activity, in terms of the number of pitches, is not excessive in relation to the scale of the centre;
- c. Any additional traffic generated by the sales would not cause unacceptable impact

on the existing road network nor constitute a safety hazard;

- d. The access and parking arrangements for both trading and customer vehicles would not cause noise disturbance to nearby residents at unsociable hours; and
- e. In the case of carboot sales that provision for the parking of all trading vehicles is made on-site.

**3.19** Any permission granted for carboot sales would be for a limited period only (normally 18 months) and subject to a condition waiving an appropriate proportion of permitted development rights on the cessation of the planning permission. In all cases, permission will be made personal to a named person or persons, to ensure the responsibility and arrangements for the operation of the sale do not change without the knowledge and express consent of the planning authority.

**3.20** In addition to planning controls, the Council manages proposals for new markets through its role in determining applications for street trading licenses.

## MARKETS AND CARBOOT SALES

The Council will protect and promote markets by:

- a. resisting the permanent loss of existing retail market sites unless comparable provision is made or there is no demand for continued market use;
- b. supporting the improvement of existing retail markets, including storage and preparation space for traders to meet public health

requirements; and

- c. giving favourable consideration to proposals for new markets in town centres which help diversify provision.

Planning permission for new markets and carboot sales will be subject to a Management Plan being agreed by the Council.

## DMP 5

### Visitor Accommodation and Attractions

**3.21** Core Strategy Policy CP 23 provides guidance on protecting existing cultural facilities, whilst the Wembley Area Action Plan encourages leisure, tourism and cultural uses within the Wembley Strategic Cultural Area. In accordance with London Plan policy 4.5 this chapter includes detailed policy to ensure visitor accommodation provides inclusive access, and is not occupied by permanent residents.

## VISITOR ACCOMMODATION AND ATTRACTIONS

Visitor accommodation and attractions will be encouraged in Wembley Strategic Cultural Area and in town centres in accordance with the sequential approach, and permitted when not compromising the supply of land for new homes on allocated housing sites and the Council's ability to meet its housing targets.

Proposals for hotel development must be inclusive and accessible with applications for detailed planning permission to be accompanied by Accessibility Management Plans.

Conditions will be applied to ensure visitor accommodation is not occupied by permanent residents.

**3.22** In addition to hotels visitor accommodation includes aparthotels, guesthouses, bed and breakfast accommodation, self-catering facilities and youth hostels. Conditions will be applied to ensure visitor accommodation is managed appropriately as short term accommodation and rooms are not occupied for periods of 90 days or more. It will be relevant to apply conditions to premises such as aparthotels, self-catering facilities and youth hostels to ensure they are not occupied on a more permanent basis.

**3.23** Design and Access Statements are to be sufficiently detailed to demonstrate that inclusive access is integral to the design and, in the case of hotels, an adequate choice of accessible room types is provided to all customers. Applications for hotel development are required to be accompanied by an Accessibility Management Plan (AMP) to demonstrate that the management and operation of accessible rooms is considered from the outset of the design. An AMP is distinct from a Design and Access Statement as its purpose is to ensure accessibility and inclusion are monitored and maintained throughout the life of the development. Both are to be prepared in keeping with the criteria set out in the Mayor's Town Centres SPG.

### NATIONAL & LONDON PLAN

London Plan policy 4.5: London's Visitor Infrastructure

Town Centre Supplementary Planning Guidance (2015), GLA

### BRENT COUNCIL

Core Strategy Policy CP 23: Protection of existing and provision of new Community and Cultural Facilities

### EVIDENCE BASE

Brent Young Persons Cigarette and Shisha Audit (2012), London Borough of Brent and NHS Brent

Retail Impact Assessments Background Report (2013), London Borough of Brent

A Fair Deal: Betting Shops, Adult Gaming Centres and Pawnbrokers in Brent (2013), London Borough of Brent

Takeaway Policy Background Report (2013), London Borough of Brent

Town Centre Background Report (2015), London Borough of Brent

## 4. BUILT ENVIRONMENT



**4.1** The London Borough of Brent forms part of London's urban/suburban fringe. The River Brent, which gives the borough its name, provides a natural division between Willesden (mostly built up by the end of the 19th Century) and the uplands of Wembley and Kingsbury (only made suburban between the wars). The areas on either side of the river are now quite distinct in architecture. Typical of much of London there is a multi-centred structure from amalgamated villages. Main roads well-defined by densely developed frontages link the

centres to each other and the wider north/west London area.

**4.2** Brent's development has tended to reflect its accessibility from London. The British Rail lines and the Metropolitan Railway enabled suburban 'Metroland' development. This was boosted by the British Empire Exhibition in Wembley Park in 1924/25. Much of the architecture of Brent reflects the styles of these times. This has been added to by new cultural groups who have introduced new

architectural styles, an example of which is the Swaminarayan temple in Neasden.

**4.3** Within Brent the scale of development associated with meeting housing, employment, social infrastructure needs means there are undoubtedly the opportunities to create new and distinctive areas. However, there is also a necessity to respect the characteristics of those high quality areas that exist and where possible supplement positive attributes such as landscape features.



### **Achieving Design Quality**

**4.4** A challenge for Brent is to ensure that all development is of a high design quality. This is consistent with the Brent Core Strategy and London Plan aim of delivering sustainable places as a key aspect of sustainable development. The Core Strategy sets out Brent's strategic approach in areas where identified high levels of growth are anticipated and in seeking to protect Brent's distinctive character from inappropriate development. Outside these areas a high standard of design of buildings and spaces will need to be achieved. This will be through the incorporation of effective urban design measures and the introduction of landscape improvements and enhanced biodiversity.

**4.5** London Plan policies provide both strategic and decision making criteria against which proposals affecting the built environment will be measured. Additional documents such as the Housing SPG add further detail which applicants will need to address.

## BRENT COUNCIL

Core Strategy Policy CP 5: Placemaking

Core Strategy Policy CP 6: Design and Density in Place Shaping

Core Strategy Policy CP 17: Protecting and Enhancing the Suburban Character of Brent

Emerging Residential Extensions Supplementary Planning Document

Emerging Designing Brent Supplementary Planning Document

## NATIONAL & LONDON PLAN

London Plan 7.3: Designing out Crime

London Plan 7.4: Local Character

London Plan 7.5: Public Realm

London Plan 7.6: Architecture

London Plan 7.7: Location and Design of Tall and Large Buildings

**4.6** Brent uses independent Design Review panels to support the achievement of high quality design. These provide independent and constructive advice to inform design and decision making. In addition the Council's emerging Residential Extensions SPD and 17 Designing Brent SPD provide more detailed guidance on locally specific design matters.

## **Inclusive and Accessible Design**

**4.7** The London Plan highlights the need for developments to be designed and located to be inclusive and accessible. This is further supported by the concepts of Lifetime Neighbourhoods and the Mayor's SPG: Accessible London: Achieving an Inclusive Environment and DFT Guidance on Inclusive Mobility.

## NATIONAL & LONDON PLAN

London Plan 7.2: An Inclusive Environment

Easy Access to Historic Buildings, Historic England

Easy Access to Historic Landscapes, Historic England

Inclusive Mobility, DFT

Active Design, Sport England

**4.8** Consideration must be given to access at the start of the design process of new developments. It needs to ensure that public buildings and spaces are fully accessible in their location, physical design and in terms of overall legibility. Design & Access statements are the appropriate place in an application submission to demonstrate how this is achieved by a proposal and how it will continue to be managed.

**4.9** For heritage assets such as listed buildings, conservation areas and historic parks and gardens access requirements of people with restricted mobility will have to be balanced against impacts of changes. Guidance by Historic England (formerly known as English Heritage) gives helpful advice on how to sensitively deal with this issue.

## **Landscaping and Trees**

**4.10** The London Plan supports and promotes urban greening. An element of urban greening is sought from all new development including extensions and alterations as well as developments affecting public spaces. It seeks a range of site specific appropriate solutions including tree planting, green roofs and walls, soft landscaping, gardens, communal open

## NATIONAL & LONDON PLAN

London Plan 2.18: Green infrastructure: the multi-functional network of green and open spaces

London Plan 5.10: Urban greening

London Plan 7.21: Trees and woodlands



areas, spaces between buildings and wildlife habitats. Aligned with the promotion of additional greening is the retention of existing trees of value, replacement of any trees lost and additional trees where possible.

- 4.11** These policies are applicable to all landscaping proposals included through development. The Council will place emphasis on designs which reflect and enhance the proposed use of the building or space and the needs of its users, the natural character of the locality and surrounding buildings. This will include soft landscaped frontages, boundary treatments

## NATIONAL & LONDON PLAN

London Plan policy 7.5: Public Realm

## BRENT COUNCIL

Brent Placemaking Guide

and the retention/reinstatement of features of landscape character.

- 4.12** As well as trees, mature shrubs and hedges that make a significant contribution to the streetscape should be kept. This will require appropriate space and conditions to allow their long term health to be maintained. Detailed specification for new planting, promoting native species, and including like for like or a higher quality of replacement trees will be sought in support of applications. In addition, a coordinated and appropriate approach to

## NATIONAL & LONDON PLAN

National Planning Policy Framework (2012), Paragraph 67

National Planning Practice Guide: Advertisements

## BRENT COUNCIL

Brent Shopfront Supplementary Document

landscape, surfaces and outdoor furniture to provide an amenable, safe and attractive landscape will be required.

- 4.13** If a scheme is unable to make sufficient landscape improvements within its own land then the Council will seek planning obligations to provide enhanced off site provision, for example, street trees, where necessary to make the scheme acceptable in planning terms.

### **Public Realm**

- 4.14** The 'public realm', as distinct from the private domain, refers to all the physically and visually accessible space such as; forecourts, streets, pavements, squares, parks, open spaces and the facades of the buildings, or other structures, that define them. It is, as the main setting for human interaction, arguably, the

## NATIONAL & LONDON PLAN

National Planning Policy Framework (2012), Paragraphs 42-46



most important part of the built-environment.

- 4.15** London Plan policy 7.5 addresses public realm. A high quality of design and materials will be required for the public realm. Consistent with the approach to landscaping, the design and provision of all elements, including hard and soft landscaping, lighting, furniture and public art, should be coordinated and well located, to make a positive contribution, avoid unnecessary clutter, and ensure a safe, informative and attractive environment. This is consistent with other parts of the Plan of making areas have better accessibility and improving streets and places for walking and cycling.

### **Advertisements**

- 4.16** Some advertisements benefit from deemed consent. This means that advertisement consent from the Local Planning Authority is not required. National Planning Practice Guidance (NPPG) provides advice on when this is the case and the grounds on the acceptability of advertisements should be determined on the criteria of amenity and public safety.

- 4.17** For shop advertisements and signs the Shopfront SPD provides additional advice on what the Council is likely to regard as acceptable.

## NATIONAL & LONDON PLAN

National Planning Policy Framework (2012), Paragraphs 42-46

### Brent's Heritage Assets

- 4.19** Brent's heritage assets make a substantial contribution to the borough's local character and distinctiveness. They are a unique and irreplaceable resource which justifies protection,

conservation and enhancement in a manner appropriate to their significance. The Council recognises and identifies both designated and non-designated assets through the plan-making or planning application process. It is acknowledged that they hold value to society at many levels and identification allows protection and consideration in planning decisions.

- 4.20** Brent's statutory listed buildings, conservation areas and registered parks and gardens are all designated heritage assets. Its locally

## NATIONAL & LONDON PLAN

National Planning Policy Framework (2012), Paragraph 67

National Planning Practice Guide: Advertisements

## BRENT COUNCIL

Brent Shopfront Supplementary Document

### Telecommunications

- 4.18** Telecommunications are an essential component of modern economic infrastructure and their design and siting can impact on the public realm. Some telecommunications equipment will not require planning permission. Where permission is required proposals will be considered against national policy and advice. This seeks to reduce adverse impact by limiting the number of new masts, promoting sympathetic design and using camouflage where appropriate. It also seeks to address safety aspects through ensuring exposure to radiation is within guidelines and that interference with other forms of communication does not occur.

## BRENT'S HERITAGE ASSETS

Proposals for or affecting heritage assets should:

- a. demonstrate a clear understanding of the archaeological, architectural or historic significance and its wider context;
- b. provide a detailed analysis and justification of the potential impact (including incremental and cumulative) of the development on the heritage asset and its context as well as any public benefit;
- c. retain buildings, structures, architectural features, hard Landscaping and spaces and archaeological remains, where their loss would cause harm;
- d. sustain and enhance the significance of the heritage asset, its curtilage and setting, respecting and reinforcing the streetscene, frontages, views, vistas, street patterns, building line, siting, design, height, plot and planform and ensure that extensions are not overly dominating;
- e. contribute to local distinctiveness, built form, character and scale of heritage assets by good quality, contextual, subordinate design, and the use of appropriate materials and expertise, and improving public understanding and appreciation;
- f. where demolition is proposed within a conservation area detailed plans for any replacement building will be required to allow consideration of whether the replacement would contribute positively to the character or will be applied to ensure construction of the approved scheme is implemented together with agreed mitigation measures appearance of the area. In cases where demolition is permitted conditions and/or legal agreements will be applied to ensure construction of the approved scheme is implemented together with agreed mitigation measures.

DMP 7

## NATIONAL & LONDON PLAN

London Plan 7.8: Heritage Assets and Archaeology

London Plan 7.9: Heritage-led regeneration  
Historic England Guidance

Greater London Archaeology Advisory Service

## BRENT COUNCIL

Core Strategy Policy CP 17: Protecting and Enhancing the Suburban Character of Brent

Sites of Archaeological Importance and Archaeological Priority Areas

Conservation Area Design Guides

Conservation Area Article 4 Directions

Heritage at Risk Register

Listed Buildings

Local List

listed buildings, areas of distinctive residential character, sites of archaeological importance and archaeological priority areas are non-designated heritage assets. Non-designated heritage assets include buildings, structures, monuments, earthworks, street furniture, sculpture, shopfronts, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decision stage.

Guidance on Brent's heritage assets, as set out in the local guidance box in this chapter, is available at [www.brent.gov.uk/conservation](http://www.brent.gov.uk/conservation). This guidance forms part of the Local Plan evidence base and will also be a material consideration in the determination of applications for development. Applicants should refer to these documents early on to ensure that their proposals are based on an understanding of the significance of heritage assets that may be affected.

**4.21** The purpose of this policy is to provide greater clarity on the specific additional requirements applicable in Brent taking account of existing NPPF, NPPG, London Plan, Brent Core Strategy policies and local evidence base.

**4.22** Brent's heritage assets include a wide range of architectural styles from Victorian Italianate, Gothic Revival, suburban 'Arts & Crafts', 'Tudorbethan', 'Old World', Modern and Brutalist as well as planned 'village' settlements. Furthermore, its formal public gardens, cemeteries together with the trees and gardens in the 20th century residential developments have matured contributing to setting. However, its archaeological discoveries are scarce, because sites have been built over and there are limited places where archaeologists could investigate. However, archaeological records suggest that there were settlements in the area from prehistoric times. New discoveries would be significant partly because so little is known.

**4.23** Heritage assets are valued by the public as established and tangible evidence of the past culture, providing a sense of permanence and

belonging. Once lost or detrimentally altered, heritage assets cannot easily be reinstated and it is important that the most valuable are not needlessly or inadvertently destroyed. Policy DMP7 therefore, specifically seeks to protect Brent's heritage and ensure that the case for conservation and enhancement is fully considered when assessing all proposals for new development. The Policy also seeks to safeguard the potential for further investigation on sites and buildings where the heritage asset's significance may be previously undiscovered. Archaeological Priority Areas and Archaeological Sites indicate where, according to existing information, there is significant known archaeological interest or particular potential for new discoveries. However, sites of archaeological importance could be discovered elsewhere in the borough.

**4.24** The Council supports and recognises that change is necessary, but change needs to be managed in a way which does not compromise heritage significance and exploits opportunities for enhancement. Any proposal must have special regard to the desirability of preserving a heritage asset or its setting or any features of special archaeological, architectural or historic interest which it possesses. When granting consent, special regard will be given to matters of detailed design, especially within main frontages, prominent elevations and roofs, and to the nature, quality and type of materials proposed to be used. This is because some forms of development, including extensions, roof extensions, dormers and outbuildings may not be subordinate (overly dominating) to the

property, harming its character, integrity and appearance. It is also important to be mindful that even the most minor changes or incremental alterations such as window replacement and the loss of original fittings and features can harm the significance of a property and a heritage asset.

**4.25** Special regard will be given to proposals near or affecting heritage assets identified as at risk on Historic England's Heritage at Risk Register. The Council will use its development management and other planning powers to secure the future viable use of the borough's heritage assets. For archaeological assets, the layout of the development, extent of basements and design of foundations may need to provide for physical preservation. If significant archaeological remains are not to be preserved in-situ then appropriate investigation, analysis, publication and archiving will be required.

