



Planning Committee

Wednesday, 16 November 2011 at 7.00 pm
Committee Room 4, Brent Town Hall, Forty Lane,
Wembley, HA9 9HD

Membership:

Members

Councillors:

Sheth (Chair)
Daly (Vice-Chair)
Baker
Cummins
Hashmi
Kabir
McLennan
Mitchell Murray
CJ Patel
RS Patel
Singh

first alternates

Councillors:

Thomas
Long
Kansagra
Cheese
Castle
Oladapo
J Moher
Van Kalwala
Lorber
Gladbaum
Hossain

second alternates

Councillors:

R Moher
Naheerathan
HB Patel
Allie
Beck
Powney
Moloney
Butt
Castle
Harrison
Mashari

For further information contact: Joe Kwateng, Democratic Services Officer
joe.kwateng@brent.gov.uk, (020) 8937 1354

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:

www.brent.gov.uk/committees

The press and public are welcome to attend this meeting

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM	WARD	PAGE
<p>1. Declarations of personal and prejudicial interests</p> <p>Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.</p> <p>Extract of Planning Code of Practice</p>		
<p>2. Brent Town Hall Planning Brief</p> <p>This report introduces the Council's proposed Planning and Development Brief which provides more detailed guidance for the future and development of the Town hall and its site. The report explains the need for the brief and the principles that it requires of any new proposals for alteration and development of this important listed building and its curtilage. The site already has an adopted Site Specific Allocation (SSA W3) and the Planning Brief will provide more detailed specific guidance for future owners.</p> <p>Appendix 2 to the report has been produced separately and sent to members only.</p>	<p>Barnhill; Tokyngton; Welsh Harp</p>	<p>5 - 10</p>
<p>3. Community Infrastructure Levy - Consultation on Detailed Proposals</p> <p>The Community Infrastructure Levy (CIL) was introduced by the government in 2008 as a replacement for Planning Obligations (S106) to help fund much needed infrastructure required as a consequence of new development. The government are now consulting on some more detailed proposals concerning the implementation of CIL and how the council should use and account for infrastructure expenditure at a local level. This report responds to the consultation process.</p>	<p>All Wards</p>	<p>11 - 18</p>
<p>4. London Plan and National Planning Policy Framework</p> <p>This report updates Members on current planning policy issues which will affect future planning decisions and plan preparation within Brent. At a national level, a draft National Planning Policy Framework was issued in July for public consultation, for which an officer response has been</p>	<p>All Wards</p>	<p>19 - 32</p>

submitted to the Secretary of State. At a London level, a revised version of the London Plan was published in July. This report provides a summary of key issues arising, and implications for Brent, of both documents.

5. **Local Planning Issues and LDF Progress** All Wards 33 - 38

This report outlines progress on Brent's Local Development Framework and the implications of this in dealing with local planning issues.

6. **West London Waste Plan** All Wards 39 - 44

This report explains progress with the preparation of the Joint West London Waste Plan with particular regard to the latest position on the identification of sites for processing waste in Brent.

7. **Any Other Urgent Business**

Notice of items to be raised under this heading must be given in writing to the Democratic Services Manager or his representative before the meeting in accordance with Standing Order 64.

Date of the next meeting: Wednesday, 23 November 2011

The site visits for that meeting will take place the preceding Saturday 19 November 2011 at 9.30am when the coach leaves Brent House.



Please remember to **SWITCH OFF** your mobile phone during the meeting.

- The meeting room is accessible by lift and seats will be provided for members of the public.
- Toilets are available on the second floor.
- Catering facilities can be found on the first floor near The Paul Daisley Hall.
- A public telephone is located in the foyer on the ground floor, opposite the Porters' Lodge

This page is intentionally left blank

EXTRACT OF THE PLANNING CODE OF PRACTICE

Purpose of this Code

The Planning Code of Practice has been adopted by Brent Council to regulate the performance of its planning function. Its major objectives are to guide Members and officers of the Council in dealing with planning related matters and to inform potential developers and the public generally of the standards adopted by the Council in the exercise of its planning powers. The Planning Code of Practice is in addition to the Brent Members Code of Conduct adopted by the Council under the provisions of the Local Government Act 2000. The provisions of this code are designed to ensure that planning decisions are taken on proper planning grounds, are applied in a consistent and open manner and that Members making such decisions are, and are perceived as being, accountable for those decisions. Extracts from the Code and the Standing Orders are reproduced below as a reminder of their content.

Accountability and Interests

4. If an approach is made to a Member of the Planning Committee from an applicant or agent or other interested party in relation to a particular planning application or any matter which may give rise to a planning application, the Member shall:
 - a) inform the person making such an approach that such matters should be addressed to officers or to Members who are not Members of the Planning Committee;
 - b) disclose the fact and nature of such an approach at any meeting of the Planning Committee where the planning application or matter in question is considered.
7. If the Chair decides to allow a non-member of the Committee to speak, the non-member shall state the reason for wishing to speak. Such a Member shall disclose the fact he/she has been in contact with the applicant, agent or interested party if this be the case.
8. When the circumstances of any elected Member are such that they have
 - (i) a personal interest in any planning application or other matter, then the Member, if present, shall declare a personal interest at any meeting where the particular application or other matter is considered, and if the interest is also a prejudicial interest shall withdraw from the room where the meeting is being held and not take part in the discussion or vote on the application or other matter.
11. If any Member of the Council requests a Site Visit, prior to the debate at Planning Committee, their name shall be recorded. They shall provide and a

record kept of, their reason for the request and whether or not they have been approached concerning the application or other matter and if so, by whom.

Meetings of the Planning Committee

24. If the Planning Committee wishes to grant planning permission contrary to officers' recommendation the application shall be deferred to the next meeting of the Committee for further consideration. Following a resolution of "minded to grant contrary to the officers' recommendation", the Chair shall put to the meeting for approval a statement of why the officers recommendation for refusal should be overturned, which, when approved, shall then be formally recorded in the minutes. When a planning application has been deferred, following a resolution of "minded to grant contrary to the officers' recommendation", then at the subsequent meeting the responsible officer shall have the opportunity to respond both in a further written report and orally to the reasons formulated by the Committee for granting permission. If the Planning Committee is still of the same view, then it shall again consider its reasons for granting permission, and a summary of the planning reasons for that decision shall be given, which reasons shall then be formally recorded in the Minutes of the meeting.

25. When the Planning Committee vote to refuse an application contrary to the recommendation of officers, the Chair shall put to the meeting for approval a statement of the planning reasons for refusal of the application, which if approved shall be entered into the Minutes of that meeting. Where the reason for refusal proposed by the Chair is not approved by the meeting, or where in the Chair's view it is not then possible to formulate planning reasons for refusal, the application shall be deferred for further consideration at the next meeting of the Committee. At the next meeting of the Committee the application shall be accompanied by a further written report from officers, in which the officers shall advise on possible planning reasons for refusal and the evidence that would be available to substantiate those reasons. If the Committee is still of the same view then it shall again consider its reasons for refusing permission which shall be recorded in the Minutes of the Meeting.

