



Cabinet
13 February 2017

**Report from the Strategic Director
Regeneration and Environment**

For Information

Wards affected:
All except parts of those wards in
Tokyngton, Stonebridge, Harlesden,
Kensal Green that fall within the Old
Oak and Park Royal Development
Corporation boundary

**Updating Brent Council's Planning Strategy (The Local
Plan)**

1.0 Summary

- 1.1 Over the last decade Brent has seen some incredibly positive transformational change in its built environment and the associated opportunities this has provided for its residents and businesses. An example of this has been the completion of the National Stadium and the catalytic effect this has had on the comprehensive planning and delivery of a major new neighbourhood in Wembley Park. Other examples include significant progress on the regeneration of estates such as South Kilburn and Stonebridge providing award winning dwellings that have improved resident's quality of life and life chances. This investment and action has been facilitated by a strong planning policy framework providing clarity and confidence to the local community, developers, businesses and other investors.
- 1.2 Brent's Local Plan, although comprehensive is in need of review. In particular this is necessary to allow the Council and the community to continue to be on the front foot in shaping and driving future spatial and related change and to consider the spatial implications of global, national, regional and local changes. It provides an opportunity to think about how Brent can address having enough homes for people to live in, where people will work, how people will use public and private transport, what High Streets will need to be like, how we can build in resilience to air pollution and climate change impacts, and so on .
- 1.3 A significant issue is that whilst meeting short term housing needs, the current Plan does not adequately address longer term spatial planning needs set out in the current and soon to be revised London Plan. There also needs to be clarity on where the expected increased population will be able to work and access the necessary social infrastructure required in a successful place.

- 1.4 As it has a fundamental impact on Brent's future, the review of the Spatial Plan will be subject to extensive and wherever possible innovative and interactive engagement to encourage greater participation with the community as well as many others. The greater the level of participation, the stronger the Plan will be. As such it provides an opportunity to bring together, invigorate and enthuse Brent's residents and businesses in participating in delivering a vision for continuing to improve Brent to 2035 and beyond. It is also a critical element in drawing together and seeking to meet many of the Council's objectives in improving the quality of life and life chances of the population.
- 1.5 The report considers:
- the need to, and indicative timescales for, updating the Council's planning strategy (the local plan);
 - a proposed mechanism to ensure corporate and councillor input to considering and developing policies
 - approach to reviewing and updating supplementary planning documents

2.0 Recommendations

- 2.1 Cabinet approves the commencement of a review and update of the existing development plan documents and supplementary planning documents in accordance with a revised Local Development Scheme set out in Appendix 1.
- 2.2 Cabinet approves the establishment of a Local Plan Member Liaison Group to enable discussion and input to developing planning policy and consultation material prior to the Publication Stage of the Local Plan
- 2.3 Cabinet delegate authority to the Strategic Director Regeneration and Environment in association with the Portfolio Holder Regeneration, Growth, Employment and Skills to approve draft Supplementary Planning Documents, other planning guidance and Development Plan consultation material to be issued prior to pre-Publication (Regulation 19 of the The Town and Country Planning (Local Planning) (England) Regulations 2012) stage.
- 2.4 Cabinet approves the revocation of the existing Supplementary Planning Guidance and Supplementary Planning Documents as set out in Appendix 2.

3.0 Background

- 3.1 Much of the regeneration and growth ambitions for Brent will be achieved through urban renewal and creation of new places, homes and jobs. A clear and robust planning strategy setting out a spatial vision for the Borough as a whole and in particular areas of change will provide clarity, certainty and an investment framework for residents, partners, businesses and inward investors. It will also provide a decision making framework for planning applications and aid alignment of many council strategies. Additionally, it will provide a framework for potential infrastructure funding.
- 3.2 The drive to enhance the environment of Brent, bring in additional jobs and homes for an expanding population, and to support London as a world class city, brings both challenges and opportunities. The overarching planning strategy, supported by more detailed guidance and policies, gives Brent the chance to understand these circumstances, review the evidence, think ahead

about the future of the Borough, make site allocations and set the framework for investment and infrastructure.

