

## **APPENDIX 2**



# **LOCAL DEVELOPMENT SCHEME**

This Local Development Scheme is a public statement of the Council's programme for the production of its Local Plan and associated documents over the next three years. It is to be the first point of reference for local communities and other stakeholders to find out about Brent's Local Plan

**OCTOBER 2019**

## **London Borough of Brent Local Development Scheme**

### **Explanatory Note**

Under the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011, Brent Council is required to produce a Local Development Scheme (LDS) that sets out our timetable and programme for the production of planning policy documentation. The Local Development Scheme (LDS) is to be revised at such times as the Local Authority considers appropriate.

The LDS covers the period from 2019 to 2022. Although there is no longer a statutory requirement to include Supplementary Planning Documents (SPDs) in the LDS, these continue to be listed in order to give a full account of Brent's planning policies. A summary of progress on Neighbourhood Plans is also included in the appendix.

This and other Local Plan documents are available online at [www.brent.gov.uk/localplan](http://www.brent.gov.uk/localplan).

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## **1.0 INTRODUCTION**

- 1.1 This Local Development Scheme (LDS) is Brent's project plan for the production of the Local Plan for the next three years, and has been prepared in accordance with the requirements of the Planning and Compulsory Purchase Act 2004. The purpose of the LDS is to explain the current planning policy documents for the borough. It also outlines which local development documents will be included in the Local Plan, and when they are to be produced.
- 1.2 This scheme does not include planning policies but is to be used to find out which policy documents apply in the borough and their status. If there are any ad-hoc changes to the production of any documents, these will be published online at [www.brent.gov.uk/localplan](http://www.brent.gov.uk/localplan).

## **2.0 OVERVIEW OF THE LOCAL PLAN PROCESS**

- 2.1 The following are the key aspects of the development plan system as they relate to LB Brent. The statutory development plan for the borough consists of:
  - (i) London Plan (as amended) 2016;
  - (ii) Brent Local Plan incorporating the Core Strategy July 2010, the adopted Site Specific Allocation July 2011, Wembley Area Action Plan January 2015; and
  - (iii) West London Waste Plan July 2015
  - (iv) Sudbury Neighbourhood Plan September 2015
  - (v) Harlesden Neighbourhood Plan May 2019
- 2.2 In addition to this Brent Development Management Policies Plan November 2016 forms part of the development plan for areas of the borough not within the boundary of the Old Oak and Park Royal Development Corporation (OPDC). The OPDC from 1<sup>st</sup> April 2015 became a Local Planning Authority in its own right and is taking forward its own Local Plan for adoption. Currently all of Brent's development plan adopted prior to 1<sup>st</sup> April 2015 applies to the OPDC area. The OPDC has produced a draft Local Plan which is at examination stage with an aim to adopt in early 2020. Once adopted, the Brent Local Plan will no longer apply in that area. See appendix 1 for the OPDC area and its coverage in the London Borough of Brent.

### **Structure**

- 2.3 The terminology around planning can be confusing with different terms used for the same documents used in legislation and guidance. The Development Plan or Local Plan as it is also known is a portfolio of planning documents. Government regulations and guidance set out the process for preparing the documents. The preparation of the Local Plan has for the last decade taken place at different times for different documents that comprise the portfolio. This reflects guidance and national practice associated with the 2004 Planning and Compulsory Purchase Act. It should also be noted that the process for preparing documents has changed with the publication of the National Planning Policy Framework in 2012, Localism Act 2011 and Town and Country Planning (Local Planning) (England) Regulations 2012. Government has moved its preference

away from the portfolio approach with Local Planning Authorities encouraged to decide on the format that suits an individual area, either as a suite or a single document. The following text gives a description of the types of documents in the Local Plan and a short description of each.