29. The Minutes of the Planning Committee shall record the names of those voting in favour, against or abstaining:
 - (i) on any resolution of "Minded to Grant or minded to refuse contrary to Officers Recommendation";
 - (ii) on any approval or refusal of an application referred to a subsequent meeting following such a resolution.

STANDING ORDER 62 SPEAKING RIGHTS OF THE PLANNING COMMITTEE

- (a) At meetings of the Planning Committee when reports are being considered on applications for planning permission any member of the public other than the applicant or his agent or representative who wishes to object to or support the grant of permission or support or oppose the imposition of conditions may do

so for a maximum of 2 minutes. Where more than one person wishes to speak on the same application the Chair shall have the discretion to limit the number of speakers to no more than 2 people and in so doing will seek to give priority to occupiers nearest to the application site or representing a group of people or to one objector and one supporter if there are both. In addition (and after hearing any members of the public who wish to speak) the applicant (or one person on the applicant's behalf) may speak to the Committee for a maximum of 3 minutes. In respect of both members of the public and applicants the Chair and members of the sub-committee may ask them questions after they have spoken.

- (b) Persons wishing to speak to the Committee shall give notice to the Democratic Services Manager or his representatives prior to the commencement of the meeting. Normally such notice shall be given 24 hours before the commencement of the meeting. At the meeting the Chair shall call out the address of the application when it is reached and only if the applicant (or representative) and/or members of the public are present and then signify a desire to speak shall such persons be called to speak.
- (c) In the event that all persons present at the meeting who have indicated that they wish to speak on any matter under consideration indicate that they agree with the officers recommendations and if the members then indicate that they are minded to agree the officers recommendation in full without further debate the Chair may dispense with the calling member of the public to speak on that matter.

This page is intentionally left blank



Planning Committee

16 November 2011

Report from the Assistant Director, Planning & Development

Wards affected:
Barnhill, Welsh Harp, Tokyngton

Brent Town Hall – Planning Brief

1.0 Summary

- 1.1 This report introduces the Council's proposed Planning and Development Brief which provides more detailed guidance for the future and development of the Town hall and its site. This report explains the need for the brief and the principles that it requires of any new proposals for alteration and development of this important listed building and its curtilage. The site already has an adopted Site Specific Allocation (SSA W3) and the Planning Brief will provide more detailed specific guidance for future owners.

2.0 Recommendations

- 2.1 That Planning Committee notes and is invited to comment on the attached Planning Brief and its contents and supports a subsequent consultation exercise with local residents, their associations, statutory bodies and other interested parties, prior to the brief being reported to the Executive for final approval and adoption.

3.0 Detail

- 3.1 As members are aware the Council is due to relocate to the new Civic Centre in mid 2013, at which time the existing Town Hall on Forty Lane will be surplus to the Council's accommodation requirements.
- 3.2 For this reason the Council has identified the site in its Site Specific Allocation (SSA) Development Planning Document (DPD). The DPD forms part of the Council's Local Development Framework (LDF). The Site Specific Allocation states that further development guidance will be produced; the attached brief satisfies that requirement of the allocation. The SSA W3 Allocation states:

“Mixed use development including offices, retail (for local needs only), residential, hotel and community facilities ensure the retention of the Listed Building. Any change of use and/or development should enhance and not detract from the character and importance of the Town Hall, and have regard for existing traffic problems to surrounding residential areas and seek to improve these conditions”.

- 3.3 The Town Hall is a Grade II statutory listed building which places certain restrictions on the way in which the building can be altered and the type and level of development within its site. This makes the disposal of the Town hall a much more complicated exercise than would normally be required for unlisted buildings. (The Town Hall and associated site are illustrated in (Fig. 1) within the attached guidance document).
- 3.4 The Council is acutely aware of the past and indeed future significance of the Town Hall for the Borough and to help in securing a successful future use, the attached brief has been produced. The guide deals with many issues but principally it outlines the restrictions and the significant opportunities that the statutory listing represents. It outlines the Council expectations for any development scheme and having been consulted upon, the brief will be adopted as a Supplementary Planning Document. Once formally adopted the guidance within the SPD will become the fundamental requirement of any successful planning application for future development.

Issues

- 3.5 The brief will ensure that the character of the Town Hall is preserved for the future through a new use or mix of uses that is are sustainable and financially viable well into the future. The brief will require that the following issues are rigorously and sensitively considered by any new potential owners of the site.

The Town hall has a generous site with the opportunity for further development in the established landscape setting. Although opinions are split, the building has a strong architectural presence; it has large spaces and volumes internally and has a strong relationship with the new Wembley Regeneration Area being located within the boundary of the Wembley Area Action Plan. However, care will have to be taken in the reconfiguration and conversion of the site and the following principle issues are dealt with and expanded upon within the brief:

1. The Grade II Statutory listing will require a sensitive and informed approach to the development of the Town Hall and its site.
2. Any new uses proposed for the building and site will have to be sensitive to the requirements of the historic fabric, site accessibility and circulation and the needs of the buildings neighbours.
3. The part that Brent’s community and the wider heritage lobby will play in the future of the building and the need to liaise and coordinate with other agencies including English Heritage.
4. All alteration and or interventions into the structure of the existing buildings will have to be of the most sensitive architectural designs and executed to the highest construction standards.

5. Any further development of new buildings within the site will have to be of the highest architectural standards.
6. Prospective purchasers or applicants will have to understand the implications of further site development on the site's neighbours. The Council has other guidance to assist with these issues including SPG17.

Timetable for Disposal and Consultation

3.6 It is envisaged that the consultation exercise will take 4 weeks and be initiated by the end of November 2011; dependent upon the responses the findings will be reported back in January to the Executive with a suitable recommendation. The sales exercise may be run in parallel with the brief being appended to sales information and brochures as draft guidance until formal adoption. The indicative but not exhaustive consultation list will include:

1. Local residents in the streets around the Town Hall
2. Barn Hill Residents Association
3. Tudor Close Residents Association
4. English Heritage
5. The 20th Century Society
6. Environment Agency
7. Transport for London
8. The GLA

4.0 Financial Implications

- 4.1 The preparation and production of the brief as a Supplementary Planning Document (SPD) will be met from existing Regeneration and Major Project's budgets.
- 4.2 The sale of the Town Hall is an essential part of the Council's future financial strategy and within the prevailing constraints of budgetary restrictions, its expedient sale will help to reduce management and maintenance costs as part of the move to the new Civic Centre. The Planning Brief will help to ensure an expedient and efficient sales process is carried out and that prospective purchasers fully understand the implications of the ownership of the Town Hall.

5.0 Legal Implications

- 5.1 The adopted "Supplementary Planning Document" (SPD) will be supplementary to the "Site Specific Allocations" (SSA) "Development Plan Document" (DPD). The specific allocation SSA W3 (Appendix One) outlines the basic potential for the site at Brent Town Hall. The preparation of the LDF of which all these documents are a part, including the Wembley "Area Action Plan" (AAP), is governed by a statutory process

set out in the Planning and Compulsory Purchase Act 2004. There are also associated Government planning guidance and regulations. Once adopted with the status of an SPD the Brent Town Hall Planning and Development Brief will become a principal consideration in the decision making and scrutiny of any planning application for development on the site.

