



Cabinet
13 February 2017

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

For Information

Wards affected:
Kilburn and Queens Park

South Kilburn Draft Supplementary Planning Document

1.0 Summary

- 1.1 The regeneration of South Kilburn Growth Area and more particularly the South Kilburn Estate led by the Council over the last decade has been one of the most transformational changes to have occurred in the Borough. The regeneration which is approaching its half way stage on the estate has resulted in approximately 1000 dwellings either being completed or about to start on site, of which over 500 will be replacements for social rented properties of existing tenants on the estate.
- 1.2 The quality achieved to date has been impressive. Numerous residential sites and other new facilities such as open space provision have been recognised as exemplar schemes in national and international built environment and landscape awards. Extensive engagement has been undertaken with the community and existing residents have, on the whole, bought into the change proposed and delivered to date. It has been one of the more successful estate renewal projects in London. Officers have been recognised nationally for their contribution to regeneration and visits by senior Ministers and the Mayor have resulted for praise in what has been achieved so far.
- 1.3 Although much good work has been done, the transformation is only part way through. There has been much change nationally and locally since 2005 when the initial South Kilburn Supplementary Planning Document was adopted. At least 2400 new homes and 1200 replacement affordable homes were identified in the Local Plan for the area. To assist in providing increased clarity about what will be delivered in the future, including the associated community infrastructure, planning guidance needs to be updated. This takes account of new opportunities that have been identified and will provide more

certainty for the community, the Council as landowner and planning authority and other investors.

- 1.4 This report sets out the rationale on the need for consultation on a draft South Kilburn Supplementary Planning Document. It provides an overview of the delivery of the 2005 South Kilburn Supplementary Planning Document. It provides some background on the South Kilburn estate masterplan review (completed in December 2016) which will set out a framework for the continued regeneration of the estate in the years ahead.
- 1.5 This report identifies the need to formalise this review through pertinent elements being incorporated into a new Supplementary Planning Document (SPD), which will then have weight as a material consideration in the determination of planning applications. Adoption of a Supplementary Planning Document will require processes to be undertaken in accordance with regulations, including a formal consultation stage.
- 1.6 The report seeks to update Cabinet on high level outputs of the masterplan and seek approval of a draft Supplementary Planning Document for consultation.

2.0 Recommendations

- 2.1 Cabinet approve the draft South Kilburn Supplementary Planning Document for consultation.
- 2.2 Cabinet delegate approval of editorial changes of the draft Supplementary Planning Document to the Strategic Director of Regeneration and Environment.

3.0 Detail

Background

- 3.1 In the early noughties the Council recognised the need for wholesale regeneration of the South Kilburn Estate to replace poor quality council housing stock and upgrade that which was of better quality to improve the life chances of residents. It worked closely with the local community as part of a government programme (New Deal for Communities). This resulted in a masterplan for the estate which identified properties to be retained and those which could be redeveloped.

South Kilburn Supplementary Planning Document 2005

- 3.2 To support this regeneration and provide confidence to the community and investors that elements of the Masterplan would be supported through the planning process, the South Kilburn Supplementary Planning Document (SPD) 2005 was adopted. This identified the opportunities within the estate and over a wider area to support the regeneration of the area. It covered land and buildings not within the Council's ownership, principally along Kilburn

Lane and the bottom end of Chamberlayne Road. The principles of the masterplan SPD were formally adopted in development plan policy. The South Kilburn growth area was identified in the Brent Core Strategy 2010 (Policy CP South Kilburn Growth Area) and subsequently a number of its sites within the Brent Site Specific Allocations Plan 2011 (Policies SK1-SK5).