Brent's Current Planning Strategy

- 3.3 Brent's current planning strategy comprises:
- Core Strategy (2010)
 - Site Allocations Plan (2011)
 - Area Action Plan for Wembley Growth Area (2015)
 - Development Management Policies 2016
 - Joint West London Waste Plan (2015)
 - Sudbury Neighbourhood Plan (2015)
- 3.4 Brent has a suite of non statutory supplementary planning documents (SPDs), other guidelines and conservation area statements which provide finer detail on the implementation of policies and should be regularly reviewed.

The need for updating

- 3.5 Since the adoption of the core strategy and the site allocations plan there have been some significant changes in national policy which Brent's local plan needs to reflect. National policy also requires plans to be reviewed and updated every five years.
- 3.6 The Housing and Planning Act 2016 and the Neighbourhood Planning Bill will introduce further changes, for example supporting self/custom build, brownfield registers and permissions in principle on allocated housing sites. An increased emphasis on higher densities and delivery of consents is likely.
- 3.7 Brent's housing policies are now out of date as they were based on London Plan target applicable in 2010 of 1065 dwellings per annum. Alterations to the London Plan have increased Brent's target to 1525 per annum. Brent's Strategic Housing Market Assessment 2016 (SHMA) identified a housing need of 1826 dwellings per year. Anticipated changes to government policy could result in an even higher figure needing to be provided in the Borough.
- 3.8 The updated Local Plan will also reflect the priorities set out in the Brent 2020 plan.
- 3.9 To achieve these targets (which national policy requires), there will need to be some radical solutions and even greater drive to support housing delivery, whilst balancing against other needs of the population and protecting/ensuring a high quality built and green environment. This needs to be played out and tested through the Local Plan.
- 3.10 The educational pressure within the Borough also necessitates a clear strategy to accommodate school expansion to meet the growing numbers of children, especially at secondary school level.
- 3.11 The Borough also needs an infrastructure delivery plan to ensure strategic oversight of infrastructure, linked to spending CIL and S106 monies.

- 3.12 The Secretary of State can intervene where a Council's plan is deemed to be out of date (especially if there is no five year land supply), where delivery targets are not being met, and where insufficient progress towards getting an up to date plan in place is being made. Brent is not thought to be at risk at the moment of intervention, but it is a risk if progress on updating the strategy is not made.
- 3.13 In addition to the formal, statutory parts of the plan, it is appropriate to review existing supplementary planning documents/guidance and update (with consultation), or remove, as appropriate. The work done to support these, including on conservation areas and heritage assets, form a helpful part of the evidence base which will inform the substantive policies relating to sustainable development in the Borough.
- 3.14 An indicative timetable for the work on updating the plan is set out in an amended Local Development Scheme in Appendix 1. The Council has sought critical friend advice from the Planning Advisory Service during December. The advice received was that the timetable was challenging given the whole plan review, but achievable if the resources identified were available.

Priorities for plan updating

- 3.15 Much of the work on updating the local plan can run concurrently, but the most pressing areas to progress with are:
- Long term vision and objectives
 - Call for sites/site allocations (including education)
 - Establishing the housing target
 - Infrastructure delivery plan (including education)
 - Responding to national and regional policy changes and requirements

Local Plan Member Liaison Group

- 3.16 The Local Plan will require approval/sign off from Cabinet and Full Council, with consideration by Scrutiny, at various stages. It is imperative however, that Cabinet Members, senior management, other Members and officers are involved in the early stages of the scoping of the Plan, understanding evidence and setting the policy direction.
- 3.17 To facilitate this in relation to member involvement it is proposed that a politically and spatially representative Local Plan member liaison group is established. The group would consider policy based topic papers (e.g. housing or employment) which set out evidence, the national and strategic policy framework and initial thoughts on the direction of travel for policy. The purpose is to discuss and explore policy rather than decide policy which will remain the domain of Cabinet and Council.
- 3.18 As far as possible the topics will align with the themes in the new London Plan, which is being developed.
- 3.19 The meetings would be chaired by the Portfolio Holder. The Chair of Planning Committee and up to 10 other members would form the group. Relevant senior officers from across the council would be invited to contribute to

discussions on specific policy areas where relevant. An overview of the engagement stages is set out in Figure 1.