6.0 Diversity Implications

6.1 Full statutory public consultation will be carried out in preparing the SPD and an Impact Needs / Requirement Assessment (INRA), which assessed the process of diversity and equality in the producing of planning design guidance was prepared and made available in 2008.

7.0 Staffing/Accommodation Implications

7.1 The adopted SPD will be produced, consulted upon and reported to Committee by existing staff resources within Planning and Development.

8.0 Environmental Implications

8.1 The new Town Hall SPD will guide the sale and development of the site. However, further controls and requirements including the Wembley Area Action Plan will control impacts on the wider environment, including requiring measures to mitigate climate change. Sustainability appraisal will be undertaken through the life of any application and further supplementary guidance including SPG17 and SPG19 applied.

9.0 Background Papers

Wembley Area Action Plan
Brent Site Specific Allocations Development Plan Document (Allocation W3) See Appendix A
Wembley Masterplan, June 2009

Contact Officers

Any person wishing to inspect the above papers should contact Mark Smith, Planning & Development 020 8937 55267

Chris Walker
Assistant Director, Planning & Development

Appendix 1 – Site Specific Allocation W3 Brent Town Hall

W3. Brent Town Hall

Address: Forty Lane, Wembley, HA9

Ward: Barnhill

Area: 2.1 hectares. (0.5 hectares assumed developable area)

Description:

Grade II Listed Building performing administrative, political and ceremonial roles for Brent Council set within a predominantly suburban context. The site is within short distance to Wembley Park station and is afforded impressive views over the new Wembley Stadium development.



Map W3

Core Strategy policy context:

Core Policies 1, 2, 4, 5, 6, 7, 17, 18, 19, 21 and 23

Planning guidance:

The Council intends to prepare guidance for this site.

Planning history: None relevant

Allocation:

Mixed use development including offices, retail (for local needs only), residential, hotel and community facilities ensuring the retention of the Listed Building. Any change of use and/or development should enhance and not detract from the character and importance of the Town Hall, and have regard for existing traffic problems to surrounding residential areas and seek to improve these conditions.

Indicative development capacity	78 units	78 units
Indicative development phasing	2015 - 16	2017 - 18

Flood risk comments:

A Flood Risk Assessment will be required as the site area is over 1ha. Flood zones are subject to change and modelling and re-modelling is carried out on a quarterly basis by the Environment Agency, therefore any assessment must ensure that the most up to date data is used as part of the Flood Risk Assessment.

Justification:


The building is reaching the limits of its use in terms of purpose and size and the Council is seeking a new Civic Centre within the Wembley Regeneration Area. The existing Grade II Listed building however remains an important visual, social and historic landmark in the borough. The outbuildings to the rear have been added over time and are not subject to the Listing. The sensitive redevelopment of these buildings and appropriate re-use of the main building can enable its continued use and secure its long term restoration.

Notes:

Because of the Listed Building Status, the entire site area has not been used to estimate the indicative development capacity. An assumption has been made regarding an area to the rear of the building, that could possibly be used for development in principle. A more detailed design and feasibility exercise is required to establish the true capacity of this site.

Appendix 2 – Brent Town Hall Planning and development Brief

Appendix 2 to this report has been produced separately and attached to the bundle for members only.

	<p style="text-align: center;">Planning Committee 16 November 2011</p> <p style="text-align: center;">Report from the Assistant Director, Planning & Development</p>
<p>Wards affected: All</p>	
<p>Community Infrastructure Levy-Consultation on Detailed Proposals</p>	

1.0 Summary

- 1.1 The Community Infrastructure Levy (CIL) was introduced by the government in 2008 as a replacement for Planning Obligations (S106) to help fund much needed infrastructure required as a consequence of new development. The government are now consulting on some more detailed proposals concerning the implementation of CIL and how the council should use and account for infrastructure expenditure at a local level. This report responds to the consultation process.

2.0 Recommendations

- 2.1 That Planning Committee agrees with the responses set out in paragraphs 3.6 to 3.11 of this report to be sent to Communities and Local Government as the council's response to its consultation paper.

3.0 Detail

Introduction

- 3.1 In October 2011 the Communities and Local Government (CLG) government department sent out a consultation paper on more detailed issues around the collection and expenditure of the Community Infrastructure Levy (CIL). The main areas for consultation are how neighbourhoods should have a direct say in spending the neighbourhood levy, whether receipts should be used for affordable housing.

History

- 3.2 On 9th March 2011, the Planning Committee received a report on the Mayor of London's CIL. This report set out the general principles around the CIL concept. The idea of CIL is intended to be a more flexible form of Planning Obligation (S106) that allows for the funding of large scale infrastructure projects. In broad terms there is support for such an approach as it will allow the council, for example, to set an overall

charge on all developments and then have the flexibility to fund key bits of infrastructure in a timely manner. There would be less restriction on expenditure than in the S106 system.

- 3.3 In July 2011, officers reported to Executive on the first draft of the borough's own CIL Charging Schedule. The Charging Schedule is set out in Appendix 1 and is now the subject of a six week consultation exercise. The government's consultation on CIL discussed below looks at some of the detailed arrangements that the council may need to undertake to bring CIL forward and also arrangements for agreeing how CIL should be spent, how this should be recorded and reported and how local people should have a say in its spend

The CLG Consultation Paper on CIL

- 3.4 The first issue for consultation is how CIL should be spent and what local involvement there should be in its spend. Clause 103 of the Localism Bill allows ministers to lay regulations to place a duty on charging authorities to pass a proportion of the funds that they raise through the levy to other persons. The Localism Bill suggested that local authorities allocate a meaningful proportion of the revenue generated from the levy to the local elected council for the area where the development and growth take place. The first question asked in the consultation paper is, should the duty to pass on a meaningful proportion of levy receipts only apply where there is a parish or community council for the area where those receipts were raised? And the second question is that for areas not covered by a parish or community council, should statutory guidance require charging authorities to engage with their residents and businesses in determining how to spend a meaningful proportion of the funds locally.

Council response to Q1 and Q2

- 3.5 The council understands why, in some authorities, parish councils should have a say in where infrastructure funds are spent as this helps them to see the benefits of development as they see improvements to local infrastructure as a consequence. London boroughs such as Brent do not have parish or community councils as in district and county authorities. Whereas often parish councils may represent a geographically distinct community such as a village, in Brent communities geographically overlap and are socially more diverse. Most of the infrastructure spend in one area of the borough will have impacts on most other parts of the borough such as its interconnectedness. The duty to pass on some CIL receipts to other persons or groups such as parish councils is not intended to apply in London boroughs. This distinction is strongly supported. In terms of the second question, statutory guidance should not be required to engage with residents and businesses to determine how some proportion of the CIL funds should be spent. The council should set these matters out in its Core Strategy and other Development Plan Documents and consult with the community at that stage. The council consults its residents on all strategic matters as a matter of good practice and it should be for local authorities to determine this level of consultation for itself - it is a local matter that should not be prescribed by central government.
- 3.6 Questions 3 and 4 ask about the level of CIL that parish and community councils should be able to spend and whether there should be a cap on this proportion and regulations on the timing of payments. Since this system will not apply in London boroughs, no response is proposed. Question 5 -7 also apply to parish and community councils and no response is offered.

