



**Full Council**  
19 February 2020

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

**BRENT LOCAL PLAN SUBMISSION FOR EXAMINATION**

<b>Wards Affected:</b>	All, excluding parts of Harlesden, Kensal Green, Stonebridge and Tokyngton where Old Oak and Park Royal Development Corporation is the Local Planning Authority
<b>Key Decision:</b>	Yes
<b>Open or Part/Fully Exempt:</b> <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
<b>No. of Appendices:</b>	Appendix 1: <a href="#">Draft Brent Local Plan</a> Appendix 2: <a href="#">Draft Brent Local Plan Policies Map</a> Appendix 3: Summary of representations received and officer responses Draft Brent Local Plan Appendix 4: Schedule of Modifications to the draft Brent Local Plan Appendix 5: Draft Brent Local Plan Integrated Impact Assessment
<b>Background Papers:</b>	None
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**1.0 Purpose of the Report**

- 1.1 This report seeks Council consideration of the representations received on the draft Brent Local Plan and approval for its submission for Examination by a Planning Inspector appointed by the Secretary of State.
- 1.2 It also seeks delegation of authority to approve modifications required to the draft Local Plan, necessary to ensure that it can be found 'sound' by the Planning Inspector, to the Strategic Director Regeneration and Environment in association with the Cabinet Member for Regeneration, Property and Planning.

- 1.3 Subsequent to receipt of a positive report from the Planning Inspector's, Full Council will be requested to consider a report recommending adoption of the Brent Local Plan.

## **2.0 Recommendations**

- 2.1 Full Council approves submission of the draft Brent Local Plan as set out in Appendix 1 and Policies Map as set out in Appendix 2 for examination, together with associated Proposed Modifications as set out in Appendix 4 and the Integrated Impact Assessment as set out in Appendix 5.
- 2.2 Full Council endorses the Officer responses to representations as set out in Appendix 3.
- 2.3 Full Council delegate authority to the Strategic Director Regeneration and Environment in association with the Cabinet Member for Regeneration, Property and Planning to make proposed modifications to the Brent Local Plan throughout the examination process to ensure that it can be found 'sound' by the Planning Inspector.

## **3.0 Draft Brent Local Plan – stages to date**

- 3.1 Cabinet considered a paper on 13<sup>th</sup> February 2017 'Updating Brent Council's Planning Strategy (The Local Plan) that set out the process of updating the Council's statutory town planning policies. The processes have to be consistent with the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 3.2 Since mid-2017, a significant amount of work has gone into shaping the draft Brent Local Plan. This will replace all of the existing Brent Local Plan documents, including the Brent Core Strategy 2010, Sites Allocations Development Plan Document 2011, Wembley Area Action Plan 2015 and Development Management Policies Local Plan 2017.
- 3.3 There have been four stages of engagement with the public to date. The first three were consistent with Regulation 18 "Preparation of a Local Plan":
- Mid-August until the end of 2017: informal focussed workshops with residents and other interested parties across the borough. This sought to set out some of the challenges and opportunities related to planning for accommodating Brent's predicted population growth. It captured what people considered important about their area and where they thought there was potential for development to meet these population needs and improve Brent. The main issues are set out in a [consultation summary](#) for that stage.
  - 'Issues and Options' consultation, February-March 2018: the second stage of consultation that occurred for 6 weeks, key issues raised are set out in the associated [consultation summary](#)
  - 'Preferred Options' consultation, November 2018-January 2019: the third stage of consultation that took place across the borough for 8 weeks. It took into account previous consultation responses. The main issues raised are set out in a [consultation summary](#). In addition, fuller responses to each point raised and how the Plan has been amended if necessary are [available to view](#) for those that made representations.