## **Local Development Documents**

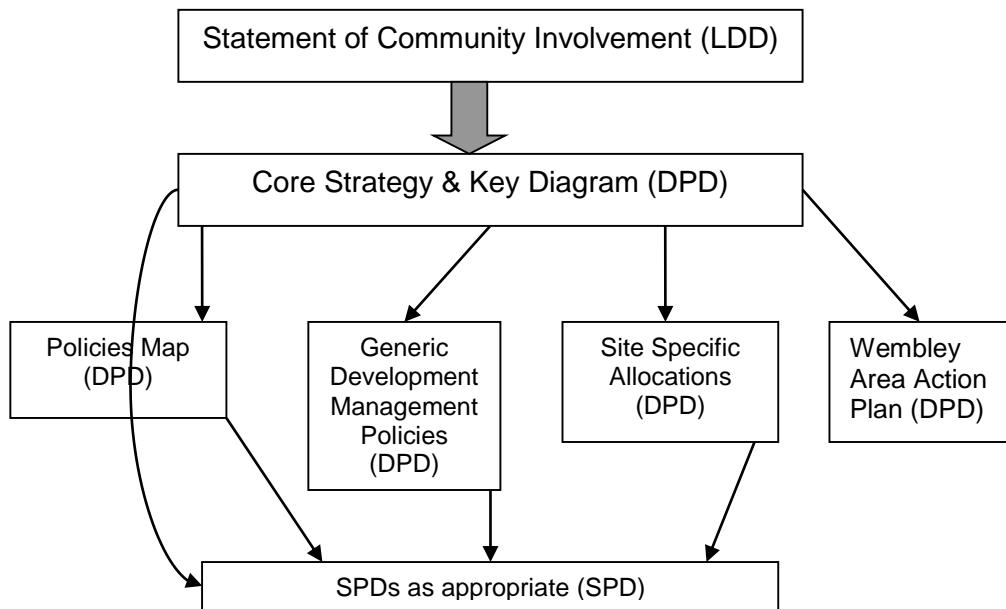
2.4 The 2004 Act identified two different types of Local Development Documents (LDDs) that can be used by Local Planning Authorities to set out policy and associated guidance that can be used to determine planning applications. These are Development Plan Documents and Supplementary Planning Documents. All local development documents are, where necessary, subject to sustainability appraisal and a strategic environmental assessment:

- **Development Plan Documents (DPD)** – Planning applications must be determined in accordance with the Development Plan, or Local Plan; this is also known as a Development Plan Document. As they form part of the Development Plan these documents have statutory status. They are subject to independent examination before an inspector, who can recommend changes which the Council must accept if they are to adopt the Plan. The key DPD in Brent's Local Plan is the Core Strategy, which sets out an overall vision of how the borough and places within it should develop. Other DPDs can include Area Action Plans, generic Development Management Policies documents, Site Specific Allocations and a Policies Map. DPDs must be in general conformity with the London Plan.
- **Supplementary Planning Documents (SPD)** – these documents do not have development plan status but provide guidance on the application of DPD policies. Whilst there are regulations and guidance about what they can contain and the processes for their adoption they do not form part of the Local Plan and so are non-statutory. Supplementary Planning Documents amplify policies in Local Plans; they cannot create policy and neither can they allocate sites for development.

## **Other planning documents the Council has to produce**

- **Annual Monitoring Report (AMR)** – sets out progress in terms of producing LDDs and in implementing/monitoring the effectiveness of policies.
- **Statement of Community Involvement (SCI)** – sets out how Brent Council intends to involve stakeholders and the community as a whole in the Local Plan process, as well as their involvement with planning applications. The SCI was adopted in July 2017.