- 3.7 Question 8 proposes to remove any cap on administrative expenses that any council could charge from the CIL pot- this is currently fixed at 5%. This is because any local consultation may turn out to be more expensive than the administrative costs limit. This is unlikely to be the case in Brent but it is better to have the most flexibility in any system and therefore removal of the cap is supported.
- 3.8 Questions 9-11 deal with questions relating to affordable housing and CIL. At the moment it is proposed that authorities should not spend CIL levy receipts on affordable housing. Affordable housing will continue to be provided on site and will be dealt with through the modified S106 regulations. In short, S106 Planning Obligations can still be used but only for site related needs, such as access roads or the provision of affordable housing. Q9 asks whether local authorities should be given the choice to use CIL levy receipts for affordable housing? Q10 asks if authorities wish to use both the levy and planning obligations to deliver local affordable housing priorities, should they be given the choice to do so?. Q11 asks if local authorities were permitted to use both instruments, what should they be required to do to make it clear the circumstances under which they used S106 or CIL levy powers other or both?
- 3.9 Your officers recommend that the council reject the idea of using CIL receipts for affordable housing. CIL's purpose is to collect a levy for infrastructure and taking affordable housing from this levy will reduce the amount available for infrastructure. The council has never fared so well when it has accepted off-site affordable provision and this lack of on-site affordable provision mitigates against mixed and balanced communities. Therefore CIL and affordable housing should be clearly separated. Question 12 considers the issues of Pooling S106 contributions. After the local adoption of the levy, or in all local authorities after 6 April 2014, local authorities may only enter up to five separate planning obligations to contribute to a single affordable housing project or to a general affordable housing fund. This is because the levy is seen as the main instrument to collect payments, S106 being a mechanism to deal with local development matters. Question 12 asks that if the CIL levy can be used for affordable housing, should affordable housing be excluded from the regulation that limits pooling of planning obligations, or should the same limits apply? Your officers comment is that it is much better to use the current pooling arrangements under S106 for offsite affordable housing than use the levy (whether pooling arrangements are applied or not). In Brent's case affordable housing provision will mostly be on-site and the S106 pooling arrangement would be sufficient power to deal with occasional off site requirements. This can be done without entangling affordable housing up with CIL collection and payments.
- 3.10 The final questions within the consultation paper concern the Mayor collecting CIL in Mayoral Development Corporations. No answer is offered as they are not relevant to Brent. The consultation paper also deals with reporting arrangements for which specific questions are not asked.

4.0 Financial Implications

- 4.1 CIL will have a significant impact on the council and it should allow more easily the provision of key bits of infrastructure across the borough. The full financial implications of CIL are set out in the council's Executive report of July 2011 but overall the levy will bring in a similar amount of money than the S106 system, but will be significantly less restricting in how it can be used.

4.2 In considering the financial impact of the consultation paper, if the levy were to include affordable housing payments then the council would have to increase the overall CIL levy otherwise it would receive significantly less for infrastructure. The council is consulting on the first draft of the CIL Charging Schedule and is required by regulations to undertake a second round of consultation, in the spring of next year. The full implications of any changes to the Levy as a result of this consultation can be factored into further second round consultation on the Charging Schedule.

5.0 Legal Implications

5.1 The Planning Act 2008 sets out the general CIL powers and CIL regulations 2010 as amended give greater details about how authorities must implement those powers. The Localism Bill currently going through Parliament also proposed changes to the regulations concerning how local people may be involved in decisions on spending the CIL levy. This was under the general principle of promoting localism. It is assumed that any changes to put localism principles to effect will be made after this consultation process by amending the CIL regulations.

6.0 Diversity Implications

6.1 There are no significant diversity implications as a result of this consultation process.

7.0 Staffing/Accommodation Implications

7.1 There are no staffing/accommodation implications as a result of the consultation exercise.

8.0 Environmental Implications

8.1 The Environmental implications are considered in the body of the report but in broad terms, the more timely provision of infrastructure should bring environmental benefits.

9.0 Background Papers

Brent Core Strategy July 2010

Report to Council's Executive on draft CIL Charging Schedule July 2011

Community Infrastructure Levy: Detailed proposals and draft regulations for reform – Consultation, October 2011

Contact Officers

Any person wishing to inspect the above papers should contact Dave Carroll, Regeneration & Major Projects 020 8937 5202

Chris Walker

Assistant Director, Planning & Development

Appendix 1 – Draft CIL Charging Schedule

Preliminary Draft Charging Schedule

London Borough of Brent

Planning Act 2008 - Community Infrastructure Levy Regulations 2010

The Community Infrastructure Levy (CIL) is a new system of securing developer contributions through the planning system which local authorities are empowered, but not required, to charge on new development in their area. The levy can be used to fund infrastructure that supports growth and sustainable development.

CIL is a charge on new development, expressed as a cost per square metre, set at the time planning permission is granted and paid on commencement of the development, or in accordance with an instalment policy adopted by the local authority. In London CIL can be set by the local authority and by the Mayor of London. CIL is applied to any development resulting in a net increase of more than 100m² of floor space or where one or more dwellings are created by the development, however affordable housing and developments by charities for charitable purposes are exempt from CIL. The London Borough of Brent is proposing to charge differential rates of CIL dependent on land use.

CHARGING SCHEDULE

The London Borough of Brent is a charging authority according to Part 11 of the Planning Act 2008. Brent is proposing to charge the Community Infrastructure Levy in respect of development across all of the London Borough of Brent at the following rates relative to the proposed land use (expressed as pounds per square metre).

This Preliminary Draft Charging Schedule has been issued, approved and published in accordance with Part 11 of the Planning Act 2008 and the Community Infrastructure Regulations 2010, as amended.

USE	CHARGE PER SQM
Hotel (Use Class C1), Residential (Use Classes C3 & C4), Residential Institutions, except Hospitals, (Use Class C2) and all Sui Generis uses except Student Accommodation	£200
Student Accommodation	£300
Office (Use Class B1a)	£40
Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants & Cafes (Use Class A3), Drinking Establishments (Use Class A4), Hot Food Take-aways (Use Class A5)	£80
Assembly and Leisure, excluding Public Swimming Pools (Use Class D2)	£5
	£0

Light Industry and Research & Development (Use Class B1b&c), General Industrial (Use Class B2), Storage & Distribution (Use Class B8), Health, Education, Public Libraries, Museums, Public Halls and Places of Worship (Use Class D1a-h), Hospitals, Public Swimming Pools and Public Transport Stations.

(Zero Charge)

***The above charge will apply across all of Brent, in addition to any Mayoral CIL**

Calculating the Chargeable CIL

CIL applies to the gross internal area of the net increase in development (Regulation 14). The amount to be charged for each development will be calculated in accordance with Regulation 40 of the Community Infrastructure Levy Regulations 2010. For the purposes of the formulae in paragraph 5 of Regulation 40 (set out below), the relevant rate (R) is the differential rate relating to each specific use as set out in this Charging Schedule.

Calculation of chargeable amount

(1) The collecting authority must calculate the amount of CIL payable ("chargeable amount") in respect of a chargeable development in accordance with this regulation.

(2) The chargeable amount is an amount equal to the aggregate of the amounts of CIL chargeable at each of the relevant rates.