- 3.4 Throughout these early stages of consultation overall, the draft Plan was well received. The wider community recognised the need to meet the existing needs of the population, particularly the need for additional affordable, family and specialist homes. There were however concerns about the predicted growth of the population, and its impacts on infrastructure. Many communities were concerned about existing access to facilities, which were perceived to be inadequate or at full capacity. Whilst most welcomed the investment that has come in regenerating Brent, there are also concerns about potential change in character and loss of green space.
- 3.5 A Local Plan Members' Liaison Group consisting of 10 members from across the borough, including the Cabinet Member and Chair of Planning has met regularly throughout the Local Plan drafting process. It has acted as a sounding board/ critical friend related to the communication/ engagement process, contents and form of the draft document throughout its various stages to date.
- 3.6 The most recent, fourth stage of consultation of the Plan has been consistent with Regulation 19, Publication of a Local Plan. Cabinet approved the publication of the draft Brent Local Plan on 14<sup>th</sup> October 2019. The period for submission of representations was from 24<sup>th</sup> October – 5<sup>th</sup> December 2019, with a focus at this stage on whether the Plan is 'sound'. The tests of soundness are set out in the National Planning Policy Framework. They are that Plans should be:
- a) **Positively prepared**, that is as a minimum meeting all the area's identified needs;
  - b) **Justified**, being an appropriate strategy taking account of reasonable alternatives, and based on proportionate evidence;
  - c) **Effective**, being deliverable over the plan period and based on effective joint working; and
  - d) **Consistent with national policy**, enabling delivery of sustainable development.

### **Draft Brent Local Plan – format and content**

- 3.7 Consistent with national policy, the draft Brent Local Plan as shown in Appendix 1 with its associated policies map in Appendix 2 has sought to complement higher-level policy of the National Planning Policy Framework and the emerging draft London Plan. The Mayor has submitted his Intend to Publish version of the emerging London Plan to the Secretary of State. It might therefore be subject to further change, but will be part of the development plan prior to the conclusion of the examination of the draft Brent Local Plan. It is a statutory requirement for Brent's Local Plan to be in general conformity with the adopted London Plan. Consistent with national policy requirements, the draft Local Plan does not repeat higher-level policy. As such, it makes suitable reference to relevant policies in the emerging London Plan in particular, to make it easier for users to see the relationship between the two documents. It also takes account of and refers to the Sudbury and Harlesden Neighbourhood Plans, which also form part of the development plan, at relevant points.

- 3.8 The Plan sets out policies for the development of the borough to 2041, and for some development beyond. Over this time, the borough will continue to see a significant increase in its population, similar to levels seen over the last 20 years. This will require a substantial amount of new homes, jobs and associated physical and social infrastructure.
- 3.9 The draft Brent Local Plan has a vision, takes the emerging London Plan's good growth policies and makes them locally relevant to Brent. It splits the borough up into 7 places. The boundaries of these places have been based on a number of factors including town centre catchments, physical features such as roads, railway lines and neighbourhoods. This is to make the Plan more relevant at a local level to communities. For each of these places it outlines the challenges and opportunities, sets out a vision and related policy to deliver the vision. It has policies for specific site developments. It then also has specific theme policies consistent with those of the London Plan. As with the current Brent Local Plan, the major places of change will be Growth Areas. The Plan identifies 3 new Growth Areas at Northwick Park, Staples Corner and Neasden Station. The existing Growth Areas all have additional development opportunities identified and in some cases are extended.
- 3.10 It addresses the significant challenges that the council faces, in particular around meeting the needs of the predicted growth in the borough's population. It seeks to meet the housing needs of Brent and wider London by planning for the current draft London Plan target 2019/20-2028/29 of 23,250 dwellings, whilst identifying further capacity in the period to 2041. This is the amount that can be shown to be deliverable based on known sites and reasonable estimates of 'windfall' sites. It takes account of the recommendations of the Affordable Housing Task Group Report January 2019. In doing so, it takes forward the council's strategic target of 50% affordable homes, whilst accepting the Mayor's fast track approach of a lower target in the meantime as a stepping stone to reaching the 50%. The affordable housing tenure split sought is 70% London Affordable Rent (equivalent to new build council) 30% intermediate including shared ownership, discount rent and discount sale. It seeks an affordable housing contribution in lieu of on-site provision for developments of 5-9 dwellings. It seeks to ensure specialist housing and family housing are delivered as part of larger developments.
- 3.11 The Plan seeks to ensure that existing industrial areas are protected and jobs increased through intensification of wholly business floorspace, or as part of mixed-use developments. Town centres are promoted as the priority location for main town centre uses, whilst flexibility is allowed to ensure that they can change and diversify to meet the challenges caused by changes in shopping habits. As is currently the case, policies to limit takeaways, shisha bars, betting shops payday loans and pawn brokers are also included.
- 3.12 The priority locations for tall buildings are identified, along with indicative heights. Policies seek to retain the borough's best historic environments, whilst more detail is set out on addressing the National stadium's future and protecting views of its setting. The borough's open spaces are protected, along with policies for seeking new spaces and bio-diversity in association with development. Policies to address climate change through control of water and the energy requirements of new development and to improve air quality are also included. The Plan complements the council's transport strategy of prioritising more sustainable movement over that of the private vehicle.