**Figure 1 Brent's Local Plan and associated documents.**

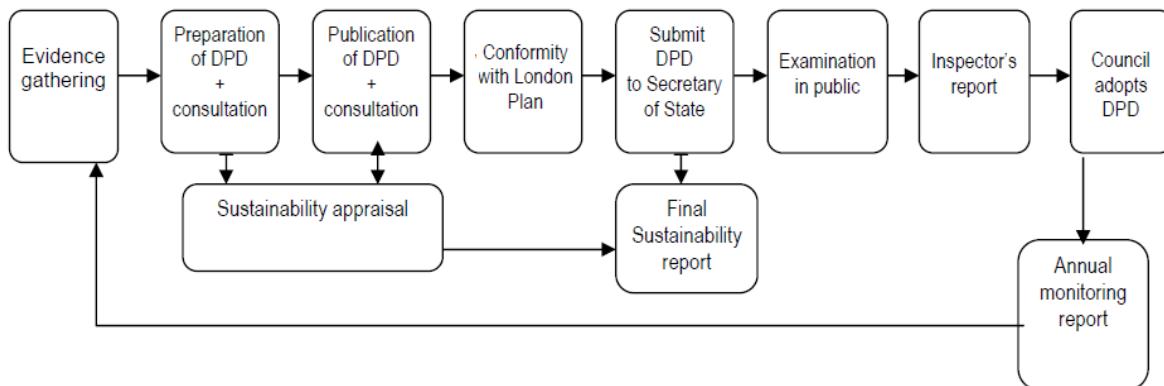


## Process

- 2.5 The diagram below sets out the key stages in the production of the local Plan/DPDs.

**Figure 2 - Key stages in the production of Development Plan Documents**

### Key stages in the production of Development Plan Documents

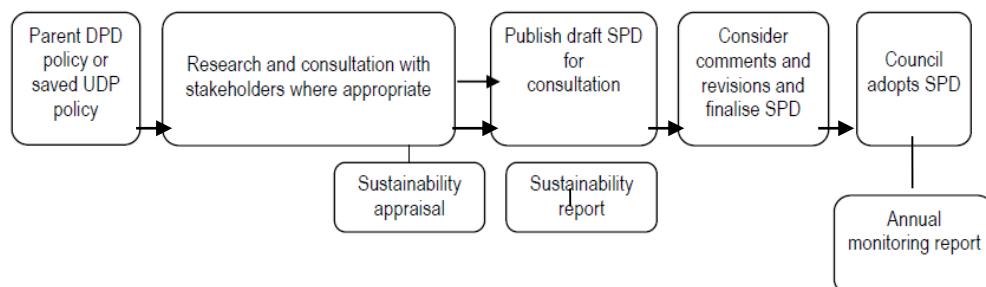


- 2.6 The key stages of **DPD preparation** are highlighted below, which accord with the Town and Country Planning (Local Planning) (England) Regulations 2012:

- **The research stage** - evidence is gathered to help identify issues that need to be considered to shape the DPD strategy. Brent will need to collect the necessary data to develop a robust evidence base for the plan and provide the baseline for a Sustainability Appraisal (SA) scoping report.

- **Preparation of a local plan (Regulation 18)** - When preparing a DPD, the Council must notify each of the specific bodies as relevant, alongside members of the public, stakeholders and interest groups. At this stage, the possible need to include proposals for particular sites will be considered and an initial sustainability report will also be available.
- **Publication of a local plan (Regulation 19)** - Before the Council submits a DPD to the Secretary of State, it must publish and make available the documents it proposes to submit. At this stage, a minimum of a six week period is allowed for any member of the public, group or stakeholder to make representations on the soundness of the document. The Local Development Document will be backed up by the Sustainability Appraisal.
- **Submission of the documents and information to the Secretary of State (Regulation 22)** – The council will set out the detailed policies and proposals and will submit the DPD to the Secretary of State, together with any representations received in accordance with Regulation 20. The final sustainability appraisal will accompany the DPD.
- **Independent Examination (Regulation 24)** – an examination will take place by an independent Inspector appointed by the Secretary of State. The Inspector must consider whether the document is sound in terms of its content, and whether the correct processes and procedures have been followed taking into account representations received through an Examination in Public. The Inspector will also consider the sustainability appraisal processes in terms of its evidence base underpinning the strategy
- **Inspector's Report and Adoption of local plan (Regulations 25 and 26)**
  - Following examination, the Inspector will produce a report to identify whether the Plan is sound and can be adopted. If asked by the Council to do so, the Inspector will make recommendations on main modifications necessary to make the DPD sound. If the Council wishes to adopt the final DPD the Inspector's modifications must be incorporated.
- **Annual Monitoring Report (Regulation 34)** – The council must make any up-to-date information, which they have collected for monitoring purposes, available as soon as possible after the information becomes available.

**Figure 3 - Key stages in the production of Supplementary Planning Documents**



2.7 The preparation of Supplementary Planning Documents is different to that of DPDs. Their preparation is a simpler process than that of DPDs and does not involve an Examination in Public by an Inspector. The Council is responsible for the process throughout, but there is still community involvement.