**4.26** When considering any planning application (including demolition) that affects a conservation area the Council will require the retention of all buildings and structures which make a positive contribution to the significance of a conservation area. Similarly new proposals must pay special attention to the desirability of conserving or enhancing the character and appearance of that area. This can be achieved either by a positive contribution or by development which leaves character and appearance unharmed, that is to say conserved. Development located within, adjacent to, or otherwise affecting the setting of a conservation area, will be permitted where the visual and functional impact of the proposals



can be demonstrated to conserve or enhance:

- the distinctive characteristics of the area, including important views into and out of the area
- the general design and layout of the area, including the relationship between its buildings, structures, trees and characteristic open spaces; and
- the character and setting of the buildings and other elements which make a positive contribution to the appearance and special character of the area.



**4.27** Development involving demolition in a conservation area will only be supported if a befittingly-designed replacement has been granted planning permission with appropriate mitigation measures in place to ensure the replacement is constructed.

**4.28** The Council will also require the identification of non-designated heritage assets, including building or structures contained on the Local List, archaeological priority areas, sites of archaeological importance and sites contained within the London Parks & Gardens Trust's Inventory of Historic Spaces at the beginning of the design process for any development, especially where this may impact on their significance.

**4.29** The Council will resist significant harm to or loss of heritage assets. It will assess proposals which would directly or indirectly impact on heritage assets in the light of their significance and the degree of harm or loss which would be caused. Where the harm would be less than substantial, it will be weighed against any public benefits of the proposal, including securing optimum viable use of the heritage asset and whether it would enhance or better reveal the significance of the conservation area. For demolition or alteration to be approved, there will need to be clarity about what will be put in its place within a suitable time frame. It should be noted designation as a Locally Listed Building does not provide further statutory protection but it draws attention to the special qualities of the building.

## Application Requirements

**4.30** *Outline planning applications are not acceptable in conservation areas as full details of the proposed development are required to make a decision.*

**4.31** A Heritage Statement is required where a proposal is for or affects a heritage asset. It must describe and demonstrate a clear understanding of the significance of any heritage assets affected by proposals and the impact on their significance, including any contribution from their setting. The level of detail must reflect the importance of the asset and clearly identify the potential impact of the proposal. Where development is proposed for a site which includes or has the potential to include heritage assets with archaeological interest, developers must submit an appropriate desk-based assessment and, where necessary, a field evaluation. heritage assets affected by proposals and the impact on their significance, including any contribution from their setting. The level of detail must reflect the importance of the asset and clearly identify the potential impact of the proposal. Where development is proposed for a site which includes or has the potential to include heritage assets with archaeological interest, developers must submit an appropriate desk-based assessment and, where necessary, a field evaluation.

# 5. OPEN SPACES



- 5.1** The provision of open space is important for sustainable communities, contributing to health and well-being. Brent’s areas of open space, including Metropolitan Open Land, open space of local value, green chains and wildlife corridors, are shown on the Policies Map.

## Open Space

- 5.2** Core Strategy policy CP18 protects all open space from inappropriate development. It also seeks improved provision in areas of deficiency and where additional pressure will be placed on open space. Metropolitan Open Land (MOL) is given the same level of protection as the Green Belt. Essential ancillary facilities will only be acceptable on MOL where they maintain its openness. Paragraph 74 of the NPPF applies to open space, sports and recreational buildings and land, including playing fields, outside of MOL. This protects existing open space, sports and recreational buildings and land, including playing fields. Exceptions to this are where it can be clearly shown to be surplus to requirements, equivalent local provision is

made or the development is for alternative sports and recreational provision the need for which outweighs the loss. Policy DMP 9 ‘Open Space’ builds on this by setting local requirements for the creation of new open space, areas for food growing, and the protection of wildlife corridors.

- 5.3** To meet the requirements of policy DMP 9, whether new or replacement provision, is to be designed in consultation with the Council’s Parks Team, and will be expected to address the following:

- Location and security – easily accessible by non-car means. Contribute to a sense of security by applying the principals of London Plan policy 7.3 Designing Out Crime;
- Long-term management plan – to ensure the space will be managed in the long term to ensure its continuation as a well used high quality space;
- Layout and design –usable and practical spaces, well suited for a variety of users. Good linkages and permeability will encourage movement within the site;

- Habitat Creation – which assist in achieving Brent Biodiversity Action Plan targets. balancing undisturbed habitat zones and areas that people can enjoy and relax in;
- Integration –with proposed and existing green routes including green corridors and the All London Green Grid;
- Ownership – Preferably local community input into the design of the open space to meet needs, promote a sense of ownership, respect, territorial responsibility and community;

## NATIONAL & LONDON PLAN

London Plan 2.18: Green infrastructure: The multi functional network of green and open spaces

London Plan 7.17: Metropolitan Open Land

London Plan 7.18: Protecting open space and addressing deficiency

London Plan 7.19: Biodiversity and access to nature

London Plan 7.21: Trees and woodland

## OPEN SPACE

Where open space is proposed it should be:

- publicly accessible;
- appropriately designed to be safe, usable and integrated into the development site;
- enhance biodiversity and integrate into the existing green infrastructure network; and
- include a suitable long-term management plan.

Existing sites for food growing will be protected and food growing opportunities within major residential developments will be encouraged.

Green chains and wildlife corridors will be protected from development which would compromise its biodiversity or recreational function.

## **DMP 8**

## BRENT COUNCIL

Core Strategy Policy CP 18: Protection and enhancement of open space, sports and biodiversity

Brent Biodiversity Action Plan

Food Growing and Allotment Strategy

Review of Sites of Importance for

Nature Conservation, EPR

- 5.4** Management and maintenance is to be considered from the outset. Transfer of land to the Council will be subject to agreement of the Parks Team and a suitable commuted sum for on-going maintenance being secured in a planning obligation.
- 5.5** Brent Council's Allotment Management and Food Growing Provision Strategy identifies a need for allotments, particularly in the south of the borough, as well as opportunities for temporary food growing. The Council will encourage temporary options for food growing as 'meanwhile' uses. It will also seek the integration of food growing opportunities into new major residential developments where appropriate to meet demand.
- 5.6** All development is required to make a positive contribution to biodiversity, and contribute to the targets of the Brent and London Biodiversity Action Plan wherever possible. Developments should be designed with an understanding of their wider ecological context. The promotion of nature conservation is regarded as integral to the scheme not as an 'add on'.
- 5.7** London Plan policy 7.19 includes a hierarchy for decision making where a development may directly, indirectly or cumulatively affect a site of nature conservation value. Designated sites in Brent are identified on the Policies Map and include Welsh Harp, which is designated as a Site of Special Scientific Interest (SSSI) of national importance; Fryent Country Park and London Canals which are Sites of Metropolitan Importance. In addition Sites of Importance for Nature Conservation (SINC) are important

wildlife habitats at the borough level. The Brent Sites of Importance and Nature Conservation Study (2014) identifies the biodiversity resources present in these sites. It also makes site specific recommendations to enhance their biodiversity. Development with potential to impact on a SINC will be expected to have regard to the Study and contribute to delivering its recommendations.

- 5.8** Green chains and wildlife corridors are linked or more continuous areas of open space which allow for the movement of plants and animals and may provide an extension of the habitats they join. In Brent green corridors include areas such as railway embankments and the Blue Ribbon network and are identified on Brent's Policies Map. These routes will be protected from development which would impede movement. In exceptional circumstances it may be appropriate to provide an alternative route, providing it can be robustly demonstrated this will continue to support movement.

### **Waterside Development**

- 5.9** Brent's Blue Ribbon Network includes the River Brent, Grand Union Canal and Welsh Harp Reservoir. Other tributaries such as Wealdstone Brook, Brent Feeder Canal and Dollis Brook, also play an important role in Brent's network of waterways. Waterways offer amenity, opportunities for recreation and improved biodiversity. London Plan policy 7.28 requires developments to enhance the Blue Ribbon Network. DMP 10 'Waterside Development' builds on this policy by setting out the local approach to how enhancements are to be achieved.



## WATERSIDE DEVELOPMENT

**DMP 9**

The Council will promote the enhancement and use of the Blue Ribbon network:

- a. Proposals for development adjacent to river and canal edges are required to improve access to the waterways and provide an appropriate landscaped set-back which may include public open space.
- b. Developments adjacent to the Blue Ribbon network and other tributaries, or waterways with potential to negatively impact on its water quality will be required to contribute towards restoration and naturalisation of waterways, and seek to enhance water quality and biodiversity in accordance with the objectives of the Water Framework Directive and Thames River Basin Management Plan.

## NATIONAL & LONDON PLAN

London Plan 7.27 Blue Ribbon Network:  
Supporting Infrastructure and Recreational Use

London Plan 7.28: Restoration of the  
blue ribbon network

London Plan 7.30 London's Canals  
and Other Rivers and Waterspaces

The London Rivers Action Plan and UK  
Projects Map, The River Restoration Centre

Thames River Basin Management Plan,  
Environment Agency

## BRENT COUNCIL

Brent River Corridor Improvement Plan,  
Brent River Catchment Partnership Brent  
Biodiversity Action Plan

**5.10** Development adjacent to a main river or its tributaries is required by the Environment Agency to have a minimum set back of 8m for a number of reasons. It enables ease of general waterway maintenance, protects their open character and protects and allow the enhancement of habitats for wildlife. It also enables opportunity for sustainable and cost effective flood risk management options. The appropriate set back for developments adjacent to the canal will be established by an assessment of the character and context. This will also need to balance the protection and

enhancement of biodiversity and the multiple needs of the users of canal and towpath. In Brent development adjacent to the Grand Union Canal in particular provides an opportunity to create new towpaths, public open spaces and access points.

**5.11** The Water Framework Directive is a European Union Directive which commits all member states to achieving 'good status' for all water bodies. In the Brent Riverside catchment Grand Union Canal, Lower River Brent and Wealdstone Brook are not achieving good status. This is due primarily to pollution and physical modification from urban development, transport and the water industry. In Brent waterside developments and other developments which could negatively impact on water quality, such as those where connecting to a combined sewer is unavoidable, will be expected to mitigate impacts by contributing to the delivery of the emerging Thames River Basin Management Plan. The Plan sets out the following measures to enhance the Brent catchment:-

- deculverting and removing unnatural structures such as obsolete weirs and bank and bed reinforcements.
- bypassing barriers to fish passage, such as weirs improving native aquatic plants and wildlife presence by restoring or creating new and enhanced natural physical and wetland habitats throughout the river corridor.
- control and management, of invasive non-native species.

**5.12** Such developments should also contribute to the delivery of the Brent River Corridor Improvement Plan, produced by the Brent Catchment Partnership, Brent Biodiversity Action Plan, and the London Rivers Action Plan. Specific projects in the Brent catchment are identified on the interactive map on the River Restoration Centre website.



## 6. ENVIRONMENTAL PROTECTION



**6.1** The NPPF requires local planning authorities to contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. The planning system also has an important role in contributing to addressing public health issues linked to poor air quality and noise pollution. This chapter covers land-use policies which protect specific features of the environment, such as air and water quality.

**6.4** Areas adjacent to the North Circular Road in Brent have been identified as amongst the most affected by traffic noise in the UK. In addition development at Wembley can be impacted by noise on events days at the National Stadium.

## NATIONAL & LONDON PLAN

### National Planning Practice Guide: Noise

London Plan 7.15: Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

## Noise and Vibration

**6.2** London Plan policy 7.15 requires development to mitigate and minimise the existing and potential adverse impacts of noise and vibration. This relates to impacts on the development itself from existing sources, or that which it might generate either on or off site, directly or indirectly that could have an adverse impact on those in the vicinity. The London Plan also requires boroughs to designate and protect Quiet Areas.

**6.3** Sources of noise pollution in the borough are numerous. They include ambient noise, which is long-term 'background' noise. This might be from transport and industry. This ambient noise can be supplemented by more periodic local (or neighbour) noise such as construction, roadworks, late night venues, public events, street activities, and ventilator/ extractor units.

**6.5** In light of the guidance contained in the Noise Action Plan: Agglomerations, published by DEFRA in January 2015 the Council has identified Quiet Areas. These are areas of tranquility, usually open spaces and green network areas, which have remained relatively undisturbed by noise and have recreational and amenity value for this reason. The boundaries of the borough's Quiet Areas are consistent with the open space designations for Fryent Country Park, The Welsh Harp, Roundwood Park/Willesden New Cemetery, Paddington cemetery an Alperton Cemetery as shown on the Policies map and can be provided by the Planning Policy Team on request.

**6.6** In order to reduce potential disruption to residents and neighbours caused by major construction schemes we require developers to sign up to the Considerate Constructors Scheme.

## **6.7 Information in support of applications**

**6.8** Noise and vibration assessments undertaken in accordance with the appropriate British Standards are required for residential developments located close to significant noise sources such as railway, industry and busy roads. Internal resting conditions must be consistent with the standards prescribed within the British Standards.

**6.9** Noise assessments are also required for the installation of plant or uses that generate excessive noise. The assessment shall include mitigation measures to minimise the potential for nuisance.

## Air Quality

**6.10** London Plan policy 7.14 requires boroughs to seek reductions in levels of air pollutants and states that major development should be at least air quality neutral and not lead to further deterioration of existing poor air quality. Development proposals are to minimise increased exposure to existing poor air quality and make provision to address local problems of air quality.

**6.11** Brent's Air Quality Action Plan identifies Nitrogen Dioxide and Particulate Matter as the pollutants

## NATIONAL & LONDON PLAN

### National Planning Practice Guide: Air Quality

### London Plan 7.14: Improving Air

Quality Sustainable Design and Construction Supplementary Planning Guidance (2014), GLA

of most concern in the borough. An Air Quality Management Area (AQMA) covering areas of the borough where EU limit values are not, or are unlikely to be, met has been declared. AQMAs are shown on the Policies Map. Air quality directly adjacent the North Circular Road is very poor, therefore sensitive uses such as housing will generally not be acceptable in this location.

**6.12** For major development to be 'air quality neutral' it must meet the building emissions benchmarks set out in appendix 5 and 6 of the Mayor's Sustainable Design and Construction SPG. Proposals should demonstrate how air quality targets will be met through an Air Quality Impact Assessment. This is to be produced in accordance with guidance in the Mayor's SPG.

**6.13** Where an Air Quality Impact Assessment cannot be made at the application stage, for example if the final technology decisions have not been made, it will be required by condition.

### **6.14 Information in support of applications**

**6.15** An Air Quality Impact Assessment by a suitably qualified person, is required for all major developments and installations of CHPs/large communal boilers. The assessment will address baseline local air quality; whether the proposed development could significantly change air quality during the construction and operational phases; and/or whether there is likely to be a

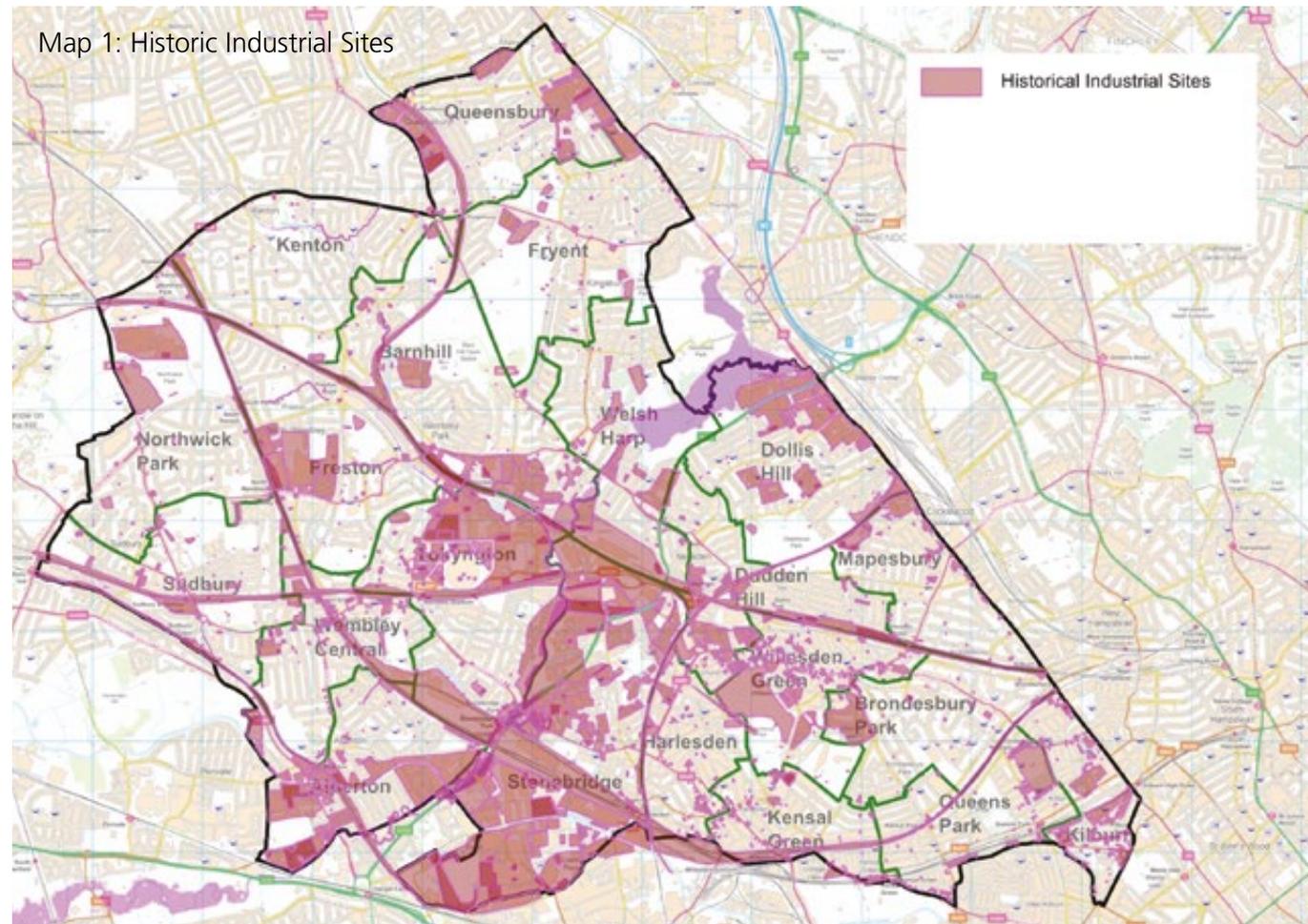
significant increase in the number of people exposed to poor air quality. It will also include mitigation measures proposed to create an acceptable development. Mitigation measures will be site specific but could include for example urban greening or promoting the use of sustainable modes of transport.