(3) But where that amount is less than £50 the chargeable amount is deemed to be zero.

(4) The relevant rates are the rates at which CIL is chargeable in respect of the chargeable development taken from the charging schedules which are in effect—

(a) at the time planning permission first permits the chargeable development; and

(b) in the area in which the chargeable development will be situated.

(5) The amount of CIL chargeable at a given relevant rate (R) must be calculated by applying the following formula—

$$\frac{R \times A \times I_P}{I_c}$$

where—

A = the deemed net area chargeable at rate R

I_P = the index figure for the year in which planning permission was granted; an

I_c = the index figure for the year in which the charging schedule containing rate R took effect.

(6) The value of A in paragraph (5) must be calculated by applying the following formula—

$$\frac{C_R \times (C - E)}{C}$$

C

where—

C_R = the gross internal area of the part of the chargeable development chargeable at rate R, less an amount equal to the aggregate of the gross internal area of all buildings (excluding any new build) on completion of the chargeable development which —

- (a) on the day planning permission first permits the chargeable development, are situated on the relevant land and in lawful use;
- (b) will be part of the chargeable development upon completion; and
- (c) will be chargeable at rate R.

C = the gross internal area of the chargeable development; and

E = an amount equal to the aggregate of the gross internal areas of all buildings which—

- (a) on the day planning permission first permits the chargeable development, are situated on the relevant land and in lawful use; and
- (b) are to be demolished before completion of the chargeable development.

(7) The index referred to in paragraph (5) is the national All-in Tender Price Index published from time to time by the Building Cost Information Service of the Royal Institution of Chartered Surveyors; and the figure for a given year is the figure for 1st November of the preceding year.

(8) But in the event that the All-in Tender Price Index ceases to be published, the index referred to in paragraph (5) is the retail prices index; and the figure for a given year is the figure for November of the preceding year.

(9) Where the collecting authority does not have sufficient information, or information of sufficient quality, to enable it to establish—

- (a) the gross internal area of a building situated on the relevant land; or
- (b) whether a building situated on the relevant land is in lawful use, the collecting authority may deem the gross internal area of the building to be zero.

(10) For the purposes of this regulation a building is in use if a part of that building has been in use for a continuous period of at least six months within the period of 12 months ending on the day planning permission first permits the chargeable development.


(11) In this regulation “building” does not include—

(a) a building into which people do not normally go;

(b) a building into which people go only intermittently for the purpose of maintaining or inspecting machinery; or

(c) a building for which planning permission was granted for a limited period.

(12) In this regulation “new build” means that part of the chargeable development which will comprise new buildings and enlargements to existing buildings.

 <p>The logo of Brent Council, featuring a central coat of arms with a shield, a crown, and two lions, surrounded by the words 'BRENT COUNCIL' in a circular arrangement.</p>	<p>Planning Committee 16 November 2011</p> <p>Report from the Assistant Director, Planning & Development</p>
<p>Wards affected: All</p>	
<p>London Plan and National Planning Policy Framework</p>	

1.0 Summary

- 1.1 This report updates Members on current planning policy issues which will affect future planning decisions and plan preparation within Brent. At a national level, a draft National Planning Policy Framework was issued in July for public consultation, for which an officer response has been submitted to the Secretary of State. At a London level, a revised version of the London Plan was published in July. This report provides a summary of key issues arising, and implications for Brent, of both documents.

2.0 Recommendations

- 2.1 That Planning Committee notes the adoption of a revised London Plan and the implications of this for making planning decisions in Brent.
- 2.2 That Planning Committee endorses the officer response to the Secretary of State on the draft National Planning Policy Framework.

3.0 Detail

Introduction

- 3.1 Since the last meeting of the Planning Policy Committee, two significant, strategic planning documents, which bear upon the future of plan preparation and planning decisions in the borough, have been produced.
- 3.2 First, the revised London Plan was published in July. Although the general spatial strategy of the Plan remains much as before, there are a number of detailed changes which will have an effect upon plan preparation and decision making locally. The

London Plan is the only Regional Plan in England that will remain in force after the Localism Bill is enacted later this year.

- 3.3 At a national level, a draft National Planning Policy Framework was issued by the Secretary of State for public consultation in July also. The proposals outlined in the Framework have potentially far-reaching consequences for planning in England, as evidenced by the national debate that ensued after the publication of the draft.

London Plan

- 3.4 The following is a summary of the key changes to the London Plan and of those parts of the plan that relate directly to Brent.

Format of Policies

- 3.5 One of the main changes to the Plan relates to the format of policies, which can refer to actions by the Mayor, boroughs or other stakeholders. The policies are also divided into parts for Strategic, Planning decisions and LDF preparation as in the example shown in Appendix 1.

London's Places

- 3.6 The following are key policies relating to Outer London (NB policy numbers in the London Plan are shown in brackets):
- Outer London: Vision & Strategy (policy 2.6) - this policy seeks to realise the potential of outer London by, for example, ensuring that the significant differences in the nature and quality of Outer London's neighbourhoods are recognised
 - Economy (2.7) - e.g. improving access to competitive business locations
 - Transport (2.8) - the Mayor will, and boroughs and other stakeholders should, recognise and address the distinctive orbital, radial and qualitative transport needs of outer London
 - Co-ordination Corridors - London-Luton-Bedford (2.3) - this growth corridor straddles the A5 within London, and policy seeks to ensure that authorities co-ordinate planning and investment within it, including necessary infrastructure such as new transport provision.
- 3.7 There are a number of Opportunity Areas identified by the London Plan for Brent. These are locations where regeneration and growth are to be focused.

Opportunity Areas (2.13)

- Colindale / Burnt Oak (12,500 new homes, 2,000 jobs)
- Park Royal / Willesden Junction (1,500 new homes, 14,000 jobs)
- Wembley (11,500 new homes, 11,000 jobs) - (4th largest in London in terms of growth in new homes)

3.8 Strategic Outer London Development Centres (2.16). This is a new designation in the London Plan intended to put emphasis on the strategic role of centres and the need to develop specialist roles within them. Designations relevant to Brent are as follows:

- Wembley - designated for leisure / tourism / arts / culture / sport
(N.B. Wembley is also recognised as a Strategic Cultural Area (4.6))
- Park Royal - designated for media / logistics / industry / green enterprise

London's People

3.9 Quality & Design of New Housing (3.5). This policy sets out new minimum space standards and borough LDFs should incorporate space standards that conform to these. There is a greater emphasis on design quality. The table below compares the new London Plan space standards with the standards that Brent currently applies in its Supplementary Planning Guidance (SPG17).