### **3. 0 BRENT'S LOCAL PLAN**

#### **Introduction to the current situation in Brent**

- 3.1 The Planning and Compulsory Purchase Act requires the Local Development Scheme (LDS) to be revised as such times as the Local Authority considers appropriate. The Council last updated its LDS in January 2017. As it has now moved forward with the review of the plan, which has taken slightly longer than predicted it considers it is appropriate for an update. The key project plan changes and document profiles are highlighted in Appendix 2.

#### **Brent Local Plan – conformity and integration with other plans and strategies**

- 3.2 One of the main changes under the new planning system is a shift in focus from the regulation and control of the use of land to a more spatial approach. This requires a move away from dealing with strictly land use matters, taking account of other strategies and plans for the borough which have an impact upon spatial development. There are a number of strategies, plan and policy guidance that need to be considered and where necessary, integrated into the Local Plan.

#### **National/ Government Planning Policy**

- 3.3 The Government sets out national planning policy in the National Planning Policy Framework (NPPF). There is also associated National Planning Practice Guidance. Both are updated on a regular basis. The Local Plan must be in conformity with the NPPF, taking account of local circumstances.

#### **The London Plan and related guidance and strategies**

- 3.4 The London Plan is the spatial expression of the strategies of the Mayor and the organisations he is responsible for, including Transport for London. It is part of the statutory Development Plan for the borough, and Brent's Local Plan must be in general conformity with it. The London Plan has a number of related strategies and guidance, including Supplementary Planning Guidance on a variety of topics (e.g. affordable housing). A draft new London Plan has been submitted for examination. A panel of independent inspectors will publish their report in September 2019. The plan may then be subject to some further amendments taking account of the inspectors' comments. It is anticipated it will be published (that is adopted) in early 2020. This new London Plan will supersede all existing London Plan policies.

#### **Other local partnerships and strategies**

- 3.5 The Council also has a number of other strategies and plans in the borough which the Local Plan must take account of.
- 3.6 The Council also has to take account of the outputs of Neighbourhood Planning and reflect these in its Local Plan. Neighbourhood Plans must be in conformity

with Local Plan strategic policies and as they are part of the Development Plan Brent's Local Plan must take account of Neighbourhood Plans.

#### **4.0 EXPLANATION OF PROPOSED PROGRAMME FOR BRENT'S LOCAL PLAN**

- 4.1 Appendix 2 sets out the overall programme of the proposed Local Plan for the London Borough of Brent up to 2022 and a Gantt Chart is also available for viewing at Appendix 3. The programme seeks to tie into the timetable for the new London Plan which Brent's Local Plan will have to be in general conformity with.
- 4.2 The focus will be on taking forward the replacement of Brent's Local Plan in the parts of the Borough where the OPDC is not the local planning authority. In addition, the Council will prepare new SPDs where it considers it necessary. These together with their timetable are shown in Appendix 2 and 3. Others will be updated as and when resources allow.

#### **5.0 LOCAL PLAN STRUCTURE**

- 5.1 The existing Local Plan structure has been set out above. This will be replaced by a single Local Plan document which incorporates a Vision/Strategic Objectives for the development of Brent, sites allocated to deliver that vision and development management policies to provide a finer grain of detail for the determination of planning applications. See Appendix 2.

#### **6.0 MONITORING AND REVIEW**

- 6.1 This section identifies how monitoring and review is occurring, including the AMR and resultant annual review of the LDS; the resources (in broad terms) to be allocated to producing the Local Plan; arrangements and responsibilities for programme management and a risk assessment including any proposed contingencies.
- 6.2 Review, monitoring and survey are crucial to the successful delivery of the Local Plan's visions and objectives, and should be undertaken on a continuous proactive basis. By surveying external trends and outcomes, the Council can build strong evidence bases to inform the preparation of LDDs. Effective monitoring is crucial to the development of Local Plans. Its role is already recognised in terms of the 'plan, monitor, and manage' approach:
  - **Plan** – making decisions in the Local Plan about the scale, location, and nature of future development;
  - **Monitor** – putting in place a system to measure whether actual events are contributing towards the objectives in the Local Plan; and
  - **Manage** – adjusting the plan to reflect findings of monitoring.
- 6.3 The Council are required to review actual LDD progress compared with the targets and milestones in the LDS, and produce an AMR. In addition, we need to monitor Local Plans in terms of:

- Assessing the extent to which external trends and progress with delivery reflects Local Plan policies. This is an important means of assessing the effectiveness of policies to deliver housing. LPAs are required to provide information on dwelling completions;
- Policies, targets and milestones being sufficiently clear and focused so as to be capable of quantitative assessment through indicators;
- Informing development management decision-making. Monitoring has an important role to play in terms of implementing criteria-based policies that are responsive to changing circumstances; and
- Recognising national and regional policy objectives and targets. Local monitoring systems need to be sufficiently comprehensive to respond to wider requirements.

### **The Annual Monitoring Report (AMR) and implementation of the LDS**

- 6.4 The Council is required to prepare AMRs to assess the implementation of the LDS, and the extent to which policies in LDDs were achieved. In terms of implementation, AMRs review the actual plan progress over the year, compared to the targets and milestones for LDD preparation set out in the LDS. This assesses:
- Whether the Council has met the LDD targets and milestones, is on target to meet them, was falling behind schedule or did not meet them;
  - If the Council is falling behind schedule or had failed to meet a target or milestone, the reasons for this; and
  - Updates the LDS in light of the above, and the necessary steps and timetable.

### **Monitoring**

- 6.5 In terms of policy achievement, the Council will need to develop robust monitoring systems to judge the effectiveness of LDDs. For the purposes of the AMR, this will include assessing:
- Whether policies and related targets or milestones in LDDs have been met or progress is being made towards meeting them. Or, where they are not being met or on track to be achieved, the reasons why;
  - What impact the policies are having on national, regional and local targets and any other targets identified in the LDDs. These will also have regard to the National Indicators and Brent's key priority indicators;
  - Whether the policies in the LDD need adjusting or replacing because they are not working as intended or are not achieving sustainable development objectives; and
  - If policies or proposals need changing, suggested actions to achieve this.

## **Indicators**

6.6 Crucial to monitoring is the need to set appropriate indicators to monitor actual progress against targets. In line with regional monitoring, there should be an objectives-led approach to Local Plan monitoring which:

- Ensures clear links from objectives through to policies, implementation programmes and to output targets and related indicators;
- Focuses on key objectives rather than monitoring a wide range of indicators not directly relevant to policy performance;
- Provides sufficient consistency in terms of local authority monitoring approaches as to enable comparisons to be made;
- Allows transparency and accountability in terms of delivery; and
- Facilitates more informed policy and decision-making. These will reflect the national indicators where appropriate.

## **Risk Assessment**

6.7 In preparing the local development scheme, it was found that the main areas of risk relate to:

**Other priorities** Diversion of staff resources away from the work programme identified. The adoption of the Local Plan is a corporate priority, so this is considered unlikely to have significant potential.

**The capacity of the Planning Inspectorate (PINS) and other external agencies** to cope with the nation-wide demand. This is outside of the Council's control but currently there are no significant backlogs. The Council will sign a Service Level Agreement with them which ought to ensure timely delivery on both sides.

**The “soundness” of DPDs** This risk will be minimised by working closely with critical friends and if necessary PINS both at and between all milestone stages and in the run up to submission of DPDs.