**6.16** Post-completion stack emission monitoring may be required, to demonstrate that any approved

energy plant meets the emission standards specified in the Impact Assessment.

### **Contaminated Land**

**6.17** Brent has a significant amount of industrial land or former industrial land that could be contaminated. Contaminated land presents a potential hazard to people, ecological systems, animals and buildings.



London Plan policy 5.21 requires appropriate measures to be taken to ensure that development on previously contaminated land does not activate or spread contamination.

- 6.18** A general indication of the location of historic industrial sites is provided by Map 1. In accordance with DMP 1 development will not be permitted if it would lead to the future contamination of the land or elsewhere or have a detrimental impact on water quality.

## NATIONAL & LONDON PLAN

National Planning Practice Guide: Land Affected by Contamination

London Plan 5.21: Contaminated Land

CLR11: Model Procedures for the Management of Land Contamination, Defra

Guidance for the Safe Development of Housing on Land Affected by Contamination, R&D66; NHBC, Environment Agency and CIEH

### 6.19 Information in support of applications

- 6.20** *For development on contaminated or potentially contaminated land a Preliminary Risk Assessment (PRA) undertaken by a suitably qualified person is required.* This will include information on past and current uses and a Conceptual Site Model of potential pollutants, pathways and receptors. An intrusive site investigation may be required should a plausible pollutant linkage exist.

- 6.21** Site investigations and associated risk assessments must be undertaken by competent persons in accordance with the appropriate British Standards and guidance.

*Remediation is required where unacceptable risks are identified. After remediation land must be suitable for use, and as a minimum, should not be classified as contaminated under Part IIA of the Environmental Protection Act 1990. All remediation will require in-situ verification reporting to demonstrate that the required standards have been achieved.*

### Flood Risk

- 6.22** Consistent with national and London Plan policy development in Brent will not be

allowed that unacceptably increases the risk of flooding. Development proposals must comply with the flood risk assessment and management requirements set out in the NPPF and the associated technical guidance on flood risk over the lifetime of the development. In accordance with national policy the sequential test will be applied to ensure development is steered to areas with the lowest probability of flooding. Where suitable sites of lower flood risk are not available, the Exceptions Test is a method to demonstrate and help ensure flood risk to people and property will be managed satisfactorily. Developments which are required to pass the Exceptions Test will need to address flood resilient design and emergency

## MANAGING FLOOD RISK

- A. Proposals requiring a Flood Risk Assessment must demonstrate that the development will be resistant and resilient to all relevant sources of flooding including surface water. The design and layout of proposals requiring a Flood Risk Assessment must contribute to flood risk management and reduction and:
- minimise the risk of flooding on site and not increase the risk of flooding elsewhere;
  - wherever possible, reduce flood risk overall;
  - ensure a dry means of escape;
  - achieve appropriate finished floor levels which should be at least 300mm above the modelled 1 in 100 year plus climate change flood level; and
- e. not create new basement dwellings in areas of high flood risk.
- B. Proposals that would fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.
- C. Opportunities will be sought from the redevelopment of sites in functional floodplain (flood zone 3b) to restore the natural function and storage capacity of the floodplain. Proposals that involve the loss of functional floodplain or otherwise would constrain its natural function, by impeding flow or reducing storage capacity, will be resisted.

**DMP 9 A**

## NATIONAL & LONDON PLAN

National Planning Practice Guide: Flood Risk and Coastal Change

London Plan 5.12: Flood risk management

## BRENT COUNCIL

Brent Strategic Flood Risk Assessment, Jacobs

planning in accordance with London Plan policy 5.12. This has to take account of the latest climate change allowance as identified by the Environment Agency, but take a precautionary approach to reducing long term risk based on the fact that such allowances are subject to periodic review.



**6.23** Zone 3 flood zones are shown on the Policies Map. However, flood risk zones are shown on maps produced by the Environment Agency, available on their website and updated annually.

### 6.24 Information in support of applications

**6.25** Development proposals in flood risk zones 2 and 3, and all development proposals for sites of 1 ha or above in flood risk zone 1, should be accompanied by a Flood Risk Assessment (FRA) to consider all forms of flooding. The borough Strategic Flood Risk Assessment (SFRA) sets out sustainable flood risk

mitigation measures and level of detail to be included in site-based FRA dependant on the flood zone. This should form the basis of all FRA. In accordance with the SFRA all FRA should demonstrate how the development seeks to reduce flood risk.

### On Site Water Management and Surface Water Attenuation

**6.26** The London Plan in Policy 5.15 'Water Use and Supplies' identifies the pressure on London's water supply related to existing scarcity which will be exacerbated by climate change and population growth. Similar to most of London,

## ON SITE WATER MANAGEMENT AND SURFACE WATER ATTENUATION

DMP 9 B

- A. Proposals for new development will be required to make provision for the installation and management of measures for the efficient use of mains water and for the control and reduction of surface water run-off. Substantial weight will be afforded to the target for mains water consumption of 105 litres or less per person per day and to the achievement of greenfield run-off rates. Where greenfield run-off rates cannot be achieved this should be clearly justified by the applicant.
- B. The design and layout of major development proposals will be required to:
- use appropriate sustainable drainage measures to control the rate and volume of surface water run-off;

- ensure where feasible separation of surface and foul water systems;
  - make reasonable provision for the safe storage and passage of flood water in excessive events; and
  - demonstrate adequate arrangements for the management and maintenance of the measures used.
- C. Proposals for minor developments, householder development, and conversions should make use of sustainable drainage measures wherever feasible and must ensure separation of surface and foul water systems.
- D. Proposals that would fail to make adequate provision for the control and reduction of surface water run-off will be refused.

## NATIONAL & LONDON PLAN

London Plan 5.12: London Plan 5.13:  
Sustainable drainage

Sustainable Design and Construction  
Supplementary Planning Guidance (2014),

## BRENT COUNCIL

Brent Surface Water Management Plan, Hyder

Brent also has areas of combined sewer network which does not have the capacity to deal with extreme events, consequently causing pollution to water courses. As such consistent with London Plan policy it is necessary to ensure that water use is limited to protect supply, but also reduce potential for pollution. The 105 litres target is consistent with Part G2 of the optional requirement of the 2010 Building Regulations which specifies maximum consumption values for water fittings. Conditions will be applied to planning permissions to ensure the requirement to meet these building regulations.

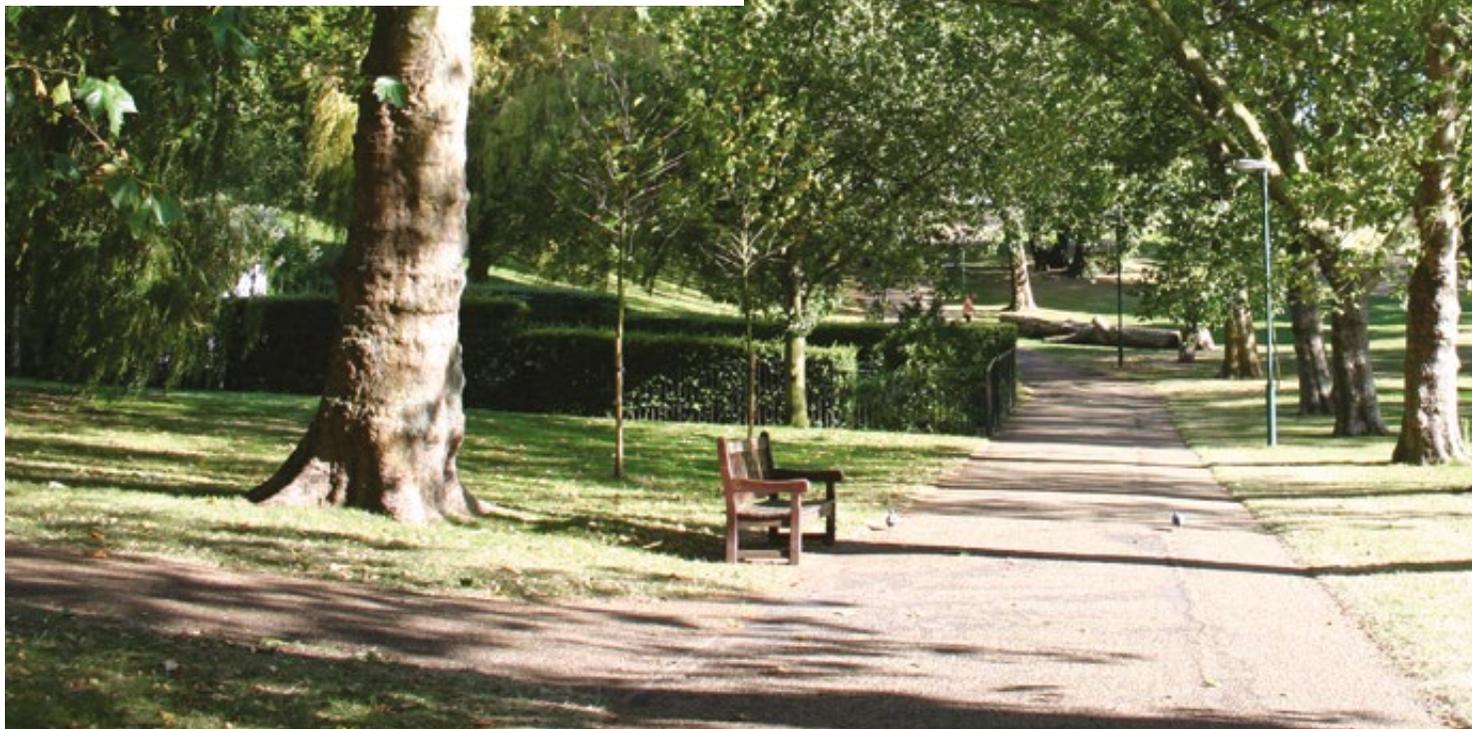
**6.27** On 6 April 2015 it became a national requirement for all major development and all developments in areas of flood risk to utilise sustainable urban drainage systems (SuDS), unless demonstrated to be inappropriate. London Plan policy 5.13 requires development to aim to achieve greenfield run-off rates and ensure that surface water is managed as close to its source as possible in accordance with the drainage hierarchy. Brent

Council will assess applications involving SuDS in its role as lead local flood authority.

### 6.28 Information in support of applications

**6.29** The developer is to provide Water Quality and Biodiversity statement and cost benefits analysis for conventional and SuDS systems. It must also be demonstrated SuDS have been designed in a way which contributes to the delivery of Brent's Surface Water Management Plan and other policy objectives, including enhancements to biodiversity and water quality.

**6.30** Evidence will be required alongside planning applications to demonstrate that the proposed standards of operation are appropriate and clear arrangements are in place for ongoing maintenance.



# 7. SUSTAINABILITY



- 7.1** The NPPF promotes sustainable development and the transition to a low carbon future, through the delivery of renewable and low carbon energy. Brent’s Core Strategy policy CP19 sets out the targets which all major developments in Brent should achieve to contribute towards achieving sustainable development, including climate change mitigation and adaptation.

### Sustainable Design

- 7.2** The Mayor’s Sustainable Design and Construction SPG provides detailed guidance on how to achieve environmental sustainability policy objectives in the London Plan effectively. This includes London Plan policy 5.3 on Sustainable Design and Construction and policy 5.15 on minimising water use. London Plan policy 5.9 sets out a cooling hierarchy which applies to major developments. Minor developments should seek to reduce potential overheating and reliance on air conditioning system through good design.

## NATIONAL & LONDON PLAN

London Plan 5.3: Sustainable Design and Construction

London Plan 5.9: Overheating and Cooling

London Plan 5.15: Water Use and Supplies

Sustainable Design and Construction Supplementary Planning Guidance, GLA

## BRENT COUNCIL

Core Strategy Policy CP19: Brent Strategic Climate Change Mitigation and Adaptation Measures

- 7.3** Core Strategy Policy CP19 requires major non-residential development to achieve a rating of BREEAM excellent.
- 7.4 Information in support of applications**
- 7.5** Core Strategy Policy CP 19 requires major developments and proposals for sensitive uses (education, health and housing) in Air Quality Management Areas, to be accompanied by a Sustainability Statement demonstrating at the design stage, how sustainable design and construction measures will mitigate and adapt to climate change over the intended lifetime of a development. The statement must demonstrate the scheme has incorporated the advice set out in the Mayor’s Sustainable Design and Construction SPG and meets the requirements of London Plan policy.
- 7.6** For major non-residential development a Design Stage BRE interim certificate of compliance and a Post Construction Certificate will be required to demonstrate achievement of a BREEAM rating of Excellent.
- 7.7** For residential development a Water Efficiency Assessment will be required providing evidence the development will meet the target of 105 litres or less per head per day, excluding an allowance of 5 litres or less per head per day for external water use.

### Energy

- 7.8** London Plan policy 5.2 requires development proposals to minimise carbon dioxide emissions in accordance with the energy hierarchy – use less energy, supply energy efficiently and use renewable energy. Major developments are required to achieve carbon emissions reduction targets leading to zero carbon. The carbon reduction targets should be met on-site. Only where it is clearly demonstrated carbon reduction targets cannot be fully met on site, any shortfall may be off-set through local carbon offsetting.
- 7.9** The Mayor prioritises the development of decentralised heating and cooling networks. London Plan policy 5.6 requires major development proposals to evaluate the feasibility of Combined Heat and Power (CHP) systems. Major development proposals should select energy systems in accordance with the hierarchy: 1. Connect to existing heating and cooling networks; 2. Site wide CHP network; 3. Communal heating and cooling. Where future network opportunities are identified proposals should be designed to connect to these networks. Brent actively promotes decentralised energy systems. The Wembley Area Action Plan, informed by an energy masterplan, requires developments within Wembley growth area to connect to, provide or contribute towards, a decentralised energy system, whilst plans for a system are also being advanced in South Kilburn. The Council will maintain a record of constructed/approved developments

which have been designed to allow connection to a network.

**7.10** The incorporation of on-site renewable energy generation makes a valuable contribution to the reduction of a site's carbon emissions and the London Plan has a presumption that developments should achieve a 20% reduction through the use of on-site renewables. London Plan policy 5.7 requires major developments to provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation, where feasible. Minor developments will be encouraged to maximise opportunities for on-site renewable energy generation, where feasible.

**7.11** While sustainability standards are rising for new build developments, improvements to the energy efficiency of Brent's existing building stock will be necessary to achieve carbon reduction targets. Improvements to the sustainability of the existing building stock will be supported.

#### **7.12 Information in support of applications**

**7.13** An Energy Assessment will be required to demonstrate that major developments will be constructed to achieve energy targets in accordance with London Plan policy 5.2. Energy Assessments are to be prepared in accordance with the guidance in Appendix D of the Sustainable Design and Construction SPG. An Energy Assessment Review will be required no later than two months after completions confirming whether the development achieved the energy targets. Only if the feasibility study in the

## NATIONAL & LONDON PLAN

London Plan 5.2: Minimising carbon dioxide emissions

London Plan 5.3 Sustainable design and construction

London Plan 5.6: Decentralised in development proposals

London Plan 5.7: Renewable energy

The London Heat Network Manual (2014), GLA Sustainable Design and Construction Supplementary Planning Guidance (2014), GLA

Energy Assessment demonstrates that all on-site options have been considered and are not feasible, will carbon offsetting be considered. In accordance with London Plan Policy 5.2 developers should actively seek to deliver their remaining carbon savings through local carbon saving projects. Brent Council will establish a price per tonne for carbon or use a nationally recognised price such as that set by the Zero Carbon Hub, and seek payment into a local fund which will be used to deliver carbon offsetting in the borough.