	Dwelling type	LP Table 3.3	SPG17
Flats	1p	37	33
	1b2p	50	45
	2b3p	61	55
	2b4p	70	65
	3b4p	74	
	3b5p	86	80
	3b6p	95	80
	4b5p	90	
	4b6p	99	90
	2 storey house	2b4p	83
3b4p		87	
3b5p		96	80
4b5p		100	
4b6p		107	95
3 storey house	3b5p	102	
	4b5p	106	
	4b6p	113	

b=bedrooms p=persons standards are sq metres

3.10 Affordable Housing (3.11) - There have been changes to London Plan policy towards affordable housing provision, as summarised below:

- boroughs should maximise affordable housing provision
- London target now 13,200 units p.a. rather than 50%
- does not reflect new affordable rent policy

- LDFs can express targets in absolute or percentage terms
- 60% social rent / 40% intermediate or sale (Brent remains at 70:30 as per Core Strategy)
- priority to affordable family housing

London's Response to Climate Change

3.11 New policies are as follows:

- Minimising Carbon Dioxide Emissions (5.2) - replaces the previous requirement for 20% of energy use in buildings to be derived from renewable sources. This sets targets for major development to reduce CO₂ emissions, expressed as improvement of 25% over building regulation requirements up to 2013
- Retrofitting (5.4) - states that LDFs should develop policies regarding sustainable retrofitting of existing buildings
- Urban Greening (5.10) - states that development should contribute to urban greening through tree planting, green roofs and walls and soft landscaping

London's Living Places & Spaces

3.14 New policies are as follows:

- Architecture (7.6) - sets out criteria for assessing schemes
- Protecting local open space and addressing local deficiency (7.18) - this resists the loss of local open spaces
- Land for food (7.22) - land for growing food will be encouraged near to urban communities. Existing allotments should be protected and potential spaces for food growing should be identified in LDFs

Transport / Infrastructure

3.14 New policies are as follows:

- Funding Crossrail and Other Strategically Important Infrastructure (6.5) - £600 million sought
- Community Infrastructure Levy (8.3) - refers to the intention of the Mayor to bring forward a draft charging schedule to use CIL to fund strategically important infrastructure, initially focusing on Crossrail. Brent has objected to the level of charge and objections will be considered by an Inspector at Examination in Public in December
- Parking (6.13) - allows for Outer London Boroughs to make a local case for a lower parking standard for office development (current max of 1 space per 100 sq m but can be 1 per 50 sq m)

National Planning Policy Framework

- 3.15 The new National Planning Policy Framework will replace all existing national planning policy and guidance included in PPGs and PPSs and Best Practice Guides. This means that several thousand pages of national policy and guidance will be replaced by a document which, in its draft form, is 58 pages long. This is rationalised by government as handing planning powers back to local communities.
- 3.16 The formal consultation period on this closed on 17th October so a response on behalf of Brent was made by officers. This is attached as Appendix 3. Although a simplification of policy and guidance is welcomed within our response, there are some specific concerns about the implications for local planning of an absence of firm policy in certain areas.
- 3.17 It is also important to note that the situation in London will be significantly different from the rest of the country. London retains regional or strategic planning through the London Plan, whereas regional plans will cease to exist elsewhere. As borough LDFs have to be in general conformity with the London Plan then there is much less scope for individual boroughs such as Brent to frame its own planning policies as it wishes. It is also not clear at present whether individual borough Plans will have to demonstrate that they conform to the new national policy framework, by obtaining a certificate of conformity from government, as local authorities outside London will be required to do. If the London Plan is in conformity with the new national policy framework then it follows that London borough plans in turn will be in conformity with the framework.
- 3.18 The following is a summary of the key specific issues within the draft National Planning Policy Framework which are of concern and may affect planning future development and infrastructure within the Borough. These are described below under the headings listed within the Framework.

General

- 3.19 Given the shortening of planning policy within the Framework, the Council is keen to avoid a situation where any change to the existing planning policy framework leads to a relaxation of planning restrictions which encourages development in locations which are less accessible by public transport and more heavily car dependent.

Plan Making

- The Framework provides a reduced level of detailed guidance and prescription compared to existing national planning policy. Whilst this will give local authorities the flexibility to produce a single local plan, our response emphasised the need for transitional arrangements to be put in place to ensure that local planning authorities can continue to progress plans-whilest the NPPF is introduced.
- The Framework implies a change in emphasis for the role of supplementary planning documents (SPDs) so that they are necessary only where these bring forward sustainable development and impose no additional financial burden. Our response states that SPDs have been effective in providing guidance and clarification on complex policy issues where such guidance would be

inappropriately included in a development plan and that they should continue to do so.

Core Principles

- Our response requested some guidance as to where to focus growth, since the framework does not provide guidance on where that economic growth should be focussed, either at the national level or in terms of appropriate specific types of location.
- As currently drafted one of the core principles is 'Where practical & consistent with other objectives, allocations of land for development should prefer land of lesser environmental value'. Our response gave the view that this was insufficiently strong as it is unlikely to ensure that development opportunities are taken, in the first instance on land of lesser environmental value rather on land of higher value such as open space.
- Our response stated that the Council would wish to continue to encourage town centre rather than out of town development, and to continue to encourage the use of public transport through the specification of maximum parking standards where appropriate. We would therefore not wish any relaxation of planning controls which encourage development in less sustainable locations.

Planning for town centres

- Our response expresses concern in relation to the sequential test and, particularly, the fact that, within the Framework, offices are no longer included within this. Our response stated that this could have a detrimental impact on the health of outer London town centres and also be unsustainable in terms of encouraging people to move away from public transport as a means of getting to work.

Planning for employment land

- Our response suggested some re-wording to the existing wording on employment land which it was felt could lead to the potential loss of land best-suited to long term use for business and industry because of a short term fall off in demand (for example, potential office locations close to the strategic highway network).

Planning for transport

- Our response supported the emphasis within the policy framework on giving people a real choice about how they travel, and that encouraging use of sustainable transport patterns reduces the levels of investment required in costly transport infrastructure.
- Our response supports the role of travel plans as described within the Framework, and suggested that it may be useful to make reference to the requirement to monitor the impact of travel plans by prospective applicants.
- The Framework makes no explicit reference to parking standards, and in doing so, the draft is, in effect, proposing that there will no longer be a requirement for local planning authorities to set out maximum parking standards. This could

lead, ultimately, to locally-defined car-parking requirements in locations less accessible by public transport that encourage large numbers of car trips to be generated.

- The Framework also removes the requirement for office development to follow a sequential approach to development, as is currently the case in national policy. The Council suggests that it may be useful to include a specific reference to the role of maximum parking standards, which will reinforce the need to promote town centre locations ahead of out of town centre locations.
- Our response strongly supported the need to protect routes and corridors for future transport infrastructure which will widen transport choice, as this will facilitate the Council's ability to achieve longer term strategic transport aspirations

Planning for housing

- The Framework removes the national target for the proportion of development on brownfield land. Our response stated that, not only is this more likely to lead to the development of greenfield sites, particularly outside existing urban areas, but there will be less incentive for developers to bring forward "difficult to develop" sites in inner city urban areas. This is particularly important where it helps to meet the Council's sustainable regeneration objectives.
- The Framework requires an additional allowance of 20% specific deliverable sites in addition to those required to provide five years of housing when considered against housing requirements. Our response expressed concern around the ability of Councils to deliver this, and refers to our experience that optimising delivery on sites which are capable of being brought forward tends to be more successful.

Planning for Communities

- The Framework shifts the emphasis of presumption against development of open space to say that, development on open space may be supported if the economic benefits of development outweigh the social and health disbenefits of losing the open space. In our view, this equation is too difficult to quantify fairly, particularly regarding the health and social disbenefit of losing open space. Therefore, our response states that the presumption against development of open space areas should be maintained.