- 3.3 To date approximately 1400 dwellings have been delivered across the growth area with a further 600 (approximately) with full consent or going through the planning process currently to be delivered. There is potential capacity on identified sites for at least another 1500 dwellings in addition to those built or with consent/current applications.
- 3.4 Outside the estate in the rest of the growth area, the majority of the development opportunities initially identified have either been delivered or are in the construction stage. On the estate, the quality of the new dwellings being delivered has overall been very good; officially recognised through numerous architectural and housing design awards and high levels of satisfaction with new homes owners and existing relocated tenants.
- 3.5 As well as re-proving homes on the estate for existing social tenants, the new stock being provided is also seeking to address issues such as providing housing for tenants with mobility requirements and diversifying the stock from a preponderance of smaller (studio, 1 and 2 bed) to family sized/friendly 2, 3 and 4 bed homes. The move to larger dwellings assists with over-crowding. It also produces more sustainable neighbourhoods, reducing issues associated with high concentrations of the historically more difficult to manage tenancies in the area. The potential to provide affordable intermediate tenures in addition to meeting the commitment to replace social rent dwellings is also being considered where viability/funding makes this possible.
- 3.6 In addition to new homes there have also been improvements to the local environment for example through the upgrade of Cambridge Gardens open space and the provision of the new Woodhouse Urban Park.

Reviewing the Masterplan 2016

- 3.7 Since the initial masterplan for South Kilburn was produced there have been periodic, internal, reviews associated with small phases of development. In 2016 a wider wholesale masterplan refresh for the estate was initiated. The reasons for this included: the age of the original masterplan and the change in national and London Plan policy since then with a strong emphasis on maximising opportunities for additional housing; potential for new opportunity sites to be incorporated; the need for a wider mix of housing tenures in the area due to house price rises; the need to understand and plan to accommodate social infrastructure requirements properly; and a desire to test the appetite particularly of residents to have their homes incorporated into the demolition/reprovision programme (subject to it being shown to be viable).
- 3.8 Through a competitive process the Council appointed Feilden Clegg Bradley Studios (FCBS) to undertake the review. In addition to reviewing the

masterplan, FCBS also were commissioned to use the South Kilburn work to identify guidance that would be appropriate to incorporate into the Councils' review of its SPG17 Design to assist with developing high quality higher density developments.

- 3.9 Public engagement on the review to the masterplan was initiated in July 2016. All residents were made aware of the review through individual leafleting of properties. A series of pop-up consultation sessions (9 – 23 July) and public exhibitions (19 July and 13 September) occurred at the beginning and during the development of the masterplan. The draft final masterplan proposals were subject to a public exhibition on 5th December 2016. The sessions were interactive and well attended, giving members of the community the opportunity to meet the architects, the consultation team, learn more about the review of the Masterplan 2016 and have their say.
- 3.10 On the whole people welcomed the opportunity to engage. The proposals were overall welcomed and the feedback has been used in improving the masterplan. Feedback was positive about the potential extension of South Kilburn park, the continued renewal of the housing stock, making South Kilburn estate connect better to its surrounding areas and potential provision of new shops and community facilities. Concerns were raised about the apparent slow progress of the development process to date and in the future, perceived pressure on parking, loss of existing places of character, pressure on social infrastructure and operational issues related to the potential relocation of the schools.
- 3.11 The Greater London Authority (GLA) have also been engaged in the process as many of the proposals, due to the scale of development, will have to be referred to the Mayor. Feedback was positive; the GLA is impressed with the regeneration of the estate both in terms of the quality of place being achieved as well as the fact that commitments to tenants to reprovide housing and update physical and social infrastructure are being adhered to.
- 3.12 The 2016 masterplanning process has not led to a significant departure from what was previously set out in 2005. This is because the original masterplan was based on sound principles and many of the sites that were available for regeneration have either been developed or have or are near to having full planning permission. The masterplan has incorporated some additional opportunity sites not previously identified which now are likely to come forward. It also identifies sites where there is less certainty about delivery, but where it would be useful to set out a planning principles framework to allow the site to seamlessly integrate into the wider area should they become available. It provides more clarity about how the existing Carlton Vale Infants and South Kilburn Junior schools will be integrated into a single building on one site and what happens with the sites that are vacated.
- 3.13 It provides more clarity on an open space strategy for the area including greening of the area and how the South Kilburn Park could be laid out. It identifies changes in the highway network which look to integrate the area into its wider surroundings, limits rat-running and creates a positive public realm

for the benefit of pedestrians and cyclists rather than a transport dominated environment.