**7.14** The Heat Network Manual (2014) sets out the issues which are to be considered in viability and feasibility assessments for CHP. Where connection to an existing or future heat network is feasible and viable, a commitment to connection may be secured via a legal agreement; this may include provision for a financial payment to Brent Council to enable

connection. Planning conditions may also be used to ensure the connection is implemented. If a planned network is not operational within 5 years of the permission being issued (or other agreed timescale as informed by the energy masterplan) the connection charge, required on commencement of the planning permission, will be used by Brent to achieve similar carbon savings or the development should install a CHP.

**7.15** In complex schemes or in the event of a dispute the applicant will be required to pay for an impartial consultant to assess Energy Assessments and/or viability and feasibility assessments on behalf of the Council.

# 8. TRANSPORT



- 8.1** Policies contained in this chapter are concerned with those aspects of transport planning which affect the determination of planning applications. They seek to supplement existing policy in the NPPF, London Plan, Core Strategy and Wembley Area Action Plan. They consider issues around integration of land use planning and transport planning. This will help to meet Objective 8 of the Core Strategy, which is to reduce the need to travel and improve transport choices.
- 8.2** This will ensure consistency with Brent's Long Term Transport Strategy and Local Implementation Plan.
- 8.3** Overall Brent has generally good transport links. It is the joint top borough for the number of rail and underground stations in London. It has many bus routes serving town centres within and outside the borough. Its roads however have experienced increasing levels of congestion at key hotspots and an 8% volume increase from 1997 to 2008. Road access to orbital and radial routes, especially the Strategic Road Network is good. These routes do however become congested, particularly at peak times. Historically, as with London as a whole, car ownership and car use in the borough has increased. Nevertheless the 2011 Census indicated increases in car ownership had slowed substantially.
- 8.4** The Council has concentrated its efforts to date on improving key stations, interchanges and bus services to and between them. Investment has been made to increase capacity at the three Wembley stations. Similar investment is required at other key interchanges to enhance

the usability of the network as a whole. Particular focus is needed on improving orbital links and key interchange points on them. Good pedestrian and cycle access will be an important feature in facilitating delivery of improved usability of the public transport network. With improved orbital bus links comes the need for bus stands and facilities, and consideration will need to be given to their location.

- 8.5** The Council seeks to promote an integrated transport system by shaping patterns of development in terms of its location, scale, density and mix of land uses. It looks to further the London Plan Policy 6.1 through its actions in Brent.

### **Transport Implications of New Development**

- 8.6** London Plan Policy 6.3 sets out the need for developments to appropriately address impacts on the movement network in order to gain consent. It also identifies the need for transport assessments and associated travel plans to be submitted in association with major developments.
- 8.7** Where significant impacts arise including during development construction, mitigation measures should be proposed and the residual impacts assessed. This includes mitigation on small scale schemes where issues are not caused by levels of generated traffic, but by poor design. Planning obligations may be sought to fund mitigation measures or conditions may be imposed on a planning permission to restrict impacts. These measures will be related to the specific development, but it is unlikely that every development proposal can be made

acceptable in transport terms.

- 8.8** The range of mitigation for which planning obligations may be sought includes, but is not restricted to, the following. These have been selected as examples as they either encourage use of sustainable modes or manage those trips which need to be made by car on the highway network:
- Travel Plans
  - Public transport improvements sufficient to service the scheme or to integrate it with the surrounding area. Developments attracting a significant number of trips in areas with low or moderate public transport accessibility or causing capacity issues to the existing network will only be acceptable when significant public transport improvements are secured which are both viable and justifiable in the longer term.
  - The extension or bringing forward of on-street parking controls or waiting restrictions due to an unacceptable impact on road safety, emergency vehicle access or traffic management.
  - Improvements to pedestrian and/or cycle facilities.
  - Traffic calming measures.
  - Acceptable road safety and essential highway improvements, not necessarily restricted to the immediate development area.
  - Programmes to reduce car usage (car pooling, car clubs).

### **Public Transport Integration**

- 8.9** Development should benefit from and not harm

## NATIONAL & LONDON PLAN

London Plan 6.3: Assessing Effects of Development on Transport Capacity

Transport Assessment Best Practice Guidance, TFL

Travel Plan Guidance, TFL

the operation of the public transport network. It should be located where public transport accessibility is sufficient to service the scale and intensity of use. Development in appropriate locations should enhance opportunities to provide interchange between public transport services. Brent's Local Implementation Plan has highlighted the following interchanges which are in urgent need of major improvement: Queen's Park, Stonebridge Park, First Central (Park Royal), Kenton and ongoing improvements at Wembley Central.

**8.10** Developments at public transport interchanges should contribute towards the improvement of that interchange and access to and from the site.

### **Cycling and Walking**

**8.11** The promotion of cycling and walking has long been a priority of the Council and is considered essential in order to support growth whilst reducing the environmental impact of travel. Provision for

cycling and walking are also promoted by the London Plan in policies 6.9 and 6.10. Brent's Cycling and Walking strategies will ensure an integrated approach to greater promotion of these forms of movement. Developments will be expected to play their part in maximising these forms of movement to and from their site. Brent's Cycling Plan aims to encourage cyclists to become actively involved in the design of schemes contributing to make the cycling environment safer and more convenient. Particular emphasis will be placed on cycle routes and lanes not ending abruptly in unsafe or inconvenient locations and on improving designs of junctions and roundabouts. The provision for safe and secure cycle parking in accordance with the London Cycling Design Standards is also an important consideration along with the provision of on-site showers and changing facilities. A 'walkable' development should offer safe, convenient and direct routes for pedestrians, and take account of existing desire lines, as well as improving the quality of the pedestrian environment generally and pedestrian legibility specifically.



## NATIONAL & LONDON PLAN

London Plan 6.2: Providing Public Transport Capacity and Safeguarding Land for Transport

### **The Capital Ring**

**8.12** The Capital ring is a strategic London wide walking route, some of which passes through Brent. This policy seeks to ensure that its role, form and function is maintained and where possible enhanced by new development.

**8.13** The policy seeks to ensure that development positively addresses the network, this will be thorough for instance appropriate proximity,

## CAPITAL RING

**DMP 10**

Development on or near the Capital Ring (as shown on the Policies Map) will be expected to take full account of the need to protect its character and, where appropriate, contribute towards its improvement.

## NATIONAL & LONDON PLAN

London Plan 6.9: Cycling

London Plan 6.10 Walking

London Plan Pedestrian Comfort Guidance for London, TFL

London Cycle Design Standards, TFL

## BRENT COUNCIL

Emerging Brent Walking Strategy

Emerging Brent Cycling Strategy

scale and orientation of buildings, active frontage, or landscaping, improving access to and from it, or seeking its potential upgrade to enhance its potential use by occupiers of the development.

different road users' needs. This will depend to a large extent upon the character of the road and its role within the road hierarchy. Where new development requires access to the road network, account needs to be taken of these factors and ensure no adverse highway safety impact.

## The Highway Network

**8.14** The priority to promote sustainable modes of transport will help to reduce pressure on the existing highway network. Nevertheless, it is also important that the network should operate efficiently and safely for all users. There is a requirement for a balance to be achieved between

**8.15** The North Circular Road is an important route for Brent. It forms a Corridor Link between Brent Cross and Ealing (two major interchange points by public transport as well as by road). It provides a parallel option for through traffic which can help take pressure off the Brent Cross to Wembley and Wembley to Ealing routes



which will carry more locally based traffic.

**8.16** The North Circular Road is a Transport for London Route Network (TLRN) road. It is one where Brent is keen to see more of a balanced approach with emphasis on other modes, rather than the needs of car users dominating. The road forms a key element in the London road network in channelling essential traffic, especially freight, away from inner London. To this end there is a general presumption against locating new accesses on to the route. Nevertheless, it is recognised that sometimes additional access is necessary to facilitate regeneration, or that safety improvements could be made through alternative provision. For other strategic movement corridors a similar approach to ensuring its function is not unacceptably impacted upon by the development is sought either through capacity or safety issues.

**8.17** Heavily Parked Streets have been identified across the borough. This has been done for two reasons: To help manage new residential development parking without detrimental impact on highway safety; and so that any new access created would not result in an excessive loss of on-street parking spaces where there is a current shortage. In relation to criterion c) of the policy, greater flexibility to the loss of more than one parking

## FORMING AN ACCESS ON TO A ROAD

### DMP 11

Other than the TLRN and London Distributor Roads applications for the creation of an access to a highway or where development will result in the increased use of existing access points will be acceptable where:

- the location of the access would be at a safe point;
- the access and amount of off-street parking proposed would be visually acceptable (having regard to existing highway verges and trees affected);
- on Heavily Parked Streets, the proposal does not result in the loss of more than one on-street car parking space, and where there is controlled parking does not result in the creation of more off-street spaces than set out in the parking standards;

On the North Circular Road new accesses will be resisted in all cases except where offering improved road safety for all users. Similarly, new accesses on TLRN and London Distributor Roads should be resisted where alternative access is available to the side or rear and turning facilities should be provided where possible.

On London Distributor Roads (as shown on the Policies Map) increased use of existing safe access points will be allowed where it does not harm the road's strategic traffic distribution role and particularly that of bus movement.

A preliminary safety audit must be submitted with all major development proposals which abut the TLRN.

space may in exceptional cases be justified. An example might be where off-street parking provided as part of a proposed development together with other measures would reduce the on-street parking demand compared to the existing use.

**8.18** Brent is keen to maintain and enhance the street scene through the provision of green infrastructure. It has an extensive programme of street tree planting. Loss of street trees, or of off street car parking has occurred, something which the Council wishes to avoid in the future.

### Road Safety and Traffic Management

**8.19** In relation to transport matters in development proposals priority should be given to safety issues. This includes the convenience and safety of vulnerable road users such as pedestrians and cyclists.

**8.20** TFL has a strategic management function in minimising congestion on its Strategic Road Network. It requires consultation on proposals which would affect this network, which includes Edgware Road and Harrow/Watford Road corridors. Proposals which would affect

the M1 Motorway shall require consultation with Highways England.

**8.21** Brent's London Distributor Roads generally have to provide access to adjacent land uses, but their primary function must be to act as part of the network for through traffic.

**8.22** Improvements to road safety should follow recognised guidance, including for example the Road Safety Action Plan (TFL). This advises that a preliminary safety audit should be submitted with all major development proposals and associated transport changes on the Transport for London Road Network (TLRN/GLA).

**8.23** Where a developer is required to undertake works to the highway to make their access acceptable, this will be expected via a section 278 agreement (see Glossary).

### Parking

**8.24** London Plan policy 6.13 addresses parking and has associated parking standards. Brent has characteristics associated with both Inner and Outer London. Brent's standards do not significantly deviate from those in the London Plan. Managing the impact of parking covers the role of car free development. It also ensures that requests for additional parking meet a number of conditions which mean that the local area is not negatively impacted upon by parking. This policy is supported by the parking standards which are set out in Appendix 1. Parking in town centres deals with existing parking and additions to or losses of parking. The requirements for electric charging points



and cycle parking must be consistent with London Plan policy 6.13. Preference is for electrical charging points to be provided within the highway, or publicly accessible to encourage greater use.

**8.25** The policy seeks to support the Council to ensure that parking levels do not encourage unnecessary traffic generation. It seeks to ensure that car parking impacts positively on its environment. It also seeks to maintain the viability and vitality of our town centres.

**8.26** The amount of parking provided in accordance with parking standards is a balance between a number of factors. These include seeking to reduce unnecessary car trips, promoting effective use of land, make development viable and not creating on street parking pressure which undermines the quality of life. The standards promote fewer spaces in locations better served by alternative transport. The emphasis is on not trying to provide spaces where they are unnecessary. Opportunities for car free development might include locations close

## NATIONAL & LONDON PLAN

London Plan 6.7: Better Streets and Surface Transport

London Plan 6.11: Smoothing Traffic Flow and Tackling Congestion

London Plan 6.12: Road Network Capacity

## PARKING

Parking standards and managing the availability of car parking

Developments should provide parking consistent with parking standards in Appendix 1. In appropriate locations benefiting from high levels of public transport access, generally with PTAL 4 or above, opportunities for car free development should be considered.

In areas with Controlled Parking Zones access to on-street parking permits for future development occupiers other than for disabled blue badge holders will be removed or limited.

Contributions secured through a planning obligation to car clubs and pool car schemes will be strongly encouraged in place of private parking in developments.

### MANAGING THE IMPACT OF PARKING

Additional parking provision should not have negative impacts on existing parking, highways, other forms of movement or the environment. The removal of surplus parking spaces will be encouraged. Development will be supported where it does not:

- a. add to on-street parking demand where on-street parking spaces cannot meet existing demand such as on heavily parked streets, or otherwise harm existing on-street parking conditions;
- b. require detrimental amendment to existing or proposed Controlled Parking Zones;

- c. create a shortfall of public car parking, operational business parking or residents' parking;

The Council will require off-street parking to:

- d. preserve a building's setting and the character of the surrounding area;
- e. preserve any means of enclosure, trees or other features of a forecourt or garden that make a significant contribution to the visual appearance of the area; and
- f. provide adequate soft landscaping (in the case of front gardens 50% coverage), permeable surfaces, boundary treatment and other treatments to offset adverse visual impacts and increases in surface run-off.

Public off-street parking will be permitted only where it is supported by a transport assessment and is shown to meet a need that cannot be met by public transport.

### PARKING IN TOWN CENTRES

The Council will accept the loss of short-term publicly available parking only where this would not lead to under-provision.

In town centres where there is a deficiency of short term public car parking, subject to development viability, the Council will seek additional provision within major developments.

## NATIONAL & LONDON PLAN

London Plan 6.13: Parking Emerging Design of Car Parking, TfL

## BRENT COUNCIL

### Heavily Parked Streets

to public transport interchanges where space for parking is constrained. Other areas within Controlled Parking Zones that are easily accessible by public transport may also be suitable for car free development. Where development is car free, or there is a limit on the number of occupiers able to park on-street, legal agreements or conditions will be used to ensure that future occupants are aware they may not be entitled to on-street parking permits. Reductions in parking provision can also be delivered through car clubs and pool cars which promote more efficient use of spaces.

- 8.27** The design of car parking should be consistent with supporting other objectives for Brent. These include improving design quality and a sense of place, green infrastructure provision, bio-diversity and sustainable drainage. TfL's Emerging Design of Car Parking guidance will also provide advice on this matter.
- 8.28** For the most part town centres require some form of customer parking to support their vitality and viability. Whilst some centres have the right amount, others do not or their placement and quality means that their role is diminished.

## MOVEMENT OF GOODS AND MATERIALS

### **PROVISION AND PROTECTION OF FREIGHT FACILITIES**

Development that would generate significant movement of goods or materials, both during construction and in operation, should minimise the movement of goods and materials by road. The use of more sustainable alternatives, i.e. by rail and canal, is encouraged.

For longer distance movements, the provision of sidings within suitable new developments adjoining railway lines is supported. Warehousing development, adjoining rail lines where rail access can be provided, should include sidings.

Existing sidings will be protected where these are adaptable to serve anticipated needs.

### **SERVICING IN NEW DEVELOPMENTS**

The provision of servicing facilities is required in all development covered by the Plan's standards in Appendix 2. The Council will work with developers to provide the optimum servicing and delivery arrangements for new developments. Wherever possible servicing should be provided off the highway.

Loss of existing servicing will be resisted where it is still required to meet operational needs.

## NATIONAL & LONDON PLAN

London Plan 6.3: Assessing Effects of Development

London Plan 6.14: Freight

London Freight Plan, TFL

sustainable means of transporting freight over longer distances than by road and can be more economic. Even where movement by road is necessary for part of the journey, transshipment to rail/water for the remainder is to be preferred. There are opportunities for rail freight related development within the Park Royal and Wembley Strategic Employment Areas. The railway sidings and Grand Union Canal within and adjacent to the Old Oak Opportunity Area also provide an opportunity to reduce road movements in its regeneration.

**8.31** Optimum servicing of development is an important consideration. The Council balances up the need to achieve efficient use of land, maintain capacity of transportation networks and not undermine the amenity of adjoining occupiers. The Council has standards for the servicing of new developments as set out in Appendix 2.