- 3.13 Policies protect social infrastructure but also through extensive engagement with bodies such as the Clinical Commissioning Group and the Council's children's and young people division set out when such infrastructure (particularly new health facilities and schools) will be required, supported by an Infrastructure Delivery Plan.

### **Regulation 19 responses**

- 3.14 There were 70 respondents including statutory consultees, adjacent boroughs, developers, landowners, residents associations, neighbourhood forums and individuals. Many respondents provided extensive and detailed representations on all aspects of the plan. The number of responses is consistent with this stage of the Plan adoption process, bearing in mind earlier phases of consultation have taken place and this is a more technical "soundness" stage of consultation.
- 3.15 A full schedule, summarising representations received, officers' responses and recommended remedies to objections including amendments to the draft Brent Local Plan are set out in Appendix 3.
- 3.16 This report presents the most significant issues raised and those that potentially pose the greatest risk to the Plan. It also considers how best that risk would be mitigated in order to get the Planning Inspector support this as a sound plan. When submitting the Local Plan for examination the Council can request the Inspector incorporates modifications that it proposes to the draft Plan. These might be necessary for the Inspector to be able to consider the Plan sound and capable of adoption. There are outstanding objections to the Plan on the basis of its soundness. There will be a continuation of dialogue with objectors to wherever possible remove objections or issues raised about the soundness of the Plan, if necessary through proposed modifications. This will be prior to and during any formal hearings as part of the examination process after the Plan's submission. This is standard practice when a plan is being examined.
- 3.17 The Council will need to be able to propose further proposed modifications in a timely manner to expedite the examination process. Cabinet and Full Council meetings are relatively infrequent and this could adversely affect the speed of the examination process if Full Council was required to consider further proposed modifications. As such the report recommends that Full Council delegate authority to the Strategic Director Regeneration and Environment in association with the Cabinet Member for Regeneration, Property and Planning to make proposed modifications to the Brent Local Plan throughout the examination process to ensure that it can be found 'sound' by the Planning Inspector.

### **Summary of responses received**

#### **General**

- 3.18 The feedback from the public has generally been consistent to that of the early stages outlined in paragraph 3.4. The recognition of the need for new homes is recognised and affordable ones in particular regarded as necessary, but there are associated concerns over population growth, pressure on social infrastructure and likely changes in the borough's character.

- 3.19 Developers have been generally supportive of growth, but there are concerns over the specifics of site allocations, such as indicative dwelling numbers, range of uses allowed and heights of buildings allowed. The same is true of matters such as affordable housing tenure requirements, larger sites needing to accommodate build to rent homes and older peoples' housing and viability of the policies when considered as a whole, sites requiring masterplanning prior to the Council wanting to be in a position to consider associated planning applications.

### **London Mayor/Greater London Authority**

- 3.20 It is a statutory requirement for Brent's Local Plan to be prepared to be in 'general conformity' with the Mayor's adopted London Plan. As such, representations submitted by the Greater London Authority (GLA) who represent the Mayor are significant for the Planning Inspectorate.
- 3.21 Throughout the draft Brent Local Plan's stages the draft new London Plan has also been progressing through its adoption process. It is likely that the new London Plan will be adopted by the time Brent's Local Plan is examined. The draft Local Plan has been written also taking account of the contents of the emerging London Plan, recognising that the adopted London Plan will be superseded.
- 3.22 In December the Mayor issued his Intention to Publish London Plan (the Plan the Mayor wants to adopt) to the Secretary of State. It now rests with the Secretary of State to determine whether to intervene in the plan. Any changes directed would need to be considered by the Council in the run up to the examination.