- 3.14 There has not been a significant increase in density or heights proposed as the existing context and the need to protect residents' amenity with regards to daylighting and sunlight and limit overlooking/over shadowing limit options. Carlton Vale is expected to be the focus of additional height, but this will be in the form of thin towers within buildings of varying heights consistent with what has been delivered so far rather than extensive walls of height.
- 3.15 The revised masterplan provides some clarity on the sites within the Council's ownership where the potential for incorporation into the regeneration plans can occur. On sites within third party ownership (e.g. the Iranian school on Carlton Vale) the document sets out potential development solutions should the owner decide to bring the site forward for regeneration in the future, or the Council be given the opportunity to purchase it. These solutions will identify preferred land use, indicative capacity for that use and principal urban design considerations to create a positive environment within the wider masterplan context.
- 3.16 On sites that are within Council ownership a considerable amount of work has been undertaken by the consultant team in relation to the massing, scale and orientation of buildings to create a high quality environment. This provides an understanding of how the development could progress. In theory these drawings could be used as the basis for very specific site briefs at this stage to ensure absolute clarity on what will be developed on site. Nevertheless, there is a danger that creating very prescriptive guidance will limit innovation and not be able to react to changes in circumstance, particularly in the longer term. It could also undermine the potential for a creative process for development sites that might produce the same or better outcomes to be taken forward. As such for all sites a balance has been struck to provide a fair degree of certainty about what is likely to be regarded as an acceptable development when determining a planning application through the inclusion of a range of essential and desirable outputs, without undermining potential for creative solutions.
- 3.17 The draft Supplementary Planning Document relates to the wider South Kilburn Growth Area, rather than wholly focussing on the South Kilburn estate. Whilst the majority of sites formerly identified for development outside the estate have been delivered, there is still the potential for ad-hoc sites to come forward. As such guidance related to the wider context is relevant and consistent with Core Strategy policy. Depending on the timing of their delivery some sites identified in the SPD could be taken forward as site specific allocations in any future review of Brent's planning strategy. This will provide a higher degree of weight in terms of planning policy used in the determination of planning applications than that which can be attached to the guidance in the adopted SPD.

The draft Supplementary Planning Document contents

3.18 The basic structure of the document is:

- a) Vision and development principles
- b) Broad topic based policy approach
- c) Site specific guidance
- d) Phasing of delivery

3.19 The SPD provides guidance on planning matters. It supplements London Plan and Local Plan policy and as it gains weight through the process will be a material consideration in determining planning applications. The key planning policy requirements covered in the SPD are as follows:

- a) Development Principles – Emphasises the need to make South Kilburn a desirable and sustainable place to live. It identifies key strands to achieving that including: an integrated neighbourhood; building design; public realm; educational attainment; health and well-being; parks and open space; and tenure diversification. It highlights the high level outputs of the 2016 South Kilburn masterplan to give a context for what follows in the SPD.
- b) Land Use – primarily the focus will be on residential, with appropriate levels of social infrastructure which respond to identified needs such as potential provision of further ground floor commercial premises from Queen’s Park along Carlton Vale, replacement health facilities, replacements for displaced faith facilities, replacement of community facilities and re-provision of schools in updated buildings.
- c) Design – emphasising the need for quality in design, contemporary architecture reflecting sound urban design principles and durable high quality materials.
- d) Housing – identifies likely housing numbers, proportion of affordable, preferred tenures, size mix that seeks family housing and designs to integrate as best as possible the tenure types, building heights, density and urban form and amenity standards
- e) Community and other facilities – focusing on the improvement in the schools, health centre provision and other religious/community needs either displaced or resulting from the development
- f) Transportation and movement – focussing on re-connecting the south Kilburn estate to the wider area, creating new streets to replace those that were formerly lost, reducing car dependency and increasing use of alternatives to the car, but providing for car use where necessary, e.g. parking provision, car clubs and electric charging points and improving the public realm.