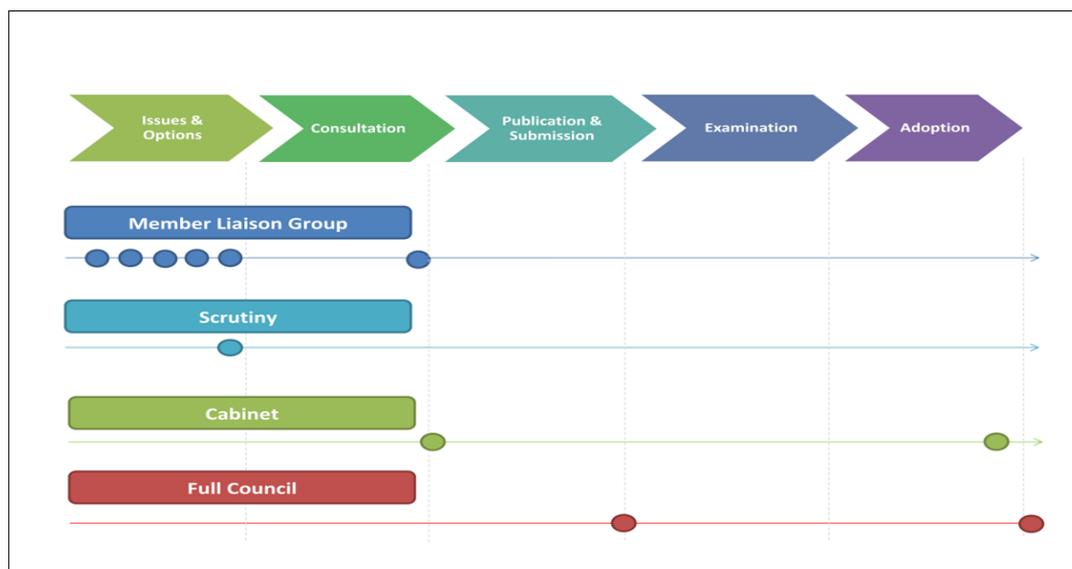


Figure 1 Overview of Stages of Engagement in the Local Plan

- 3.20 The process of updating the plan and gathering evidence will involve extensive engagement with the public, organisations and groups, internal and external partners, businesses, schools etc.
- 3.21 The stages of plan production as set out in regulations and associated guidance are numerous. Cabinet approval of all material associated with the Plan's various stages will significantly lengthen the process, due to its associated internal lead in times. The involvement of the Local Plan member liaison group provides an opportunity for extensive engagement with members in the earlier stages of the Plan's development.
- 3.22 To expedite a timely production of the Local Plan consistent with the timescale set out in the Local Development Scheme and the engagement stages set out Figure 1, it is recommended that approval of consultation material in the earlier stages of the Plan's development is delegated by Cabinet to the Strategic Director for Regeneration and Environment, in consultation with the Portfolio Holder Regeneration, Growth, Employment and Skills.
- 3.23 From the Publication Stage of the Local Plan (Regulation 19 of the The Town and Country Planning (Local Planning) (England) Regulations 2012) which is when the Council formally identifies the policies it wants to take forward for adoption, approval would revert to Cabinet and subsequently Full Council.

Supplementary Planning Documents and other Planning Guidance

- 3.24 The current constitutional position is that in the absence of any delegation, consultation drafts of Supplementary Planning Documents (SPDs) and other planning guidance need to be approved by Cabinet prior to consultation. This can slow down the production of SPDs significantly and is considered to potentially bring unnecessary items to Cabinet. As these documents do not set new policy, but amplify existing, it is recommended that Cabinet delegate approval to proceed with consulting on these documents to the Strategic

Director for Regeneration and Environment, in consultation with the Portfolio Holder Regeneration, Growth, Employment and Skills.

- 3.25 On rare occasions it might be appropriate for Cabinet to consider and endorse consultation drafts, perhaps because of the importance of the issue, for example where new conservation areas are being proposed, or boundaries extensively changed. The Portfolio Holder will be consulted in the drafting of any document to enable early input and clarify whether drafts should go to Cabinet for approval to consult. All final versions of the documents taking account of representations made and officer recommendations of amendment where necessary will be subject to approval from Cabinet. Approval by Cabinet will ensure they are given weight as a material consideration in the determination of planning applications.