Planning for Places

- The importance of meeting climate change objectives are described towards the end of the Framework in the Planning for Places section. Given the strategic importance and cross cutting nature of this issue, our response suggested that reference to this be within the Core Principles section of the Framework, so that it is seen as a headline issue.

3.19 In general terms, our response emphasises that Brent Council agrees that the planning system needs to do all it can to promote sustainable economic growth. Our response emphasises Brent's good track record of delivering economic growth and

that the substantial increase in housing delivery over recent years to meet projected population growth has demonstrated this. Our response emphasises that it is not the current planning system that is holding up the delivery of these developments.

4.0 Financial Implications

4.1 There are no direct financial implications arising from this report. However, the London Plan now includes a policy on Community Infrastructure Levy (CIL) which refers to the intention of the Mayor to bring forward a draft charging schedule to use CIL to fund strategically important infrastructure, initially focusing on Crossrail. Clearly the final sum required by the levy from development in Brent will determine how much funding from CIL is available for infrastructure identified locally.

5.0 Legal Implications

5.1 The London Plan forms part of the development plan for Brent, therefore decisions on planning applications have to have full regard to relevant policies in the plan. Also, Borough Core Strategies and other Development Plan Documents have to be in general conformity with the London Plan. The boroughs plans and planning decisions will also have to be in line with the new NPPF.

6.0 Diversity Implications

6.1 There are no diversity implications arising from this report.

7.0 Staffing/Accommodation Implications

7.1 There are no staffing or accommodation implications arising from this report.

8.0 Environmental Implications

8.1 Clearly the introduction of a new National Planning Policy Framework will have major implications for development everywhere and so the final document will be important in shaping the environment in Brent. The revisions to the London Plan have introduced some changes which will impact on, for example, the sustainable design of buildings and the provision of energy which have implications for the environment generally.

9.0 Background Papers

The London Plan, July 2011

Draft National Planning Policy framework, July 2011

Contact Officers

Any person wishing to inspect the above papers should contact Ken Hullock, Planning & Development 020 8937 5309

Chris Walker

Assistant Director, Planning & Development

Appendix 1. Example Policy in London Plan

POLICY 3.1 ENSURING EQUAL LIFE CHANCES FOR ALL

Strategic

- A The Mayor is committed to ensuring equal life chances for all Londoners. Meeting the needs and expanding opportunities for all Londoners – and where appropriate, addressing the barriers to meeting the needs of particular groups and communities – is key to tackling the huge issue of inequality across London.

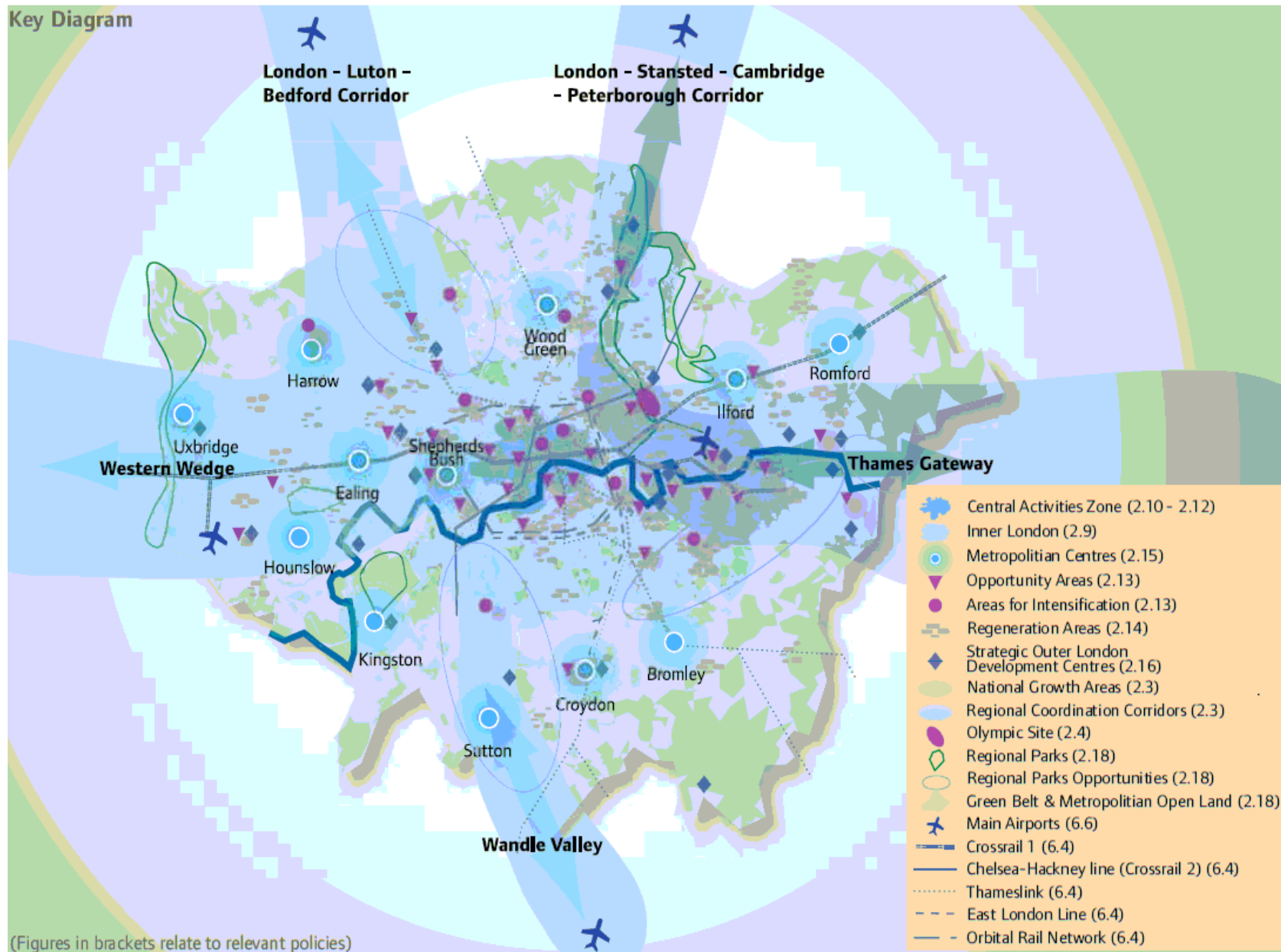
Planning decisions

- B Development proposals should protect and enhance facilities and services that meet the needs of particular groups and communities. Proposals involving loss of these facilities without adequate justification or provision for replacement should be resisted.

LDF preparation

- C In preparing DPDs, boroughs should engage with local groups and communities to identify their needs and make appropriate provision for them, working with neighbouring authorities (including on a sub-regional basis) as necessary.

Appendix2 Key Diagram from London Plan



Appendix 3 Brent's Response to Consultation on the draft National Planning Policy Framework.