### **Significant responses received to the draft Brent Local Plan**

#### **GLA Industrial Land**

- 3.23 The GLA has raised a non-conformity issue in the context of the draft London Plan's identification of Brent as a 'provide capacity' borough for industrial land. The GLA references its industrial land study that identifies Brent needs to provide the equivalent of an additional 43 hectares of industrial land (that is land solely for light industry, general industry and storage and distribution), plus what will be lost at Northfields as a result of the Berkley Homes development (about 7 hectares). Their position is not new, as it is consistent with that set out at the Brent Draft Local Plan preferred options stage. The 'provide capacity' designation related to the amount of uplift sought is one of the matters that the Council (supported by Ealing and Enfield, also provide capacity boroughs) attended the London Plan Examination Hearings sessions as an objector.
- 3.24 The GLA consider that the borough should be more pro-active in actively showing how the 43(+) hectares can be delivered. They set out that the borough should undertake a study to identify for each individual plot on designated industrial estates how intensification can occur. They also have specific objection to the identification of Neasden and Staples Corner Growth Areas as these promote mixed-use development on Strategic Industrial Land. They are also requiring long standing Brent Local Plan 2011 residential led site allocations being taken forward in the draft Local Plan to, as a minimum, re-provide all the existing industrial floorspace. They object to the Council's

methodology for identifying how much additional industrial floorspace is required in the borough (work commissioned with West London Alliance boroughs).

- 3.25 Subsequent to the representation positive dialogue with GLA and OPDC officers on industrial matters has occurred. Appendix 3 recommends some modifications to the Plan to provide more clarity on industrial land matters. This will create a more obvious alignment between the Local Plan and the London Plan, where potential for confusion might exist now. On Staples Corner, the Council is working with the GLA and Barnet on some preliminary testing of the potential for intensification of industrial land that tests the potential to release parts of the area for residential and other uses that would support a mixed-use community.
- 3.26 There are still differences however between the GLA and the Council on the ability to deliver the quantum of uplift identified in the London Plan evidence base. This is essentially down to viability, but also other factors such as fragmented land ownership, with the Council's evidence base indicating that a step change in developer delivery to the extent required is unlikely to materialise. As such whilst it is considered that the Council's policies provide a positive context for a net increase, they cannot guarantee its delivery.
- 3.27 Although a borough Local Plan should be in general conformity, it is not a requirement for it to be in conformity on all matters. The examination Inspector can consider that local circumstances evidence is sufficiently compelling that a departure is justified on certain matters, but in the round the Local Plan is still in general conformity with the London Plan.

### **GLA Housing**

- 3.28 A real positive has been the London Plan Panel's recommendations on borough housing numbers, which the Mayor has accepted. The panel supported the Council's (and many other outer London borough's position) that the December 2017 draft London Plan target which relied heavily on small sites was unrealistic. This has resulted in Brent's housing target dropping from 29,150 to 23,250 dwellings in the period 2019/20-2028/29. This is still a significant target and the ability to deliver this amount should not be underestimated; to achieve it there will still need to be development on small sites. Nevertheless, this is below the deliverable target identified in the current draft of the Local Plan. It has removed a previously held GLA general conformity issue.
- 3.29 As the London Plan target has reduced, it is considered that there is merit in the Council reducing its minimum delivery target in those 10 years to that of the London Plan. This is set out in the recommendations in Appendix 3. This is likely to give greater ability to achieve the Government's Housing Delivery and 5-Year Deliverable Housing Sites tests. The Council is awaiting the findings of the first 5-year deliverable housing sites annual position statements submitted to the Planning Inspectorate. This will clarify how stringent the evidence required to show that a site is considered deliverable. The Local Plan Inspector is likely to pay close attention to how achievable the housing target is. It is considered that the Council has sufficient evidence to show delivery of the 23,250 10-year target as it will have approximately a 10% buffer identified in its housing delivery trajectory, that provides flexibility should sites for whatever reason not come forward as anticipated. The sites have been identified; the

key issue will be developer appetite to deliver within the timescales that in many cases they have agreed.