## EVIDENCE BASE

Brent's Local Implementation Plan

Brent's Parking Standards (2013), Steer Davies Gleave

The Council will seek the retention of short term publically available parking spaces where they are needed to support centre vitality and viability. In order to support town centres, support sustainable provision and promote efficient land use, the Council will seek public use of car parking where car parking is required for new developments in town centres. New public off -street parking will be subject to a legal agreement to control the layout of the parking spaces, the nature of the users and the pricing structure. Where parking is created or reallocated, Brent will encourage the allocation of spaces for low emission vehicles, car clubs, pool cars, cycle hire and parking, and electric vehicle charging equipment.

### **Movement of Goods and Materials**

**8.29** The London Plan policies 6.14 and 6.15 relate to freight. Policy 6.14 states that existing and new sites should be safeguarded to enable the transfer of freight to rail and water. Under 6.15, the need for rail freight interchanges are emphasised which must deliver modal shift from road to rail. Brent's Core Strategy (CP20) supports maximising opportunities to move freight by non-road means (such as water and rail). It also seeks to minimise the impact of industrial and employment use on the road network.

**8.30** London Plan policy 6.3 identifies that Construction Logistics Plans and Delivery and Service Plans should be secured in line with the London Freight Plan. Efficient handling and transport of freight is crucial for the regeneration of the industrial areas of the borough. Rail and water are much more

# 9. EMPLOYMENT



## EMPLOYMENT SITES

To encourage appropriate mixed use environments and local employment generation the Council will support the continued provision of employment sites. It will seek to limit their loss to approximately 11.5 ha in the period to 2029.

### Employment Land within SIL and LSIS

In recognition of the weight attached to retaining SIL and LSIS allocations in policies elsewhere in the Development Plan SIL and LSIS will only be released where:

- a. it is a low quality employment site identified as suitable for release in the Employment Land Demand Study; and
- b. it can be shown to be integral to and delivered as part of a wider comprehensive housing-led regeneration scheme with substantial benefits to Brent, providing at least 50% affordable housing, and consistent with the wider objectives of the Development Plan and/ or is of strategic significance to London; or
- b. when it delivers social and physical infrastructure of a substantial scale, for example secondary schools, for which there is a significant identified Brent need and which

acceptable as a residential environment. As such, in the evidence used within any viability testing to support the case for any affordable housing provision below 50% on an individual scheme, the Council will expect the benchmark land value of the site to be consistent with the Existing Use

cannot reasonably be provided on other sites in the Borough.

For developments falling under criteria a) the development shall incorporate employment uses providing an efficient use of land on approximately 20% of the site area.

The Council will expect the existing restrictive allocation of the site as SIL or LSIS and the fact that the site will be of low quality for employment use to be recognised in the residual land value assumed for the site.

### Local Employment Sites

The Council will allow the release of Local Employment Sites to non- employment uses where:

- a. continued wholly employment use is unviable; or
- b. significant benefits consistent with the wider objectives of the Development Plan are achieved.

Where non-employment uses are proposed the site shall incorporate the maximum amount of existing floorspace type or Managed Affordable Workspace possible.

Value (EUV) of its allocation as SIL or LSIS. An appropriate site specific premium over the EUV to provide a competitive return to the landowner will be expected, which reflects the low quality of the employment site.

**9.3** To create mixed use areas and limit the

**9.1** The NPPF and London Plan emphasise the importance of allowing sufficient flexibility to adapt to changing circumstances by supporting managed release of surplus employment land. An unmanaged approach to the loss of employment land will affect the availability of business accommodation, and impact on economic growth within the borough. Core Strategy policy CP20 safeguards Strategic Industrial Locations (SIL) and Locally Significant Industrial Sites (LSIS) for employment uses. This policy builds on CP20 by setting criteria to determine where the conversion of surplus employment land, both in SIL, LSIS and non- designated Local Employment Sites, to non-employment uses will be acceptable based on the findings of the Brent Employment Land Demand Study. It also sets out the Council’s policy approach to facilitate genuine Work- Live development. Employment uses are those within the B use class and closely related sui generis uses.

**9.2** To help retain an appropriate balance of supply and demand of industrial land over the planning period the Brent Employment Land Demand Study identifies low quality employment sites, where a more flexible approach to changes of use away from industrial uses could be appropriate. This will be taken into account in identifying which sites are suitable for release, alongside the need to achieve the strategic objectives in the Development Plan, to achieve at least 50% affordable housing on sites and to meet an identified need for secondary schools. It is recognised for instance that some sites might have unusually high remediation or other abnormal costs to be met to make them

loss of employment land and jobs, where redevelopment for predominantly residential purposes is proposed where possible (and subject to viability) approximately 20% of the site area should be used for employment

## NATIONAL & LONDON PLAN

### London Plan 2.17: Strategic Industrial Locations

## BRENT COUNCIL

### Core Strategy Policy CP 20: Strategic Industrial Locations and Locally Significant Industrial Sites Employment Land Demand Study, URS

purposes. The type of employment use will depend on the characteristics of the site and its compatibility with the residential development, however the Council would prefer higher employment ratios and the efficient use of sites to maximise employment generation. Where the viability of delivery of affordable housing is being affected by the re-provision of employment space, the Council will seek to prioritise affordable housing delivery whilst recognising that successful places usually comprise a mix of uses, rather than being wholly residential.

**9.4** To demonstrate there is no demand for a Local Employment Site for ongoing employment use the applicant must submit evidence that the site is vacant and a thorough marketing exercise at realistic prices for the area has been

sustained over a 24 month period. Marketing must be through a commercial agent at a price that genuinely reflects the market value in relation to use, condition, quality and location of floorspace. A professional valuation of the asking price and/or rent will be required from at least three agents to confirm that this is reasonable. It must be demonstrated that consideration has been given to alternative layouts and business uses, including smaller premises with short term flexible leases appropriate for SMEs.

**9.5** Alternatively, in exceptional circumstances, where redevelopment or re- use of a Local Employment Site would not give rise to a material loss of employment, a mixed-use development incorporating non- employment uses may be appropriate. The applicant must demonstrate that redevelopment will result in:

- the maximum economically feasible amount of employment floorspace on the site;
- the accommodation of the existing employment use, or where the site is vacant employment floorspace, to meet development needs of businesses in Brent, particularly SMEs;
- delivery of wider regeneration benefits to the community; and
- employment floorspace with a very strong prospect of being occupied.

**9.6** As evidence the employment space will be occupied the Council will require a letter of agreement from the current employment use operating from the site stating their intent to occupy the proposed floorspace. Alternatively, where the site is vacant employment floorspace



should comprise affordable workspace for start up companies or 'move on' space for SMEs to meet the identified need for these forms of employment space in the borough. To demonstrate the units are affordable the applicant should submit evidence of agreement to lease the space to an approved Managed Workspace Provider at no more than 50% of comparable local market rate for at least 10 years. This will be secured via a s106 planning obligation. The fit out of the workspace should be to ready to occupy level, to a specification agreed with the Managed Workspace Provider.

**9.7** Work-Live is the combination of living accommodation (Use Class C3) with workspace (Use Class B1, but not B2 or B8) within a single self contained unit. Applications for Work-Live development must be supported by a management plan agreed by the Council which demonstrates the units will be managed by an organisation committed to their long term management primarily for employment. An indicative ratio of 70:30 in favour of the work element will be sought.

## EVIDENCE BASE

Employment Land Demand Study, URS

# 10. HOUSING



**10.1** The London Plan reiterates the importance of identifying and planning for local housing needs with particular emphasis on providing affordable family housing. Further Alterations to the London Plan adopted in 2015 have subsequently increased Brent’s annual housing target (including non self-contained accommodation) to a minimum of 1525 units. The Borough will continue to bring forward additional housing development capacity to supplement its housing target to meet local and strategic need.

**10.2** The London Plan contains not only strategic housing policy, but also relatively detailed information on what to consider when determining planning applications (development management policies). To support these policies the Mayor of London has also adopted more detailed guidance for private, affordable and specialised housing such as the Housing Supplementary Planning Guidance (SPG).

**10.3** Brent’s Core Strategy identifies: the necessity to maintain and provide a balanced housing stock that meets a range of housing needs, the affordable housing percentage sought from qualifying housing developments, an emphasis on providing family housing and mixed and balanced communities. Together the London Plan and Core Strategy provide the majority of relevant policy on what decision makers are likely to require from housing developments in order for them to be given planning permission. Annex 1 Summary of Quality and Design Standards within the Mayor of London Housing SPG

provides a good reference point for checking the issues that need to be addressed when assessing Housing development. For extensions to existing residential properties the Council has provided specific guidance in the emerging Residential Extensions SPD and Designing Brent SPD.

**10.4** The size of properties across tenure types that are most likely to meet needs are identified in Brent’s Strategic Housing Market Assessment (SHMA). The SHMA will be updated periodically. This document will inform the Council’s position in relation to housing size mix for both market and affordable dwellings whilst taking account of Brent Core Strategy Policy CP2 of seeking 25% of new dwellings in the Borough to be 3 bed dwellings or more.

**10.5** Additional housing or its loss is likely to occur in the borough through a variety of sources: redevelopment/new build of existing residential or non-residential sites, conversion of existing residential or non-residential buildings or change of use. These situations will be addressed by other policies within the London Plan and Brent’s development plan. This chapter seeks to supplement these other policies by dealing with additional Brent specific issues. This is through providing greater clarity on: the affordable mix sought, priority for residential size; situations where loss of housing will be allowed; where conversions of family sized dwellings will be appropriate; internal layout of single person accommodation;

where accommodation with shared facilities/ supported housing will be allowed.

## NATIONAL & LONDON PLAN

London Plan 3.3: Increasing Housing Supply

London Plan 3.4: Optimising Housing Potential

London Plan 3.5: Quality and Design of Housing Developments

London Plan 3.9: Mixed & Balanced Communities  
Housing Supplementary Planning Guidance, GLA

## BRENT COUNCIL

Core Strategy Policy CP2: Population and Housing Growth

Core Strategy Policy CP21: A Balanced Housing Stock  
Emerging Residential Extensions

Supplementary Planning Document

Emerging Design Guidance

Supplementary Planning Document

### **Affordable Housing**

**10.6** The London Plan requires the Council to set an overall target for the amount of affordable housing provision and separate targets for social/affordable rented and intermediate housing. This purpose of this policy is to

## AFFORDABLE HOUSING

- a. Brent's Core Strategy policy CP2 sets the target that 50% of new homes delivered in the borough will be affordable. The maximum reasonable amount of affordable housing will be sought on individual residential and mixed use developments on sites with the capacity to provide 10 or more homes.
- b. 70% of new affordable housing provision should be social/affordable rented housing and 30% intermediate housing at affordability levels meeting local needs.

Where a reduction to affordable housing obligations is sought on economic viability grounds, developers should provide a development appraisal to demonstrate that schemes are maximising affordable housing output. The Council will rigorously evaluate such appraisals and:

1. the developer will be required to underwrite the reasonable costs of a Council commissioned economic viability assessment.
2. on major phased development sites or major sites where the proportion of affordable housing agreed is significantly below 50% appropriate provisions to re-appraise scheme viability will be sought

address tenure mix and provide greater detail of approach than is set out in the London Plan and Housing SPG related to affordable housing.

at agreed stages in S106 agreements to secure contingent obligations.

3. in most circumstances the Existing Use Value plus a premium (EUV+) approach to assessing benchmark land value in development appraisals and viability assessments should form the primary basis for determining the benchmark land value.

Vacant Building Credit will only be applicable to:

1. the Gross Internal Area of buildings (buildings as defined in the as defined in the Community Infrastructure Regulations).
2. buildings that have been in lawful use for a continuous period of less than six months in the three years before which planning permission first permits the chargeable development.
3. buildings where evidence of concerted marketing activity at appropriate rents levels and terms for the quality of the existing accommodation has taken place.
4. buildings that have not been abandoned, made vacant for the purposes of development or subject to extant or recently expired planning permission for the same or substantially the same development.

- 10.7** Affordable housing is particularly important in Brent in meeting local housing needs. The London Plan policies along with the Mayor

of London Housing SPG give extensive policy and guidance on affordable housing. The 50% affordable housing target has already been set in Brent's Core Strategy policy CP2. The policy clarifies that on qualifying sites (consistent with London Plan Policy 3.13 thresholds) that the Council will seek to negotiate the maximum reasonable amount to contribute to that target. The policy is applicable to all developments of self contained residential accommodation including that specifically for older people and falling within the C2 Use Class. NPPF, NPPG and the London Plan give clarity that viability is a consideration when determining the maximum reasonable affordable housing.

- 10.8** Consistent with the London Plan, the Council, in determining a scheme's ability to provide the maximum reasonable amount of affordable housing contribution, will have regard to the:
- a. Current and future requirements for affordable housing
  - b. Core Strategy affordable housing targets
  - c. need to encourage residential development
  - d. need to promote mixed and balanced communities
  - e. size and type of affordable housing needed in particular locations
  - f. specific circumstances of individual sites.
  - g. availability and level of public subsidy
  - h. priority to be accorded to provision of affordable family housing.

**10.9** The predominant Brent affordable housing need is for social rented accommodation (as evidenced by the latest Brent Strategic Housing Market Assessment). This accommodation requires significant amounts of subsidy to be provided in new developments. Changes in national policy mean that for those submitting planning applications social rented properties are less likely to be provided as the preferred rented accommodation for affordable dwellings. In the majority cases affordable rented dwellings (defined as up to 80% market rent) are most likely to be proposed. The incorporation of affordable rented accommodation (rather than social rent) within developments has been assumed in the latest viability assessment used to support affordable housing policies. As a recognised affordable tenure the provision of such accommodation where social rent is not possible to otherwise meet affordable needs is accepted and supported by the Council. Nevertheless within the policy the Council has incorporated social rent to allow for situations where the Council (as a developer/ landowner) or other registered providers are seeking to provide such tenures as part of the affordable housing mix. The need for intermediate affordable housing (such as shared ownership) is more limited, as such the tenure mix target ratio for affordable housing is set at 70:30 rent to intermediate housing. Whilst in terms of meeting needs this is the appropriate ratio for the borough, site specific viability considerations, site and area characteristics may result in a different appropriate mix, such exceptions could include:

- a. different type of affordable housing mix is required to satisfy a regeneration objective.
- b. Where there is a need to secure a more balanced mix of tenures in line with London Plan policy 3.9.

**10.10** Where viability is being used as a reason for reducing affordable provision, applicants will be required to submit a development appraisal. This should be in a format agreed with the Council prior to submission of any application. The applicants will be required to underwrite the Council's reasonable costs in commissioning an impartial consultant to undertake an economic viability assessment of the scheme and the applicant's development appraisal. This will assess the ability of the scheme to ensure

the maximum reasonable amount of affordable housing is secured to contribute towards the borough's affordable housing targets.

**10.11** London Plan Policy 3.12 criterion B identifies that provisions for re-appraising the viability of schemes prior to implementation ('contingent obligations') might be required when dealing with affordable housing provision. The Council has used this approach and will continue to do so in the future, but will take a proportionate approach to using this mechanism. It will be applied to developments where the proportion of affordable housing agreed is significantly below the 50% target, on sites of 200 dwellings or more where there is a phased approach to the development and on



sites where substantial implementation of the development is likely to be delivered beyond 18 months of the initial consent.

**10.12** Within viability assessments there are many variables that can impact on the results. To provide consistency across London, Brent works with other Councils in seeking to have a standard approach to assumptions for viability modelling. One significant variable that impacts on viability is the assumed benchmark land value against which the residual land value of the viability modelling is tested.

**10.13** A development is typically deemed to be viable if the 'residual land value' is equal to or higher than the benchmark land value. At this level it is considered that the landowner has received a 'competitive return' and will release the land for development. Planning policy and other guidance offers differing approaches to assessing the benchmark land value in development appraisals. The Existing Use Value plus a premium (EUV+) approach is based on the current or Existing Use Value of a site, plus a landowner premium to reflect the incentive needed to release the site for development. The EUV+ approach clearly identifies the uplift in value arising from the grant of planning permission and enables that to be properly considered as a part of the planning process. The Council consider that the EUV+ approach is most conducive to achieving the goals of the planning system and should form the primary basis for determining the benchmark land value in most circumstances. This approach is consistent

with recommendations in the Mayor of London Housing SPG.