- g) Green infrastructure – identifying improvements to existing green space and additions, e.g. extension to South Kilburn park, plus green infrastructure provision within development sites, e.g. amenity space, planting and green roofs.
- h) Sustainability – identifying the opportunity provided by the South Kilburn energy centre and the need for all future development to connect to this feature to reduce energy and heating costs and the development's carbon foot print
- i) Implementation – responsibilities and indicative phasing timetable for demolishing and redeveloping blocks
- j) Site Specific principles – indicative number of dwellings/non-residential floorspace, heights, massing and key frontages to address

3.20 The draft South Kilburn SPD which it is recommended that Cabinet issue for consultation is attached in Appendix A. The document has been produced by graphic designers to a tight deadline to make the Cabinet date. There are no plans to alter the text and figures to materially impact on the document, however presentationally officers consider that there might well be opportunities to enhance the appearance of the document, e.g. using photographs to fill some of the space currently void. Consequently approval is sought from Cabinet to delegate to the Strategic Director of Regeneration and Environment approval of minor editorial changes prior to the document being issued for consultation.

3.21 An adopted up to date SPD should assist the South Kilburn regeneration team and planning team in clarifying the planning position in relation to sites being brought forward for development. This should allow both teams to reduce the risks to the Council associated with the planning application process and support the continued regeneration of the estate in a timely and more efficient manner.

Consultation

3.22 As identified there has already been on-going consultation in developing the revised South Kilburn masterplan. At the last of the public engagement events which showcased the updated masterplan those that attended were made aware that there would need to be a further round of formal consultation in association with taking its outputs forward in a Supplementary Planning Document. The Town and Country Planning (Local Planning) (England) Regulations 2012 set out what the Council needs to do when seeking to adopt a Supplementary Planning Document. It has to publicise the consultation, notifying those that might be interested and making the document together with a consultation statement available on the website, in its principal office and in other locations it regards as appropriate. Consistent with this it is proposed that the consultation period for the document is for a minimum of 6 weeks.

3.23 Following close of the consultation period it is proposed that representations received will be reported to a future Cabinet, along with officer comments and

any associated proposed modifications prior to its recommendation for Cabinet adoption.

4.0 Financial Implications

- 4.1 The cost of the production of the SPD and all associated processes associated with its consultation and adoption, will be met from existing South Kilburn development scheme's and planning policy budgets.
- 4.2 The costs of producing the Masterplan is being met within the wider South Kilburn development scheme's budgets.

5.0 Legal Implications

- 5.1 Regulations provide for Local Planning Authorities to adopt Supplementary Planning Documents. These documents are to provide more detailed guidance on how a development plan policy will be interpreted in the determination of planning applications. Supplementary Planning Documents cannot introduce new policy or allocate sites for development.

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 Statutory public consultation will be carried out in the process of preparing and adopting the Supplementary Planning Document. An Equalities Analysis Assessment screening opinion has been undertaken which identified no negative impacts in relation to those with protected characteristics as a result of the document. There is the potential for positive impacts with regards to ethnic background and disability through the provision of new residential properties which are likely to improve the quality of life for people with these characteristics as they have a higher representation amongst social housing tenants than the wider Brent community.

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 None arising specifically from the draft Supplementary Planning Document.

Background Papers

South Kilburn Supplementary Planning Document 2005
Brent Core Strategy 2010
Brent Site Specific Allocations Plan 2011
Brent Development Management Policies Plan 2016
South Kilburn Masterplan Review 2016

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