### **Gypsies and Travellers**

- 3.30 Although not raised as a general conformity issue in the Mayor's letter, addressing Gypsy and Traveller needs remains unresolved. The Mayor has rejected the London Plan examination panel's recommendations on the need for the London Plan to amend its definition of a Gypsy and Traveller to that of national planning policy. The Secretary of State has raised this as an issue previously in response to early drafts of the London Plan. There is therefore a strong possibility that the Secretary of State might intervene on this matter and direct that the London Plan be amended. The different definitions create very different levels of need for the Brent Local Plan to address. This is zero additional plots with the national definition, or 90 additional plots with the Mayor's definition.
- 3.31 A precautionary approach on this matter has been taken to secure progress on the Plan. Whilst not allocating any specific sites, policy BH9 provides very broad locations i.e. Growth Areas (with the exception of South Kilburn) where the provision will be considered and a criteria based policy which sets out matters that sites will have to address. This does not imply acceptance of any sites but is rather a pragmatic approach to comply with national policy, meet environmental and equality requirements and allow for an objective assessment of need/supply issues. This approach will help to minimise the risk of challenge since a) the absence of a policy would render the plan unsound; and b) a restrictive policy would be inconsistent with national policy and likewise would be unsound.

### **Environment Agency – Flood risk**

- 3.32 The Environment Agency has raised an issue with how sites that are within floodplain (Flood Zone 3 or 1% annual probability of flooding) have been identified for development. In accordance with national policy, the Council is required to identify development land sequentially, ideally meeting all needs in areas at very low risk of flooding, then those areas with slightly more risk, before considering floodplain. It evidences this through a 'sequential test' and exceptions test if certain uses are proposed within floodplain.
- 3.33 The Council's evidence has been clear that the London Plan housing target cannot be met on identified sites outside the floodplain. Consequently, it has no option left but to consider within the floodplain development that does not unacceptably increase flood risk to occupants or elsewhere. The majority of these sites are not new sites, essentially being long-term allocations adjacent to the Wealdstone Brook through Wembley and Wembley Point/ Bridge Park. Further dialogue has occurred with the Agency with a view to resolving this issue. Some additional flood risk evidence may need commissioning, although information from site owners may mean this unnecessary.

### **Highways England – M1 Impacts**

- 3.34 The representation requests some form of traffic modelling to understand growth impacts on the M1 in particular. At a strategic London wide level the Mayor's evidence base indicates that whilst the number of journeys will increase

with the rises in population predicted, private vehicle use in particular will reduce significantly. Consistent with the emphasis on reducing the need to travel by car, much of Brent's future development will be car free. Contact has been made with Highways England to identify whether in this context the work is necessary and if so what its scope should be. Any such work is likely to involve Transport for London strategic road network team and the London Borough of Barnet.

### **Self-build and custom build**

- 3.35 The Council has a statutory duty to plan for self-build and custom build by ensuring sufficient identifiable sites are available. The Brent self-build register administered by the Council has had limited interest. It is considered that sufficient sites are coming forward through small site planning permissions for self-builders for the Council to discharge this duty. The Council identifies a list of housing sites of up to 5 dwellings on its website, whilst the brownfield register identifies those of more than 5 dwellings. In the context of other competing uses for land, site allocations specifically within the Plan are not proposed.

### **Social Infrastructure**

- 3.36 There have been representations from organisations related to social infrastructure such as the Department for Education and Brent Clinical Commissioning Group (CCG). The Plan has sought to best identify the necessary infrastructure that it is aware of the need to provide by liaising with relevant parties, such as the CCG and Brent staff responsible for schools place planning. Where certainty on requirements has been possible, it has identified specific sites, such as new schools at Chancel House, York House, South Kilburn and at Oriental City. For new Growth Areas the Plan identifies the need for masterplanning, which will need to plan for social infrastructure required to support new communities, this will require engagement with infrastructure providers.
- 3.37 An Infrastructure Delivery Plan (IDP) supports the Local Plan. It sets out short, medium and longer-term infrastructure projects required to address growth needs. The IDP will be used to support the allocation of CIL and S106 funding. The IDP will be reviewed on a regular basis and treated as a 'live' document. It will be updated, as new information and evidence become available (i.e. annual school place planning projections).

### **Adjoining boroughs**

- 3.38 The Council has a duty to co-operate, although not necessarily agree with adjoining boroughs on strategic planning matters. Matters related to cross-border issues will be set out in a series of statements of common ground, setting out where the boroughs agree or disagree. No significant issues have been raised to date which could cause concerns for the adoption process. Work is on-going to see to agree final statements for the examination process.