**10.14** NPPG provides some guidance on Vacant Building Credit. However, further clarity is needed to define qualifying buildings, floorspace measures and vacancy and whether the application of the credit is assisting a development opportunity in addition to that which might otherwise have occurred in any case. The Community Infrastructure Levy (CIL) regulations clearly define what a building is. As it is likely an assessment of existing floorspace will be used to reduce CIL liability it is sensible for the same measure to be used. The same is true of building measurements, which use gross internal area. CIL regulations also set out a timescale related to minimum time of occupation to gain exemptions to CIL liability. There is a logic in using an approach to identify the qualifying periods for vacancy that is consistent with this approach. NPPG sets out where the credit will not apply. It outlines scenarios which the local planning authority may take into account in its application having regard to the intention of national policy. It regards the intention of the national policy of the Credit of encouraging development of long term vacant sites where there is no realistic prospect of that site being used for its existing use, or there not being a realistic prospect of it being developed for other purposes without the financial incentive afforded by the Credit. Therefore to avoid any doubt it seeks to confirm that it will apply the scenarios set out in NPPG in Policy

DMP 15 to remove the possibility of perverse incentives to delay development or provide rewards on sites that have or would in any case be subject to development proposals. In support of applications, as well as proof of vacancy for the time period, evidence of concerted marketing activity at appropriate rents levels will be required. The Council will also want to be assured in addition that no other mechanisms, such as the terms of the lease are such that they would act as a disincentive to occupation and thus promote the building's continued vacancy, e.g. a short lease period despite significant likely capital expenditure being required by the tenant to make the building fit for purpose for their occupation. Planning applications where both a Vacant Building Credit claim, and a development viability assessment to support lower than a policy level of affordable



housing are submitted, will need to ensure the Credit claim is appropriately treated in the development viability assessment.

#### 10.15 Development Plan Policies/ advice of particular relevance

### NATIONAL & LONDON PLAN

London Plan 3.10: Definition of Affordable Housing

London Plan 3.11: Affordable Housing Targets

London Plan 3.12: Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes

London Plan 3.13: Affordable Housing Thresholds

Housing Supplementary Planning Guidance, GLA

London Borough Viability Protocol, London Borough Viability Group

### BRENT COUNCIL

Core Strategy Policy CP2: Population and Housing Growth

Core Strategy Policy CP21: A Balanced Housing Stock

#### 10.16 Application Information

- 10.17 Design and access statement to clarify how the preferred size and tenure mix was taken into account in the initial design of the scheme and subsequent amendments.
- 10.18 An affordable housing schedule that provides information and justification on the tenure mix and size of dwellings included within the development. Ideally this should identify the Registered Provider who will own/manage the affordable dwellings.
- 10.19 Viability assessment if this is used as a reason for departure from the preferred affordable tenure/size mix, or for the residential mix for market housing.
- 10.20 For Vacant Buildings Credit evidence of length of vacancy, gross internal floorspace measurements and marketing at suitable rents undertaken and responses received.

#### Resisting Housing Loss

- 10.21 The housing targets for Brent will be challenging to achieve. Loss of existing housing to make way for other forms of development would exacerbate this. London Plan Policy 3.14 and the Housing SPG deal with potential loss due to a variety of reasons. Examples include regeneration of poorer performing estates. Brent seeks to supplement this policy by providing greater clarity on locally specific circumstances it is likely to consider such loss appropriate.
- 10.22 Some of Brent's housing stock does not meet national housing space standards and has poor standards of occupier amenity.

## RESISTING HOUSING LOSS

**DMP 16**

In addition to circumstances identified in London Plan Policy 3.14 development resulting in the net loss of residential units will be supported where:

- a. sub-standard units would be brought in line with space standards;
- b. de-conversion of flats would create a family size home (3 bed or more) resulting in the net loss of no more than one dwelling of 2 bedrooms or less;
- c. social or physical infrastructure to meet an identified local need;
- d. the proposed loss of housing would radically improve the neighbourhood.

### NATIONAL & LONDON PLAN

London Plan 3.5: Quality and design of housing developments

London Plan 3.14: Existing Housing

### BRENT COUNCIL

Core Strategy Policy CP2: Population and Housing Growth

## CONVERSION OF FAMILY SIZED DWELLINGS

To maintain family size housing conversion of a family sized home (3 bedrooms or more) to two or more other dwellings will only be allowed where the following criteria are met:

- a. the existing home is 130 sq.m. or more and
- b. it results in at least a 3-bedroom dwelling, preferably with direct access to a garden/amenity space.

Exceptions to this will only be allowed where the amenity of the existing family sized home is so deficient that family occupation is unlikely and it could not reasonably be changed to overcome such deficiencies.

## NATIONAL & LONDON PLAN

London Plan 3.5: Quality and design of housing developments

Housing Supplementary Planning Guidance, GLA

may accept the conversion of a family sized dwelling to two or more 1 or 2 bedroom dwellings. This will be appropriate where the existing dwelling is likely to be so deficient in terms of its amenity for family accommodation and it could not reasonably be changed to overcome such deficiencies. Lack of a garden/

This is particularly the case for dwellings created without planning permission but now established. In these situations their loss and replacement with fewer dwellings achieving standards would be supported.

exceptional loss of residential accommodation to meet wider community benefits.

### **Conversions of Existing Family Housing**

**10.23** As identified in the SHMA and as a priority provision in Brent Core Strategy Policy CP2 provision of family accommodation (3 bed or more dwellings) to meet Brent's needs is a priority. Consequently, the de-conversion of flats into a family size dwelling will be supported where it results in the net loss of no more than one dwelling of 2 bedrooms or less.

**10.24** Exceptional circumstances may arise in Brent where a loss of residential floor space will be acceptable in order to achieve Brent's strategic priorities. Situations include regeneration through improving the local environment where current poorly designed housing which cannot be economically altered is creating wider problems, e.g. high levels of crime or anti-social behaviour to the substantial detriment of the surrounding neighbourhood. Alternatively this could be in meeting an essential identified local need, e.g. overcoming a deficiency of local social infrastructure such as a new school, open space or physical infrastructure such as a significant transport improvement.

### **10.25 Application Information**

**10.26** Supporting evidence showing conformity with the policy, e.g. comparison of existing accommodation with that proposed in meeting current policy requirements around space and amenity, or justification for

**10.27** Conversion of existing housing stock into smaller dwellings provides many additional homes across London and Brent. Nevertheless, family housing to meet local needs is also a Brent priority. In recognition of this priority it is therefore appropriate to identify circumstances when loss of family housing is likely to be acceptable. Residential conversion in other cases is addressed by London Plan policies, the contents of the Housing SPG and Policy DMP1 General Development Management Policy.

**10.28** The policy seeks to allow for efficient use of existing housing stock through the conversion of existing larger dwellings to assist in meeting housing targets. However, it also seeks to ensure continued provision of family sized housing (3 bedroom or more) houses or flats suitable for occupation by families to meet Brent's housing needs. Consequently where larger properties are suitable for conversion, schemes should include at least a 3-bed or more dwelling suitable for at least 4 people. Ideally the family sized accommodation will be at ground floor (if there is no access to a lift) to provide for ease of entry and also have direct access to associated amenity space. Individual solutions, including modest extensions, may be appropriate to accommodate the required family size dwellings. Effort should be made to provide all additional flats amenity space.

**10.29** In exceptional circumstances the Council

amenity space will not automatically allow for the conversion of dwelling into smaller dwellings. Other amenity factors will also be taken into account in deciding whether an existing family sized dwelling provides or has the potential to provide a good family environment. This will include location and other factors e.g. above a retail parade in a centre may have adverse associated impacts such as disturbance caused by hours of opening, noise, smells, constrained access width to upper floors, etc.

### 10.30 Application Information

**10.31** Supporting evidence showing conformity with the policy, e.g. comparison of existing accommodation with that proposed in meeting current policy requirements around space and amenity, or justification for exceptional loss of family accommodation.

### Housing Standards and Quality

**10.32** The policy seeks to reduce the potential for overcrowding of residential properties through means available through the planning process. In particular it seeks to reduce the potential addition or use of outbuildings to increase the capacity of a dwelling's occupation.

**10.33** London Plan Policy 3.5 and also the Housing SPG give significant direction on the standards and quality that residential development is expected to achieve. In Brent all new housing should comply with the Housing SPG

## DMP 18

### DWELLING SIZE AND RESIDENTIAL OUTBUILDINGS

The size of dwellings should be consistent with London Plan Policy 3.5 Table 3.3 Minimum Space Standards for New Dwellings.

Planning permission will only be granted for outbuildings that will not be residential accommodation or do not support the increased occupation of a dwelling.

### NATIONAL & LONDON PLAN

London Plan 3.5: Quality and design of housing developments

standards. Brent has a high proportion of overcrowded dwellings. It also has some very poor quality private rented accommodation. The Council is taking measures through its statutory roles related to housing in improving the quality of residential accommodation in the Borough and the reducing the incidences of poor properties. Planning has a complementary role to play in reducing the opportunities for overcrowding to occur.

**10.34** 'Beds in sheds' are a prevalent issue in Brent. These are buildings or structures in gardens either used as self-contained accommodation or for 'primary' living accommodation (eg. kitchens, bathrooms, bedrooms and living spaces) ancillary to the main dwelling. Often

this accommodation is built without planning consent and if detected a retrospective application sought for its retention. Brent's experience means the Council considers that such development is unlikely to provide satisfactory residential accommodation for its occupants, or if ancillary for those in the main house, and often adversely impacts on neighbours.

### 10.35 Application Information

**10.36** For buildings ancillary to residential accommodation, clarity on the purpose of the building and agreement to a planning condition restricting use of the building to not include sleeping accommodation, bathrooms, laundry rooms or kitchens.

### Residential Amenity Space

**10.37** The policy seeks to ensure a suitable level of provision of amenity space in association with residential development. It identifies for Brent a locally distinctive target reflective of historic

### RESIDENTIAL AMENITY SPACE

## DMP 19

All new dwellings will be required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This is normally expected to be 20sqm per flat and 50sqm for family housing (including ground floor flats).

# NATIONAL & LONDON PLAN

## Housing Supplementary Planning

### Guidance, GLA

approach to provision of amenity space, rather than the minimum standards set in the London Housing SPG Provision of Amenity Space.

**10.38** The London Plan Housing SPG sets out a baseline minimum standard amount for the provision of amenity space in new developments and the characteristics it is expected to have. It also deals with children's play space. Brent has historically sought and often delivered within higher density schemes higher levels of amenity space based on its own standard which it considers should be maintained.

**10.39** New developments should provide private amenity space to all dwellings, accessible from a main living room without level changes and planned within a building to take maximum advantage of daylight and sunlight. Where sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be supplied in the form of communal amenity space. The calculation of amenity space does not include any parking, cycle or refuse and recycling storage areas.

### Accommodation with Shared Facilities

**10.40** The Core Strategy identifies a wide range of specific and special housing needs for different groups to be met within Brent. The majority

will be met through self-contained residential accommodation. However, some of the needs will be met through non-self contained accommodation with shared facilities (such as Houses In Multiple Occupation or purpose built student accommodation). It might also be more institutional in its form as self contained or non-self contained accommodation that shares facilities or requires additional on site support for residents. (such as hostels, or Extracare facilities). The policy seeks to provide greater clarity on how the Council will support development proposals for these uses through the planning process.

**10.41** For the purposes of this policy shared housing includes houses in multiple occupation (HMOs), bed-sits, hostels, housing for older people, supported housing for those with special needs and specialist student accommodation. It also includes accommodation providing any level of care, whether non self-contained or self contained units with a small amount of communal facilities. The policy seeks to protect the amenity of existing areas and create a good standard of accommodation in locations that are likely to be more suited to meeting occupiers needs. It also protects existing sites

## ACCOMMODATION WITH SHARED FACILITIES OR ADDITIONAL SUPPORT

**DMP 20**

Proposals for student accommodation, non-self contained or self-contained residential accommodation with shared facilities or on site support/care to assist residents in their daily lives will be supported where the development is:

- a. located in an area with good access to public transport and other amenities, including shops (normally within 400m);
- b. is of an acceptable quality meeting appropriate standards for the needs of its occupants, including external amenity space, appropriate communal facilities, levels of support/care and mobility;
- c. includes management arrangements suitable to its proposed use and size;

d. demonstrates that there is a specific Brent, or in the case of education a London, need for the particular use which are secured by planning agreement relating to use of the land or to its occupation by members of specified educational institutions;

The loss of accommodation will only be acceptable where:

- a. demonstration of no Brent need for the accommodation type, or residents' needs can be better met by other existing accommodation; or
- b. unsatisfactory existing accommodation cannot be improved to achieve current standards.

## NATIONAL & LONDON PLAN

London Plan 3.8: Housing Choice

London Plan 3.9: Mixed and Balanced Communities

Housing Design and Supplementary Planning Guidance, GLA

## BRENT COUNCIL

Core Strategy Policy CP21: A Balanced Housing Stock

where there is currently such provision.

- 10.42** Changes in demographics, welfare and lifestyle choices mean that there will be increased demand for these types of accommodation. These types of uses make a significant contribution to meeting local and in the case of students, London needs. They can also assist in developments through increasing viability and vitality and more balanced communities.
- 10.43** The developments are likely to be aimed at people with limited accessibility to personal transport. Consequently there is a need for them to be located close to public transport and other amenities.
- 10.44** The developments could potentially be for people with specialised needs but with lower levels of income. This however should not diminish the quality of the accommodation

provided. Where self-contained rooms are proposed they will be assessed against London Housing Design standards. External amenity space will be required as will appropriate communal facilities to support residents (e.g. meetings rooms to stop residents congregating outside in the vicinity of the development). Where levels of care or support are high provision of staff residential accommodation may be required. Conditions or legal agreements may be used to require that uses have appropriate and permanent management arrangements. To ensure that residential accommodation meets needs over time, London Plan policy requires 10% wheelchair accessible dwellings. The accommodation covered by this policy is likely to be meeting needs of specific sectors of the population. On this basis the Council will



be willing to depart from the minimum 10% wheelchair where evidence is compelling to indicate why it might not be appropriate e.g. where occupants are less likely to suffer from mobility disabilities compared to the general population. In other forms of accommodation there could be a need for a higher proportion, e.g. disability orientated housing.

- 10.45** Affordable Housing requirements will be applicable to qualifying proposals for accommodation classified as C3 under this policy.
- 10.46** There are also scenarios where these forms of accommodation can particularly impact on residential amenity, character and housing mix of an area. Residential amenity means both that of the potential occupiers (Brent's private sector stock condition survey indicated the majority of HMOs are not suitable for habitation) and those adjoining the development. Adverse impacts are more likely where there are concentrations of one or more of these types of accommodation in an area. Common issues can include: noise and disturbance associated with intensification of the residential use and/or occupant lifestyles; on-street parking pressure; transient populations replacing settled family occupants; social cohesion impacts; changes in supporting community infrastructure such as shops; external alterations undermining clear local character; and poor waste management.
- 10.47** Harmful concentrations are likely to arise when the types of issues identified cumulatively result in detrimental effects on the qualities and characteristics of a place

or where housing choice is reduced to not provide for differing community needs. For example a concentration of accommodation for older or vulnerable people may have implications for local services such as GP's. Where the existence of similar uses in an area means this is identified as a concern, it should be demonstrated that local services have capacity or planned capacity to meet the needs of future occupants. Where this is not the case, and no other mitigation is agreed, the proposal may be unacceptable. Wembley Area Action Plan identifies 20% of the population as students as an appropriate limit in that area.

**10.48** All of the forms of accommodation addressed by the policy will require information on their intended management to meet residents' needs to reduce the potential for adverse impact on amenity of those surrounding.

**10.49** Brent is an area with lower property values than some parts of London, particularly inner London. Pressure created by welfare reform and support agency budgets to reduce costs might provide drivers for relocation to Brent. For the reasons identified in relation to potential adverse factors identified above in relation to concentration, Brent is reluctant to encourage such a move. Consequently it will seek to ensure that with the exception of students, that the accommodation proposed is addressing a Brent population specific need. Where appropriate it will seek to ensure that at least initially and in some cases for subsequent occupiers that priority for such

housing is made available to people in Brent.

**10.50** Consistent with London Plan principles of creating long term sustainable buildings, emphasis should be placed on construction methods to assist future conversion to self contained residential accommodation. This may include allowing future rearrangement of internal walls, or a design based on permanent residential layout standards.

### HMOs

**10.51** HMOs must meet the standards of Brent's HMO licensing scheme, including minimum room sizes. These sizes have been developed in accordance with the Housing Act 2004.

The landlords will be expected to register properties in conformity with the Council's licensing scheme.

### Hostels

**10.52** Hostels must be designed with a layout to satisfactorily meet the needs of their intended occupants, with suitable communal spaces and rooms to meet any other associated needs

### Specialist Student Accommodation

**10.53** The London Plan anticipates that the numbers of students in London will continue to grow and requires boroughs to ensure that both



demonstrable local and strategic student housing needs are addressed. There has been a substantial increase in the amount of large scale purpose built specialist student accommodation from national providers in Brent recently, particularly in the Wembley area. This has been provided as either self-contained accommodation or rooms with shared facilities. It is good quality and has high levels of on site management. Continued additional provision particularly as part of a balanced mix of housing types within regeneration areas including Wembley as set out in the Wembley Area Action Plan is supported.

### Older Persons Specialist Accommodation

**10.54** The SHMA identified a need for more specialist accommodation to meet the needs of the growing numbers of older people. The London Plan 2014 sets an annual specialist housing for older people target for Brent of 175 dwellings. Broken down by tenure these are 105 private and 35 intermediate sale/rent and 35 affordable rent.