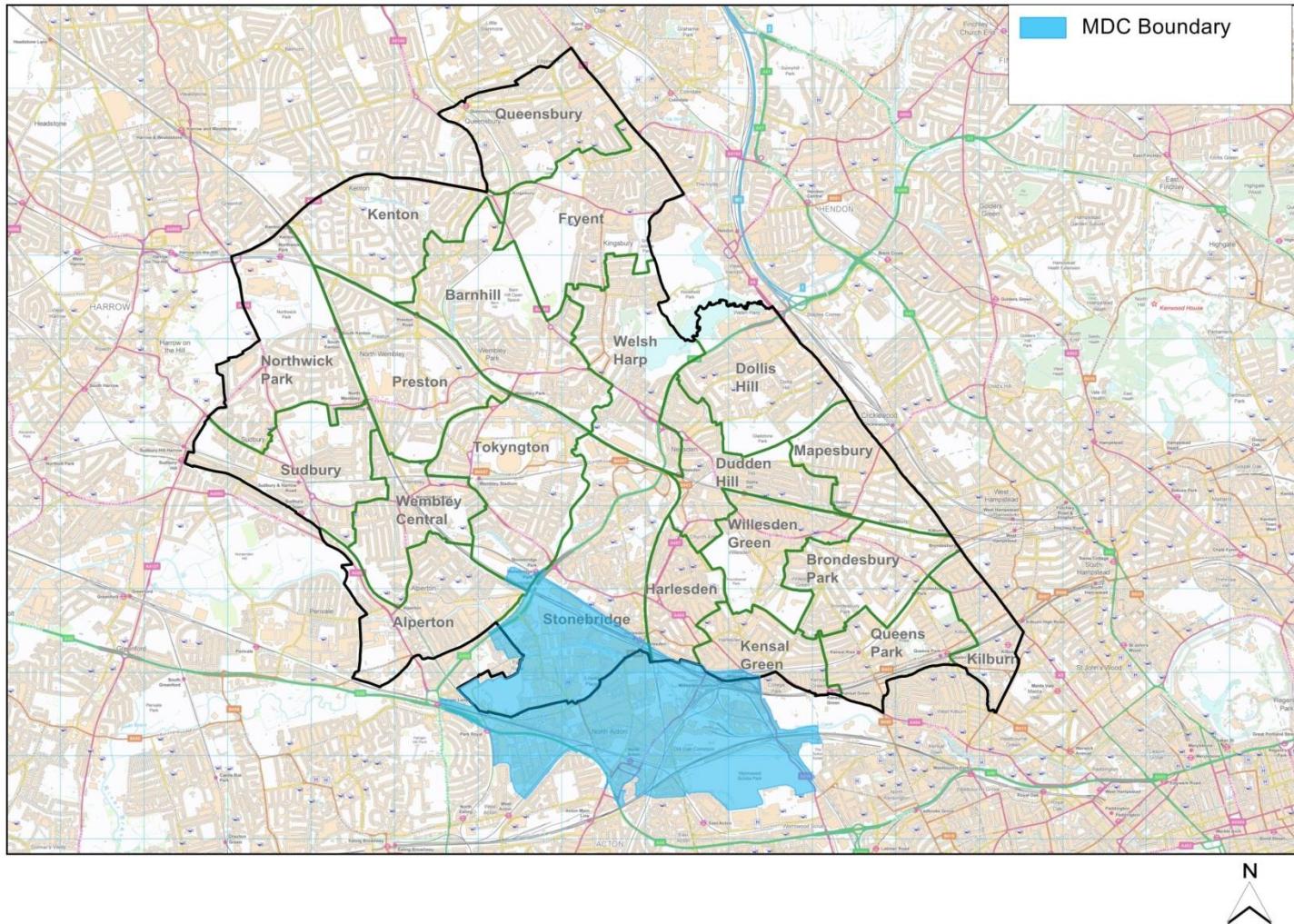
**Legal challenge** This will be minimised by ensuring that DPDs are “sound” and founded on a robust evidence base and well-audited stakeholder & community engagement systems.

**Programme slippage** This will be minimised with some contingency time built into the later part of the programme.

## **Rolling Programme**

6.8 Documents will be replaced/ updated as necessary as identified by the AMR or more informal review mechanism if appropriate before that time. Any changes deemed necessary as a result of the AMR, or other assessment, will be reflected in the production and submission of a revised LDS.