### **Neighbourhood Forums**

- 3.39 For this round of consultation, only Sudbury Town Residents' Association (STRA) has responded. They state of 319 residents they surveyed, 100% supported the Sudbury Town Neighbourhood Plan compared to the 0% for the

draft Brent Local Plan. They object to the scale of development in Sudbury in the town centre and intensification corridors, where the draft Local Plan identifies five storeys or greater height at strategic points in town centres may be appropriate. They identify the neighbourhood plan seeks to retain the two storey character of the area. They object to Vale Farm being identified for a regional sports centre as this does not spell out policy VF1 of the Sudbury Neighbourhood Plan “Improvements to Vale Farm should not result in the loss of green or open space.” They consider that the Council has ignored the petition signed by 517 people concerning the same issues.

- 3.40 The Sudbury Neighbourhood Plan has no policies on height, but does “suggest that proposals for any new development be in the order of 2-3 storeys high” (page 46). Policy VF1 states: “The Plan supports development that results in the strengthening of Vale Farm as a regional centre for sports excellence.” As such it is considered that there are no direct contradictions with the Neighbourhood Plan’s policies.

### **Moving forward**

- 3.41 Whilst there are some risks as identified above, these are considered manageable. They are an inevitable part of the process of submitting as not all objections will be resolved, which is why examination hearings often occur. Wherever possible, the aim will be to try to reach common ground on issues prior to the examination. This also helps the Inspector decide on which matters he/she needs to consider in more detail during the examination hearings.
- 3.42 Analysis of the plan in terms of its acceptability for submission against Planning Advisory Service checklist have been undertaken. Taking account of this, it is considered that the draft Plan, with the schedule of modifications as set out in Appendix 4 (which incorporates modifications made in response to representations as set out in Appendix 3, plus other mostly minor modifications considered appropriate but not all as a result of representations), is a ‘sound’ document capable of submission and ultimately adoption. It is also considered that the necessary legal processes have been gone through consistent with regulations for it to pass the associated tests.
- 3.43 The proposed modifications in Appendix 4 are not so significant that they substantively change the content/likely outcomes of the Plan away from its vision and strategic objectives, and as such at this stage, it is not considered that they warrant separate consultation prior to their submission with the draft Plan. As the Examination process is likely to result in additional proposed modifications, although it will ultimately be the decision of the Inspector, from an administrative perspective, to save time and to avoid confusion, there is merit in all proposed modifications being consulted upon once, post the end of the hearings.

### **Submission of the draft Local Plan**

- 3.44 The process including the documents to be submitted is set out in Regulation 22 of The Town and Country Planning (Local Planning) (England) Regulations 2012. Along with the draft Local Plan which is Appendix 1 of this report the Council will have to submit:

- a) The Sustainability Appraisal Report. For the purposes of supporting the policies in the draft Local Plan this is Appendix 5 of this report: Brent Local Plan Integrated Impact Assessment. This incorporates the Sustainability Appraisal Report, Strategic Environmental Assessment, Health Impact Assessment, Equalities Assessment and Habitats Regulations Assessment. The Plan's policies and reasonable alternatives have been tested against a number of sustainability objectives to inform the final policy's contents.
- b) A Submission Policies Map, which is Appendix 2 of this report.
- c) A consultation statement, identifying who was consulted at Regulation 18 stage and how they were encouraged to make representations and a summary of the main issues raised in representations. It must also include the number of representations made in response to Regulation 19 and the main issues that were raised. This will be submitted incorporating documents referenced in paragraph 3.2 of this report, plus a summary of Appendix 3 of this report.
- d) Copies of the representations received in response to Regulation 19 consultation.
- e) Supporting documents as in the opinion of the Council are relevant to the preparation of the Local Plan. This will essentially be the evidence base that has been used to inform and support policies in the Plan, likely to be supplemented with topic papers to support the Council's position. The evidence base can be seen on the [Shape Brent webpage](#).

### **Next stages**

#### **3.45 Submission and Examination:**

- a) Submission: March 2020. Local Plan Programme Officer starts to act as a key conduit between the inspector and the Council and liaises with the representors on behalf of the inspector.
- b) Inspector's initial questions & matters: anticipate April/May (depends on Inspector and when appointed but normally about 4-6 weeks after submission) At this stage, the Inspector will ask the council a series of questions and matters based on issues he/she considers need further exploration. The council will respond in the form of hearing statements, which may be discussed further at the hearing sessions. Those who made representations to the publication version of the Plan will also have the opportunity to respond to these questions. All statements will be published on the council's website (a dedicated examination webpage, to be updated throughout the process)
- c) Examination and Hearings: anticipate June/July (normally allow up to 3 months from submission to examination)

- 3.46 Inspector's Report and Adoption: on receipt of a positive Inspector's report, the Council will have two choices. It can either adopt the Plan, subject to any proposed modifications if recommended by the Inspector, or alternatively it can choose not to adopt the Plan. As a policy document, its adoption will be a Full Council decision. At this stage it is difficult to provide a definitive timescale for adoption but it is anticipated to take place in late 2020.