### Losses of Accommodation

**10.55** Other than in exceptional circumstances proposals should not result in the loss of permanent self-contained accommodation. Accommodation which provides care will be protected unless it is no longer needed in the borough or it is unsatisfactory and cannot be brought up to current standards.

### 10.56 Application Information

**10.57** Within the Planning Statement how the

application addresses evidenced local needs or in the case of student accommodation London's needs.

**10.58** To assess impacts on local amenity, the identification of other uses covered by this policy within a 50 metre radius of the property. For uses that accommodate more than 10 occupants the detail of impact on social infrastructure (such as GPs) and whether this can be accommodated or if sufficient capacity is not available currently how this will be addressed.

**10.59** Details and mechanisms of how the Council can be assured that the accommodation will be:

- used by the people in the need identified to support the application, and
- managed long term to minimise the potential for adverse impacts on the surrounding area

**10.60** For example through suggested conditions related to restricting type of occupants and an agreed management plan. Where loss is proposed, the justification as to why either the need for the accommodation is no longer required, or the accommodation is no longer fit for purpose and could not reasonably be made to be.

### Gypsy and Traveller Accommodation

**10.61** Brent currently has 30 pitches of accommodation located on the Lynton Road site. The most recent locally specific needs assessment is the London Gypsy & Traveller Accommodation Needs Assessment' (GLA, 2008). This identified the need for up to a further 24 pitches within Brent. NPPF and

associated guidance Planning Policy for Travellers Sites requires local authorities to quantify accommodation needs and identify appropriate sites for their provision. It has similar provisions to general housing in needing to show a 5 year deliverable supply. A Site Specific Allocations Document is the most appropriate route for identifying sites required to meet needs. Until the Site Specific document this is prepared the Core Strategy policy CP22 in association with NPPF provides suitable decision making criteria for proposals for new pitches. It also protects existing sites where there is currently such provision.

## EVIDENCE BASE

Flat Conversions Background Report (2013), London Borough of Brent

Dwelling Size Background Report (2013), London Borough of Brent

Affordable Rent and Social Rent Background Report (2013), London Borough of Brent

West London Strategic Housing Market Assessment (2010), West London Housing Partnership

Draft Housing Strategy 2013-18 (2013), London Borough of Brent

2003 Private Sector Stock Condition Survey (2004), Fordham Research

Shaping Neighbourhoods: Play and Informal Recreation Supplementary Planning Guidance (2012), GLA

# 11. SOCIAL INFRASTRUCTURE



**11.1** Social infrastructure (also referred to as community and cultural facilities) plays a vital role in supporting Brent’s diverse community, reducing inequality and helping to promote social inclusion and cultural wellbeing. The Council defines social infrastructure as a wide variety of services that are essential to the sustainability and wellbeing of a community. This could include the following:

- Educational facilities including early years education, primary education, secondary education, further education and adult learning;
- Health services including primary and secondary health;
- Sports and leisure facilities including swimming pools, sports halls and outdoor sports spaces;
- Libraries;
- Places of worship; Theatres and galleries;



## NATIONAL & LONDON PLAN

London Plan policy 3.1: Life chances for all

London Plan policy 3.16: Protection and Enhancement of Social Infrastructure

London Plan policy 3.17: Health and Social Care Facilities

London Plan policy 3.18: Education Facilities

London Plan policy 3.19: Sports Facilities

London Plan policy 4.8: Supporting successful and diverse retail sector and related facilities and services



development, and require mitigation for any loss. The London Plan also requires the suitability of redundant premises for other forms of social infrastructure to be assessed before alternative developments are considered.

**11.4** The following text provides detailed guidance on how London Plan and Core Strategy will be applied. This approach applies to all social infrastructure with the exception of playing fields, where applications will be assessed against relevant criteria in the NPPF, and public houses where policy DMP 21 applies. If it is considered that social infrastructure is no longer needed this is to be demonstrated through the following:-

- consultation with service providers and the local community;
- details of alternative social infrastructure in the locality which meets the need in a different way or in a convenient alternative location

## BRENT COUNCIL

Core Strategy Policy CP 23: Protection of existing and provision of new Community and Cultural Facilities

- Community space, meeting rooms and halls;
- Fire stations, policing and other criminal justice or community safety facilities; and Public houses

**11.2** This list is not exhaustive and other facilities can be included as social infrastructure.

### **Protection of Social Infrastructure**

**11.3** London Plan policy 3.16 and Brent’s Core Strategy policy CP 23 protect existing community and cultural facilities that support community participation and

PUBLIC HOUSES

The Council will support the loss of public houses only where:

- a. its continued use as a pub or as an alternative community facility within the D1 use class is not economically viable as demonstrated by meeting the marketing requirements in paragraph 11.9;
- b. the proposed alternative use will not detrimentally affect the character and vitality of the area and will retain as much of the building's defining external fabric and appearance as a pub as possible;
- c. the proposal does not constitute the loss of a service of particular value to the local community; and
- d. if registered as an Asset of Community Value the premises can be shown to have been offered for sale to local community groups and no credible offer has been received from such a group at a price that is reflective of the condition of the building and its future use as a public house. The Council will treat registration as an Asset of Community Value as a material planning consideration.

is of concern to the Council as public houses can make a valuable contribution to the community by adding character to the area and providing employment and a place for social interaction. Many public houses provide space for evening classes, clubs, meetings or

users needs in terms of both quality of provision and quantity of floorspace.

**11.6** The introduction of the Localism Act 2011 provided a new right for residents to nominate certain local public or privately owned buildings or land for recognition as being an Asset of Community Value. Assets of Community Value are designated where it can be demonstrated the asset has furthered the social wellbeing or social interests of the community, and can continue to do so. Further information on the criteria and process is available on Brent Council's website. The Council will give significant weight to the protection of designated Assets of Community Value.

**11.7** In accordance with London Plan policy 3.16, wherever possible, the multiple use of premises will be encouraged. Where relevant, Community Use Agreements (CUA) will be secured to ensure dual use through s106 planning obligations. The development and implementation of CUAs can help support well-managed and safe community access to facilities on educational sites. As well as widening access to facilities and providing clarity on their use CUAs can help to enhance links between educational establishments and sports clubs.

**Public Houses**

**11.8** In recent times Brent has seen an increase in conversion of public houses to other uses. This

- vacancy and marketing data indicating that there is no demand despite continuous marketing at a reasonable rate for a period of 24 months; and
- the potential of re-using or redeveloping the existing site for the same or an alternative social infrastructure use, particularly for educational uses, has been fully considered; or
- redevelopment is part of an agreed programme of social infrastructure re-provision to ensure continued delivery of social infrastructure and related services, as evidenced through a service delivery strategy.

**11.5** To justify the loss of land or premises for social infrastructure it must be demonstrated to the Council's satisfaction that all of the above have been explored. A convenient alternative location is considered to be 400m, a 5 minute walking distance for an able bodied person. Where a replacement facility is proposed to mitigate the loss it must be demonstrated it will meet the end



performances. As such, and in keeping with the NPPF, public houses are classed as social infrastructure and proposals which would result in their loss will be subject to this policy. In addition, due to the contribution public houses make to the borough's local character and distinctiveness, policy DMP7 Brent's

Heritage Assets will normally apply.

**11.9** Where applications for a change of use or redevelopment of a public house are received, to make an assessment against criteria in policy DMP 21, the Council will require evidence that:

- the public house has been marketed for 24 months as a public house and for an alternative local community facility, at a price agreed with the Council following an independent professional valuation (paid for by the developer) and there has been no interest in either the free-or lease-hold either as a public house or as a community facility falling within 'D1' use class;
- the public house has been offered for sale locally, and in the region, in appropriate publications and through specialised licensed trade agents;
- all reasonable efforts have been made to preserve the facility, including all diversification options explored – and evidence supplied to illustrate this;
- the CAMRA Public House Viability Test, or a similar objective evaluation method, has been employed to assess the viability of the business and the outcomes demonstrate that the public house is no longer economically viable;
- there has been public consultation to ascertain the value of the public house to the local community;
- an assessment has been made of alternative licensed premises within easy walking distance of the public house; and whether such alternative premises offer similar facilities and a similar community environment to the public house which is the subject of the application.



# 12. DELIVERY AND MONITORING



Monitoring is an important part of the continuous planning process. A set of key indicators and targets have been developed so that the effectiveness of policies in achieving the objectives can be assessed. Additional key indicators are contained in the Core Strategy. Where objectives are not being met, appropriate action may be taken which can adjust the outcome or, in some circumstances, a review of policy may be necessary. The targets have been summarised in the tables below, highlighting the relationship between the policies, indicators and targets.

<b>PERFORMANCE MEASURE</b>	<b>TARGET</b>	<b>SPECIFIC POLICY TO BE MONITORED</b>
<b>Proportion of primary frontage in A1 and A2 use.</b>	Proportion of frontage in A1 and A2 use not to fall below 65%, or 50% if vacancy rates exceed 10%.	DMP 2
<b>Concentration of betting shops, adult gaming centres and pawnbrokers</b>	Proportion of frontage in use as betting shops not to exceed 4%, and proportion in use as adult gaming centres or pawnbrokers not to exceed 3%.	DMP 3
<b>Concentration of takeaways and proximity of takeaways to secondary schools and further education establishments.</b>	Proportion of units in use as takeaways in town centres not to exceed 6%, and no further takeaways within 400 metres or a secondary school or further education establishment.	DMP 3
<b>Proximity of shisha cafes to secondary school or further establishments.</b>	No further shisha cafes consented within 400 metres or a secondary school or further education establishment	DMP 3
<b>Protection of Employment Sites</b>	Cumulatively no more than 11.5ha employment land lost.	DMP 14
<b>Percentage of affordable housing within major development with an affordable housing planning obligation.</b>	50%	DMP 15
<b>Tenure split of affordable housing within major development with an affordable housing planning obligation.</b>	70% social/affordable rent 30% intermediate	DMP 15
<b>Number of public houses lost to development.</b>	No loss of viable public houses.	DMP 21

Table 2: Monitoring Targets

# APPENDIX 1 - PARKING STANDARDS

A separate set of standards has been developed for the Wembley regeneration area. These are set out in the Wembley Area Action Plan.

## Employment Use Classes

The employment areas in LB Brent have significant variations in levels of access to public transport and other individual characteristics.

Where parking is proposed, the following standards, as detailed in table 3, should be applied. The proposed standards fall within the London Plan range of standards for B1 but should be applied to all employment uses. A distinction is made between areas of the borough to the north and the south of the Dudding Hill railway line as this broadly reflects variations in public transport provision.

The provision of parking in new developments below the standards set out in the table is encouraged (see car free/car capped section). The provision of parking at a higher level than provided by these standards, but in accordance with the London Plan, would need to be justified through a Transport Assessment, and recognise future PTAL ratings.

LOCATION	DEFINITION	MAXIMUM PARKING STANDARD
Inner Brent	South-east of Dudding Hill railway line	1 space per 800m2 gross floor space
Outer Brent	North-west of Dudding Hill rail line	1 space per 200m2 gross floor space
Regeneration exceptions	Opportunity and growth areas	1 space per 100m2 gross floor space

Table 3 - Employment Maximum Parking Standards

The regeneration exception will be subject to a transport assessment verification. Developments in the growth areas and Park Royal Opportunity Area may be permitted more parking to encourage the sustained regeneration of these areas. Developments in these areas will be permitted to use the regeneration exception standard for outer London Boroughs, so long as this is justified through a transport assessment.

More generous parking than that set out in the table above could be acceptable provided that all of the following criteria can be demonstrated:

- Ensuring that there are no significant adverse

impacts on congestion or air quality

- A lack of existing on or off-street parking spaces
- A commitment by the developer to provide space for electric and car club vehicles, bicycles and parking for disabled people above the minimum thresholds; and
- A binding commitment via a Travel Plan to reduce more generous provision over time.

The parking standards for employment to be applied in Wembley are contained in the Wembley Area Action Plan.

## Retail Parking Standards

The London Plan is most prescriptive when dealing with retail parking standards. Standards should be consistent across town centre areas to avoid variations in parking over small areas.

The provision of public parking in town centre areas needs to be balanced with the need to deter unnecessary car trips. More restrictive standards away from town centres are designed to reduce the trend for “out of town” developments that are often heavily reliant on the private car for access.

For town centres in the area of the borough classified in Inner London, more restrictive standards are applied to A1 retail parking provision. This is because these areas have good public transport provision relative to elsewhere in the borough. Additional parking would only be acceptable if it assisted in providing public parking for general town centre use where required to assist viability of the town centre

and is charged for in line with on and off street parking charges. Parking standards for the Major Town Centres are shown in Table below.

RETAIL USE	MAXIMUM STANDARD
Food - up to 500m <sup>2</sup>	<b>1 space per 200m<sup>2</sup> gross floor space</b>
Food - up to 2,500m <sup>2</sup>	<b>1 space per 120m<sup>2</sup> gross floor space</b>
Food - over 2,500m <sup>2</sup>	<b>1 space per 60m<sup>2</sup> gross floor space</b>
Non Food	<b>1 space per 100m<sup>2</sup> gross floor space</b>
Garden Centre	<b>1 space per 100m<sup>2</sup> gross floor space</b>
Town Centre/ Shopping Mall/ Department Store	<b>1 space per 100m<sup>2</sup> gross floor space</b>

Table 4 - Maximum A1 Retail Parking - Major Town Centres

There are a number of smaller town centres across the borough, which range in accessibility to public transport. It is important that these centres are maintained and encouraged to develop to provide local services and amenities for Brent residents.

Parking standards for the rest of the borough are shown in Table 5.

RETAIL USE	MAXIMUM STANDARD
Food - up to 500m <sup>2</sup>	<b>1 space per 100m<sup>2</sup> gross floor space</b>
Food - up to 2,500m <sup>2</sup>	<b>1 space per 60m<sup>2</sup> gross floor space</b>
Food - over 2,500m <sup>2</sup>	<b>1 space per 30m<sup>2</sup> gross floor space</b>
Non Food	<b>1 space per 50m<sup>2</sup> gross floor space</b>
Garden Centre	<b>1 space per 50m<sup>2</sup> gross floor space</b>
Town Centre/ Shopping Mall/ Department Store	<b>1 space per 50m<sup>2</sup> gross floor space</b>

Table 5 - Maximum A1 Retail Parking - Rest of the Borough

For Wembley, the retail parking standards are split between more accessible, and less accessible areas and are shown in the Wembley Area Action Plan.

### Residential Parking Provision

Analysis has highlighted that there is a clear correlation in the borough between deprived areas, public transport accessibility and reduced car ownership. The wards in the north of the borough show higher levels of car ownership, lower levels of deprivation and reflect this pattern and the fact that where public transport is less accessible, residents will make use of their cars for essential trips more often and therefore require the facility to park a car at their property. Family homes are more likely to need car parking. Residential parking standards are maximum standards.

HOUSING TYPE			
PTAL	4+ Beds	3 Beds	1-2 Beds
1 - 3	<b>2.0 spaces per unit</b>	<b>1.5 spaces per unit</b>	<b>1.0 spaces per unit</b>
4 - 6	<b>1.2 spaces per unit</b>	<b>1.2 spaces per unit</b>	<b>0.75 spaces per unit</b>

Table 6 - Residential Car Parking Standards - Brent

Parking standards for Wembley have been defined in a way which gives an average of 0.50 spaces per unit. The residential standards for Wembley are

shown in the Wembley Area Action Plan.

### **Parking for Hotels**

The following standards will be applied to hotels:

- PTAL 4-6: Operational and disabled parking provision only, with minor exceptions where warranted.
- PTAL 1-3: Additional parking allowable up to 1 space per 5 bedrooms if justified by a transport assessment.
- One coach parking space should be provided for every 50 bedrooms.

Only operational and disabled parking should be provided for new hotels in the Major Town Centres of Wembley and Kilburn.

### **Parking for Residential Institutions**

#### **Hospitals**

For hospitals, these should be assessed individually due to the differing nature of the parking demands depending on the range of treatments offered. There will be a higher level of operational parking required than for other large institutions. A Travel Plan should be developed to ensure that visitor and employee parking is managed. Where existing hospitals are subject to developments or refurbishment, the existing levels of parking should be the starting point, with any additional requirements justified through a transport assessment.

#### **C2 (Other Residential Institutions)**

Other residential institutions such as care homes,

homeless hostels, halls of residence and residential schools and colleges should base the parking provision on the number of bedrooms. It is proposed that a maximum standard of one space per 10 beds is applied. Further visitor parking may be acceptable provided adequate justification is provided through a Transport Assessment.

Where the development is for the provision of student halls of residence, in line with recent consented schemes, we will seek car free schemes, due to the low levels of car ownership amongst students.