## Appendix 1 – Mayoral Development Corporation Area of Coverage



Appendix 2 – Local Development Documents to be prepared							
a) Local Development Plan Documents 2019 - 2022							
DPD Title	Purpose/ content	Authors	Conformity	Geographical coverage	Community/ Stakeholder involvement	Review	Key Milestones
<b>Policies Map</b>	An OS based map providing a geographical representation of Core Strategy policies and other DPD policy.	LB Brent	Conformity with all DPDs.	Whole borough, except OPDC area	Consultation will be carried out in line with the Council's Statement of Community Involvement.	Policies in DPDs to be monitored through LB Brent Annual Monitoring Report	Updated with each DPD produced
<b>Brent Local Plan</b>	This DPD will set out a vision and strategic objectives for the development of the borough. It will include site allocations and policies that manage the development of the Borough where planning permission is required.	LB Brent	To conform with the London Plan and national policy.	Whole borough except OPDC area.	Consultation will be carried out in line with the Council's Statement of Community Involvement.	LB Brent Annual Monitoring Report	Publication – October 2019 Submission – March 2019 Examination in Public – June – November 2020 Adopted – Dec 2020
b) Supplementary Planning Documents - to 2022							
<b>Staples Corner Growth Area Masterplan</b>	This document deals with the regeneration proposals for Staples Corner Growth Area	LB Brent	Conformity with the London Plan and Brent Local Plan.	Staples Corner Growth Area	Consultation will be carried out in line with the Council's Statement of Community Involvement.	LB Brent Annual Monitoring Report	Consultation – Spring 2020 Adoption – Autumn 2020
<b>Neasden Stations Growth Area Masterplan</b>	This document deals with the regeneration proposals for Neasden Stations Growth Area	LB Brent	Conformity with the London Plan and Brent Local Plan.	Neasden Stations Growth Area	Consultation will be carried out in line with the Council's Statement of Community Involvement.	LB Brent Annual Monitoring Report	Consultation – Spring 2020 Adoption – Autumn 2020

<b>Brent Design Guide (SPD1)</b>	This document will act as a design guide for new development. It will be updated to reflect changes required to provide advice on small sites residential development, intensification corridors and town centres.	LB Brent	Conformity with the London Plan and Brent Local Plan.	Whole borough (excluding OPDC area)	Consultation will be carried out in line with the Council's Statement of Community Involvement.	LB Brent Annual Monitoring Report	Consultation – Summer 2020 Adoption – Winter 2020
<b>S106 planning obligations</b>	This will outline what the borough will expect to be included within S106 obligations.	LB Brent	Conformity with the Brent Local Plan.	Whole borough (excluding OPDC area)	Consultation will be carried out in line with the Council's Statement of Community Involvement.	LB Brent Annual Monitoring Report	Consultation – Spring 2020 Adoption – Autumn 2020
<b>Barn Hill Conservation Area Design Guide</b>	This will be produced in association review the current boundary of the conservation area	LB Brent	Conformity with the Brent Local Plan.	Barnhill and Lawns Court	Consultation will be carried out in line with the Council's Statement of Community Involvement.	LB Brent Annual Monitoring Report	Consultation – Spring/Summer 2021 Adoption – Winter 2021
<b>c) Neighbourhood Plans 2019 - 2022</b>							
<b>N.B. As Neighbourhood Plans are led by the community the timescales below are a best estimate, based on the latest information provided by Neighbourhood Forums.</b>							
<b>Kilburn</b>	This document will guide development within the Neighbourhood Area.	Kilburn Forum	Conformity with NPPF, London Plan and Brent Local Plan.	Kilburn, Brondesbury Park Wards	Consultation must be in line with the Neighbourhood Planning (General) Regulations 2012 Part 5, Regulation 15	-	Designation of forum and area approved – Spring 2016 Consultation Early 2021 Publication Autumn 2021 Examination Early 2022 Adoption Summer 2022

## Appendix 3

### Local Development Plan Documents Adoption Timescales Milestones October 2019

	Oct-19	Jan-20	Apr-20	Jul-20	Oct-20	Jan-21	Apr-21	Jul-21	Oct-21	Jan-22	Apr-22	Jul-22
<b>London Plan Review</b>												
Adoption		■	■									
<b>Brent Local Plan</b>												
Publish Plan Regulation 19	■											
Submission Regulation 22		■										
Examination/Modifications Regulation 25			■	■								
Adoption Regulation 26				■	■							
<b>Supplementary Planning Documents /Other Guidance</b>												
Staples Corner Growth Area	■			■								
Neasden Stations Growth Area	■		■	■								
Brent Design Guide SPD1		■			■							
S106 Planning Obligations		■			■							
Barn Hill Conservation Area Design Guide		■			■							
<b>Neighbourhood Plans</b>												
Kilburn Preparation		■	■	■	■							
Kilburn Consultation				■	■							
Kilburn Publication						■						
Kilburn Examination							■					
Kilburn Referendum/ Adoption								■				