## **Conclusion**

- 3.47 Taking account of the above, it is recommended that Full Council approves the submission of the draft Brent Local Plan and necessary associated documents consistent with regulation 22 of the The Town and Country Planning (Local Planning) (England) Regulations 2012.

## **4.0 Financial Implications**

- 4.1 The most significant expense associated with the adoption of the Plan will be the examination process. A fee will be payable to the Planning Inspectorate, the size of which is dependent on the examination's duration. Some additional work on the evidence base between now and the examination and possibly during it, such as viability testing or a consultant's attendance at the examination may be required. There is a remote possibility of external legal advice from Counsel being required. A small amount of funds will be required for publicity and engagement for publication, examination and adoption.
- 4.2 The potential costs associated with the next stages of the adoption of the Local Plan are anticipated to be within the existing Local Plan budget provision.

## **5.0 Legal Implications**

- 5.1 Planning documents (both statutory and non-statutory) have a clearly defined process for their adoption and revocation which will be followed. The Local Plan must be prepared in accordance with the Planning and compulsory purchase Act 2004 and Town and Country Planning (Local Planning) (England) Regulations 2012. The Council is satisfied that all legal requirements have been met.
- 5.2 It is considered that the draft Brent Local Plan appended to this report meets the 'soundness' tests as set out in Paragraph 35 of the National Planning Policy Framework.
- 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 Equality 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 The draft Local Plan has been subject to Equality Impact Assessment, with the input of the Council's equalities officer, along with Health Impact Assessment and Strategic Environmental Assessment. This is set out in the Integrated Impact Assessment. This has informed the policies, including analysis of potential alternatives, to seek to reduce adverse impacts and wherever possible improve the outcomes for those with protected characteristics and the social, economic and environmental outcomes of the Plan.

## **7.0 Consultation with Ward Members and Stakeholders**

7.1 Consultation has been extensive and on-going throughout the stages of adoption. It has included leaflets delivered to every home in the borough. Public workshops in each Brent connects area at issues and options stage. Additional workshops at preferred options stage. Workshops with specific groups, e.g. developers/landowners, housing associations, youth parliament, disability groups, mothers, faith groups, utilities and meetings with adjacent London Boroughs/Old Oak Development Corporation/GLA. Drop in/information sessions in all local libraries and other locations relevant to local communities, e.g. temples.

7.2 Ward members have been engaged through the Local Plan Members' Liaison Group which has met regularly. All members have been invited to numerous workshops at issues and options stage and preferred options stage. The Resources and Public Realm Scrutiny Committee 15<sup>th</sup> January 2019 considered the Preferred Options consultation version of the draft Local Plan and the results of consultation. Members have been informed of progress of the Plan and events through the members' bulletin. The Cabinet member has routinely sent e-mails to all members at key stages of the engagement process.

7.3 Wider awareness raising has been through press-releases, members' bulletin, an article in the Brent Magazine, announcements on the website, public notices, placing documents in libraries and writing to statutory consultees and people on the council's Local Plan consultation database who might have expressed an interest in being kept informed on the Local Plan.

### **Report sign off:**

**AMAR DAVE**

Strategic Director of Regeneration  
and Environment.

### Related Documents

[Updating the Council's Planning Strategy \(The Local Plan\) Brent Cabinet 14<sup>th</sup> February 2017](#)

[Brent Local Plan Issues and Options February 2018](#)

[Brent Local Plan Consultation Report November 2018](#)

[Brent Local Plan Preferred Options November 2018](#)

[Brent Local Plan Preferred Options Consultation Summary October 2019](#)

[Brent Local Plan Preferred Options Consultation Responses and Officer Comments  
October 2019](#)

[Draft London Plan Intend to Publish Version December 2020](#)