#### **Parking for non-residential institutions (D1)**

This category covers places of worship, health centres, nurseries and museums, all with varying parking requirements. For all D1 uses, 1 car parking space should be provided per 10 users/visitors on site at any one time. However, for developments situated in high PTAL locations, parking provision should be justified by a transport assessment. Longer stay visitor parking should be deterred.

A separate standard applies for schools:

- PTAL 1-3: one car parking space per 5 staff; and
- PTAL 4-6: operational and disabled provision only, unless otherwise justified through a transport assessment

#### **Parking for Assembly and Leisure**

This category covers cinemas, bingo halls and theatres along with leisure centres, swimming pools and gymnasiums.

In locations with PTALs of 4-6, on-site provision should be limited to operational needs, parking for disabled people and that required for taxis, coaches and deliveries/ servicing. In locations with PTAL of 1-3, provision should be consistent with objectives to reduce congestion and traffic levels and to avoid undermining walking, cycling or public transport.

Applicants are encouraged to make use of existing publicly available parking spaces before making on-site provision. Where on-site provision is required, it is proposed that up to 1 car parking space is provided per 10 users/visitors on site at any time. Where venues provide a total capacity over 500 patrons, it is proposed that the level of parking is determined on an individual basis, subject to a detailed transport assessment.

#### **Disabled Parking**

For new residential development, a minimum of 10% of parking spaces provided for private units should be dedicated to disabled use. For all other uses, a minimum of 5% parking spaces should be dedicated to disabled use.

#### **Cycle Parking**

Cycle parking standards as set out in the London Plan apply in Brent.

# APPENDIX 2 – SERVICING STANDARDS

## A1 Retail

For A1 retail units less than 500m<sup>2</sup> gross floor area, one transit sized bay for service vehicles should be provided. Food retail units of over 500m<sup>2</sup> should provide 12m bays for servicing. For larger A1 retail units over 2000m<sup>2</sup>, one full size lorry bay per 2000m<sup>2</sup> for service vehicles should be provided.

If the development forms part of a group of smaller units, the total floor area of the entire groups of units should be used to determine the number of service vehicle bays. Existing service facilities should also be taken into account.

## A3 Food and Drink Establishments

Standards should be provided on a site specific basis, depending on the size of service vehicles and each location.

## B1 Business

B1 Business use developments should provide service space only for 8m rigid service vehicles, as opposed to maximum sized (i.e.10m) rigid vehicles at each location.

## B2 General Industry and B8 Warehouse

Units under 300m<sup>2</sup> should provide a loading bay that can accommodate an 8m rigid vehicle. Units between 300m<sup>2</sup> and 1000m<sup>2</sup> should provide

a loading bay for full-sized (10m) rigid vehicles. Beyond 1000m<sup>2</sup>, there should be provision of full sized loading bays.

## C1 Hotels

In addition to the coach parking provision standards, new hotel developments should also provide a loading bay for at least one 8m sized rigid vehicle. Any specific sites with alternative requirements should be reviewed separately.

# APPENDIX 3 – GLOSSARY

**Accessibility Management Plan:** A plan which sets out how accessibility and inclusion will be monitored and maintained throughout the life of a development.

**Adult Gaming Centre:** An adult gaming centre is a place of gambling where access is restricted to persons over 18.

**Air Quality Management Area (AQMA):** An area which a local authority has designated for action, based upon a prediction that Air Quality Objectives will be exceeded.

**Betting Shop:** A store where the primary activity on the premises is betting services. Each premises is permitted to have up to four gaming machines, known as fixed odds betting terminals.

**Decentralised Energy Network:** the local generation of electricity and where appropriate, the recovery of the surplus heat (combined heat and power – CHP) for purposes such as building space heating and domestic hot water production.

**Forecourt Trading :** trading from a designated area which is connected to the frontage of a shop and either on the public footway or private land. Also known as street trading.

**Greenfield Run-off Rates:** The rate of run-off that

would occur from the site in its undeveloped and therefore undisturbed state.

**Green roof:** A green roof, also known as an eco roof, living roof, or vegetated roof, is one that is either partially or completely covered in vegetation on top of the human-made roofing structure.

**Heavily Parked Street:** Streets where the percentage of cars parked on-street exceeds 80%, the safe and legal maximum level of parking.  
**Live-Work Premises:** Purpose-built premises, or purposely converted units, comprising a mix of residential and business uses which cannot be classified under a single class within the Use Classes Order.

**Local Employment Sites:** Sites, outside of Strategic Industrial Locations (SIL) and Locally Significant Industrial Sites (LSIS), which provide, or are capable of providing, local employment opportunities. These sites include those on the fringes of SIL and LSIS, scattered large sites and smaller sites dispersed throughout the borough including those in residential areas.

**Locally Significant Industrial Sites (LSIS):** Employment sites identified in the Core Strategy as being of significance to Brent's economy. Occupancy within these sites is generally similar to that within SIL, but is more varied and may include office or trade uses.

**Lifetime Neighbourhood:** Places where, in view of an ageing society, transport, basic amenities, green spaces, decent toilets, and places to meet and relax, are consciously planned for people of all ages

and conditions in mind within easy reach of homes, accessible to all and planned into proposals at the outset.

**Major Developments:** 10 or more residential units (or if a number is not given, where the area is more than 0.5 hectares), or 1000 sq m (or more) gross commercial floorspace.

**Meanwhile Uses:** The temporary use of vacant buildings or land for a socially beneficial purpose until such a time that they can be brought back into commercial use again.

**Metropolitan Open Land:** MOL are strategically important open spaces to London. MOL performs 3 valuable functions:

- 1) to provide a clear break in the urban fabric and contribute to the green character of London;
- 2) to serve the needs of Londoners outside their local area; and
- 3) contains a feature or landscape of national or regional significance. MOL is afforded the same level of protection as the Green Belt and the London Plan stresses that there should be a presumption against development in these areas.

**Neighbourhood Parades and Isolated Shop Units:** Neighbourhood Centres and isolated units are located outside of designated town centres. These shops serve a local retail need and play an important social role in the community as well as contributing to the character and function of the local area.

**Open Space:** All land in Brent that is predominantly

undeveloped other than by buildings or structures that are ancillary to the open space use. The definition covers a the broad range of types of open space, whether in public or private ownership and whether public access is unrestricted, limited or restricted.

**Opportunity Areas:** Areas designated in the London Plan as London's principal opportunities for accommodating large scale development to provide substantial numbers of new employment and housing.

**Pawnbroker:** A store which offers loans in exchange for personal property as equivalent collateral. In Brent many of these stores also provide a payday loan service.

**Payday loan shops:** A company that lends customers small amounts of money at high interest rates, on the agreement that the loan will be repaid when the borrower receives their next wages.

**Playing Field:** A playing field is an area containing at least one playing pitch (0.2 ha or more, including run-offs), irrespective of ownership.

**Playing Pitches:** A playing pitch means a delineated area which, together with any run-off area, is of 0.2 hectares or more, and which is used for association football, American football, rugby, cricket, hockey, lacrosse, rounders, baseball, softball, Australian football, Gaelic football, shinty, hurling, polo or cycle polo as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2010).

**Primary Frontages:** Frontages comprising a high proportion of retail uses which may include food, drinks, clothing and household goods. Primary frontage is shown on the Polices Map.

**Public Transport Accessibility Level (PTAL):** A detailed and accurate measure of the accessibility of a point to the public transport network, taking into account walk access time and service availability.

**Quiet Areas:** The Environmental Noise (England) Regulations 2006 (as amended) require that Noise Action Plans for agglomerations (including much of Greater London) include provisions that aim to protect any formally identified 'Quiet Areas' from an increase in road, railway, aircraft and industrial noise.

**Secondary Frontage:** That part of a shopping centre outside the primary frontage, usually on the fringe, where units provide greater opportunities for a diversity of uses such as restaurants, cinemas and businesses. Secondary frontage is shown on the Polices Map.

**Section 278 Agreement:** A legally binding agreement between the Local Highway Authority and the developer to ensure that the work to be carried out on the highway is completed to the standards and satisfaction of the Local Highway Authority.

**Small and Medium Enterprises (SMEs):** Defined in EU law as enterprises which employ fewer than 250 people and which have an annual turnover not exceeding €50m, and/or an annual balance sheet total not exceeding €43m.

**Social Infrastructure:** A wide variety of services that are essential to the sustainability and wellbeing of a community such as education facilities, places of worship, health provision, community, cultural, recreation and sports facilities.

**Strategic Industrial Location (SIL):** These comprise Preferred Industrial Locations (PILs) and Industrial Business Parks and exist to ensure that London provides sufficient quality sites, in appropriate locations, to meet the needs of industrial and related sectors including general and light Industrial uses, logistics, waste management and environmental Industries (such as renewable energy generation), utilities, wholesale markets and some transport functions.

**Studio Flat:** Also known as a studio apartment, a small apartment which combines living room, bedroom, and kitchenette into a single room.

**Sustainable Urban Drainage System (SuDS):** An alternative approach from the traditional ways of managing runoff from buildings and hardstanding. They can reduce the total amount, flow and rate of surface water that runs directly to rivers through stormwater systems.

**Tall Buildings:** Buildings or structures that are more than 30m in height or significantly taller than surrounding development.

**Transport for London Route Network (TLRN) Road:** The Transport for London Route Network is made up of roads that are owned and maintained by Transport for London (TfL). They are the key routes or major arterial roads in London.

# APPENDIX 4 - UDP POLICIES TO BE SUPERSEDED

The Development Management Policies replace the remaining saved UDP policies as follows:

SAVED UDP POLICY	TO BE SU-PERSEDED BY
STR 20 Affordable Housing Threshold	<b>DMP 15</b>
STR 25 Protection of Local Employment sites	<b>DMP 14</b>
STR29 Town Centre Vitality & Viability. Supporting Wembley & Kilburn	<b>DMP 2</b>
BE24 Locally listed Buildings	<b>DMP 7</b>
BE25-28 Conservation Area Development Issues	<b>DMP 7</b>
BE31 Archaeological sites	<b>DMP 7</b>
H4 Off-Site Affordable Housing	<b>DMP 15</b>

SAVED UDP POLICY	TO BE SU-PERSEDED BY
H6 Protection of Existing Affordable Housing	<b>DMP 16</b>
H17 Flat Conversions	<b>DMP 17</b>
H18a-j, l Flat Conversion Standards	<b>DMP 17</b>
H19 Flat Conversions; Access & Parking	<b>DMP 17</b>
H22 Protection Of Residential Amenity	<b>DMP 1</b>
H23b-c Supported Housing; New Build	<b>DMP 20</b>
H24 Supported Housing; Conversions/Extensions	<b>DMP 20</b>
TRN15 Forming an Access to a Road	<b>DMP 11</b>
TRN22 Parking Standards: non residential	<b>DMP 12</b>
TRN23 Parking Standards: residential	<b>DMP 12</b>

SAVED UDP POLICY	TO BE SU-PERSEDED BY
TRN24 On-Street Parking	<b>DMP 12</b>
TRN25 Parking in Town Centres	<b>DMP 12</b>
TRN27 Retention of Essential Off-Street Parking	<b>DMP 12</b>
TRN28 Restrictions on Off-Street Public Parking & Contract Parking	<b>DMP 12</b>
TRN34 Servicing in New Development	<b>DMP 13</b>
EMP2 Small and medium sized enterprises	<b>DMP 14</b>
EMP9 Development of local employment sites	<b>DMP 14</b>
EMP10 The environmental DMP 1 impact of employment development	<b>DMP 1</b>
EMP13 Bad-neighbour uses	<b>DMP 14</b>
EMP14 Design of business DMP 14 developments	<b>DMP 14</b>

SAVED UDP POLICY	TO BE SU-PERSEDED BY
EMP17 Reuse of redundant offices	<b>DMP 14</b>
EMP18 General industrial developments	<b>DMP 14</b>
EMP19 Warehouse developments	<b>DMP 14</b>
EMP20 Creative industry proposals	<b>DMP 14</b>
EMP21 Work-live development	<b>DMP 14</b>
SH6-7 Non-Retail Uses, Changes of Use,	<b>DMP 3</b>
SH9 Secondary Shopping Frontages	<b>DMP 2</b>
SH10-11 Food & Drink (A3) Uses	<b>DMP 1 &amp; DMP 2</b>
SH13 Amusement centres	<b>DMP 1 &amp; DMP 2</b>
SH14 Minicab Offices	<b>DMP 1 &amp; DMP 2</b>

SAVED UDP POLICY	TO BE SU-PERSEDED BY
SH17-18 Isolated Shops & Other Parades	<b>DMP 4</b>
SH19 Rear Servicing	<b>DMP 13</b>
SH21-24 Shopfronts, Forecourts & Extensions	<b>DMP 2</b>
SH26-27 Existing/New Retail Markets	<b>DMP 5</b>
SH28-29 Car-Boot Sales	<b>DMP 5</b>
TEA6-7 Hotel Development	<b>DMP 6</b>
OS14 Wildlife Corridors	<b>DMP 8</b>

The following policies are now covered by national and London Plan policy and therefore will not be taken forward in the Development Management Policies Document.

#### **POLICIES WHICH WILL NOT BE TAKEN FORWARD IN THE DEVELOPMENT MANAGEMENT POLICES DOCUMENT**

STR3 Development on previously developed urban land, STR5 Reducing the need to travel, STR6 Parking Controls and Standards, STR9 GLA Roads and London Distributor Roads, STR12 Protection of Public Health and Safety, STR13 Environmentally Sensitive forms of Development, STR14-15 Urban Design Strategy, STR30 Distribution of shopping facilities, STR36 Protection and enhancement of sites of nature conservation importance, BE1-12 Urban Design Quality and Sustainable Construction, BE13-15 Priority Areas for Townscape and Public Realm Enhancement, BE17 Building Services Equipment, BE19 Telecommunications, BE20-21 Advertisements, BE29 Distinctive Residential Character Areas, BE30 Enabling Development, BE32 Monuments / Earthworks, BE33 Tree Preservation Orders, BE34 Views/Landmarks, EP2 Noise and Vibration, EP3 Local Air Quality Management, EP4 Potentially Polluting Development, EP5 Development affecting existing potentially polluting development, EP6 Contaminated land, EP8 Notifiable Installations, EP10 Protection of Surface Water, EP12 Flood Prevention, EP15 Infrastructure, H5 Key Worker Housing, H11 Housing on Brownfield Sites, H12 Residential Quality; Layout Considerations, H13 Residential Density, H14 Minimum Residential Density, H15 Backland Developments, H20 Flats Over Shops, TRN1-4 Transport Assessment/ Impact, TRN6 Intensive Development at Transport Interchanges, TRN8 New Rail Stations – Design Considerations, TRN9 Bus Priority, TRN10 Walkable Environments, TRN11 London Cycle Network, TRN12 Road Safety and Traffic Mgt, TRN13 Traffic Calming, TRN14 Highway Design, TRN16 London Road Network, TRN17 Restrictions on New Roads, TRN18 North Circular Road, TRN20 London Distributor Roads, TRN29 Station Car Parks, TRN30 Coaches and Taxis, TRN31 Design and Land Take of Car Parks, TRN32 Provision and Protection of Rail and Water Freight facilities, TRN35 Transport Access for Disabled People, EMP3 Childcare facilities in employment developments, EMP6 Employee facilities in strategic employment areas, EMP14 Design of business developments, EMP16 Business, EMP22 Home-working, SH2 Town Centres Network and Major Town Facilities/ Waste to Landfill, W12 Aggregate Extraction, PR1 Major Developments In Park Royal, PR3 Public Realm Improvements in Park Royal, PR4 The Grand Union Canal in Park Royal Centres, SH15 Loss of Residential above Shops, SH16 Local Centres, SH31-32 Ealing Road, SH33-35 Design Improvements and Servicing Harlesden, TEA1-2 Location of Tourist, Visitor and ACE uses, TEA4 Public Art, OS1-3 Metropolitan Open Land, OS5 Green Chains, OS9 Dual Use of open space, OS12-13 SSSIs and Sites of Important Nature Conservation, OS14 Wildlife Corridors, OS15 Species Protection, OS16 Welsh Harp and Fryent Country Park, OS17 New Wildlife Habitats, OS18 Childrens Play Areas, OS19 Location of Sports Facilities, OS20 Site Specific Sport Proposals OS21 Metropolitan Walks, OS23 Cemeteries and Crematoria, CF1-2 Location of Community Facilities, CF4 Community Facilities Capable of holding Functions, CF6 School places, CF7-9 School buildings, CF10 Development within school grounds, CF11 Day nurseries, CF13 Health care facilities, CF14 Places of worship, W3 New Waste Management/ Manufacturing Proposals – Environmental and Access, W4-W6 Safeguarding Waste Management Facilities, W8-W9 Construction/ Demolition/ Commercial Waste, W10 Incinerators, W11 Waste Transfer Facilities to PR4 The Grand Union Canal in Park Royal