Revoking outdated/superseded supplementary planning documents

- 3.26 The Council currently has a substantial amount of Supplementary Planning Guidance and Supplementary Planning Documents, much of it dating from the early noughties on its website. Given changes in national and local policy since then, much of it is now considered by officers to have no or very limited weight as a material planning consideration in the determination of planning applications. Some clarity is required from the Council on its status; that which should be removed, remain for now but be updated, or it is sufficient to not require updating at this stage.
- 3.27 The Planning regulations allow for and set out what a local planning authority must do when revoking a SPD. A Cabinet resolution to revoke guidance would be sufficient to comply with the regulations. Officers would subsequently contact those likely to be interested to confirm the SPDs had been revoked.
- 3.28 A list of these documents along with recommendations to Cabinet for which ones should be revoked, retained, or replaced, and the likely timescale is set out in Appendix 2.

Conclusions

- 3.29 An updated local plan is important for the council, to enable it pro-actively plan for the regeneration of the Borough, secure investment and provide a delivery plan, be consistent with a reviewed London Plan and the Brent 20/20 vision, and reduce the risk of intervention by the Secretary of State. It provides an opportunity to draw together other Council and partner strategies to achieve a co-ordinated approach to improving the quality of social, economic and environmental outcomes.
- 3.30 The update of the Council's local plan will be done with engagement and buy-in corporately from officers, councillors, delivery partners and developers, residents and business communities.
- 3.31 Approval is sought for the proposals to enhance Member involvement and streamline the process for taking forward the Local Plan and replacing and where necessary revoking out of date supplementary planning documents and other planning guidance.

3.32 An updated Local Plan - will also improve the efficiency of the planning service and support the growth and regeneration of the borough. It will give more certainty to residents and investors. Delivery of the development ambitions should increase the residential and business tax base of Brent, will increase job opportunities and improve the quality of life for Brent residents, thus reducing dependency on some Council services. However growth will also create additional pressures on physical and social infrastructure. Whilst a proportion of this will be paid for or provided by developers through S.106 obligations and Community Infrastructure Levy, additional funds will potentially be required from the Council and other third parties.

4.0 Financial Implications

4.1 The production of an updated planning strategy will require additional staff resource (plus 3 and 1/3rd FTEs over and above existing staffing levels) as currently being proposed in the planning restructure.

4.2 There will be a one off requirement for the additional budget provision to meet the costs of developing the evidence base that will support the strategy and to meet the examination costs. This is currently estimated at £350k to £500k spread over the 2017/18 and 2018/19 financial year.

4.3 There is potential for additional costs associated with engagement particularly in the formative period of the vision, strategic objectives and working towards preferred options. It is intended that where possible this will be completed in house, using existing data and evidence, to minimise the use of consultants.

4.4 For other supporting documents and heritage matters work will be done in house. There will be minor consultation costs that will be funded from existing planning service budgets.

5.0 Legal Implications

5.1 Planning and other applications must be determined in accordance with the Development Plan and Listed Building legislation unless significant material considerations indicate otherwise. Policies, guidance and the Local List will hold the most weight where they are up to date and consistent with national and London Plan policy.

5.2 Planning documents (both statutory and non statutory) have a clearly defined process for their adoption which will be followed.

5.3 Advice has been received from the legal department on how to best address efficiency of working when considering the provisions of the Council's constitution.

6.0 Diversity Implications

6.1 The Equality Act 2010 introduced a new public sector equality duty under section 149. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Council must, in exercising its functions, have "due regard" to the need to:

1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 2. Advance equality of opportunity between people who share a protected characteristic and those who do not.
 3. Foster good relations between people who share a protected characteristic and those who do not.
- 6.2 Full statutory public consultation will be carried out in the process of preparing in undertaking the work as identified in the report. Equalities Impact Assessments will be undertaken in association with each of the work streams.
- 7.0 Staffing/Accommodation Implications (if appropriate)**
- 7.1 Additional staff will be recruited as part of a Planning service restructure (+3 1/3rd FTEs). The staff will need desk space and IT equipment.

Background Papers

Brent 2020 information

[Brent Core Strategy 2010](#)

[Brent Site Specific Allocations DPD 2011](#)

[Wembley Area Action Plan 2015](#)

[Brent Development Management Policies 2016](#)

[London Plan \(incorporating Further and Minor Alterations\) 2016](#)

Brent The SPGs, SPDs and planning guides as set out in Appendix 2.

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