REGENERATION AND PROJECTS
Director: Andy Donald

Planning Service
4th Floor, Brent House
349 High Road, Wembley
Middlesex, HA9 6BZ
TEL 020 8937 5309
FAX 020 8937 5207
EMAIL ken.hullock@brent.gov.uk
WEB www.brent.gov.uk

Alan C Scott
National Planning Policy Framework
Department for Communities and Local
Government
Eland House Bressenden Place
London
SW1E 5DU

Date: 17th October 2011
Your ref:
Our Ref:

Dear Mr Scott

Draft National Planning Policy Framework – London Borough of Brent Response

Thank you for giving Brent Council the opportunity to submit a response to the consultation on the proposed new National Planning Policy Framework.

Brent Council agrees that the planning system needs to do all it can to promote sustainable economic growth. Brent has a good track record of delivering economic growth and the substantial increase in housing delivery over recent years to meet projected population growth has demonstrated this. It should be noted that Brent, along with many other local authorities, has a large number of consents for new housing and commercial development in the pipeline. It is not the current planning system that is holding up the delivery of these developments.

The Council has well established plans and policies in place which support current national policy to encourage development around existing public transport corridors and interchanges which have sufficient additional spare capacity to carry additional demand, or where additional capacity can be developed in order to reduce reliance on the private car. The Council is, therefore, keen to avoid a situation where any change to the existing planning policy framework leads to a relaxation of planning restrictions which encourages development in locations which are less accessible by public transport and more heavily car dependent.

Plan making

Brent welcomes the proposed reduction in the amount of detailed guidance and level of prescription in much of the existing national planning policy. In particular, the proposal to produce a single local plan that can be reviewed in whole or in part is welcomed, although it will be necessary for

transitional arrangements to be put in place to ensure that local planning authorities can continue to progress plans whilst the NPPF is introduced.

The Council has no direct concerns about the proposed presumption in favour of sustainable development, providing that sustainable development is appropriately defined. However, it should be seen in terms of a presumption in favour of sustainable development that complies with the development plan. Where local authorities have up-to-date local plans which promote economic growth, the presumption in favour of sustainable development should be on the basis that proposals comply with the objectives set out in those plans.

The draft NPPF does not recognise that London retains a regional tier of planning. It is important that the document acknowledges this and explains the government's position on how the London Plan should be required to conform to the NPPF. It is also appropriate that if London Borough plans are accepted as being in general conformity with the London Plan, and then the London Plan is considered in turn to be in general conformity with the NPPF, then it should be unnecessary for the boroughs to seek a certificate of conformity with the NPPF.

There appears to be a change in emphasis for the role of supplementary planning documents (SPDs) so that they are necessary only where these bring forward sustainable development and impose no additional financial burden. SPDs have been effective in providing guidance and clarification on complex policy issues where such guidance would be inappropriately included in a development plan, and should continue to do so.

Core Principles

As a general point, there is no direction provided by Government in the framework as to where it is considered that economic growth should be focussed, either at the national level or in terms of appropriate specific types of location. Some guidance as to where it is appropriate to focus growth would be welcomed.

As currently drafted one of the core principles is 'Where practical & consistent with other objectives, allocations of land for development should prefer land of lesser environmental value'. It is considered that this is insufficiently strong as it is unlikely to ensure that development opportunities are taken, in the first instance on land of lesser environmental value rather on land of higher value such as open space. It is suggested that it should also be followed by, 'and in particular previously developed land'.

In addition, it is considered that the Core Principle which starts 'Planning policies and decisions should actively manage patterns of growth to make the fullest use of public transport, walking and cycling...' should instead state that '*Planning policies and decisions should actively manage patterns of growth to minimise travel, particularly by the private car, and promote public transport, walking and cycling.....*'. In this way more sustainable patterns of development will be promoted rather than merely seeking to make use of public transport and facilities for walking and cycling that may already exist.

The Council considers that parts of the revised Planning Policy Framework infer a relaxation of planning controls which might be interpreted by prospective applicants as an opportunity to develop in areas which have not hitherto been promoted by the Council for development and/or in a way which encourages greater reliance on the private car. The Council is keen to continue to encourage town centre rather than out of town development, and to continue to encourage the use of public transport through the specification of maximum parking standards where appropriate.

Planning for Prosperity

Town Centres

There is concern in relation to the sequential test and, particularly, the fact that offices are no longer included within this. This is particularly pertinent to outer London Boroughs such as Brent where it is difficult to retain and attract office development, especially if providers can simply concentrate on out of centre locations (e.g., close to the M25) which are more accessible by car. This could have a

serious and detrimental impact on the health of outer London town centres and also be unsustainable in terms of encouraging people to move away from public transport as a means of getting to work.

It is stated in paragraph 78 that out of centre sites should be considered only if suitable sites for retail and leisure uses are not available in town centres where practical, then in edge of centre locations. In Brent's view this should refer to out of centre sites accessible by a range of transport modes including public transport. In this way more sustainable travel will be promoted.

Employment Land

In terms of Government policy towards employment land, the wording proposed could lead to the potential loss of land best-suited to long term use for business and industry because of a short term fall off in demand. It is potentially damaging to longer-term economic growth to lose land from employment use that has the advantage of direct access from the strategic road network, for example. It is suggested that this is reworded to state, '*avoid long term protection of employment land for which there is likely to be no long term demand*'.

Transport

Paragraph 84 deals with the objectives of transport policy. This should include, as an objective, enhancing people's sustainable access to essential services. It should always be an objective of transport policy to improve people's access to essential services and other important facilities. Brent Council supports the emphasis on giving people a real choice about how they travel. The need for major transport infrastructure is reduced by encouraging travel by sustainable modes, both by improving key interchanges, and promoting access by public transport.

Brent Council supports the reference to travel plans. We suggest that it may be useful to make reference to the requirement to monitor the impact of travel plans by prospective applicants.

Brent Council supports the promotion of mixed use developments, and the role of locating local facilities (such as schools and shops) within the developments to ensure that they are as sustainable as possible.

There is no explicit reference to parking standards, although paragraph 93 refers to setting standards for residential and non-residential development. The draft is, in effect, proposing that there will no longer be a requirement for local planning authorities to set out maximum standards. This could lead, ultimately, to locally-defined car-parking requirements in locations less accessible by public transport that encourage large numbers of car trips to be generated with a corresponding adverse impact on sustainability and on those without access to a car. This could be especially problematic when taken together with the removal of the requirement for office development to follow a sequential approach to development, as is currently the case in national policy. The Council suggests that it may be useful to include a specific reference to the role of maximum parking standards. Although these are still referred to within Transport Assessment guidance, the Council sees parking standards as an important tool for encouraging sustainable development, and worth referencing within this policy framework.

The Council is very supportive of the final point on Transport (94) referring to the need to protect routes and corridors for future transport infrastructure which will widen transport choice.

Planning for People

Housing

Brent supports the Government's objectives around increasing housing supply and widening choices. However, the Council is very concerned about the removal of the national target for the proportion of development on brownfield land. Not only is this more likely to lead to the development of greenfield sites, particularly outside existing urban areas, but there will be less incentive for developers to bring forward for development difficult to develop sites in urban areas where there may be some constraints upon development, such as contamination, but where

sustainable regeneration is needed so that it can deliver social as well as environmental benefits. Developing new housing in run-down inner city locations is also more sustainable than development in the urban fringe or beyond.

There are concerns over the workability of requiring an additional allowance of 20% specific deliverable sites in addition to those required to provide five years of housing when considered against housing requirements. In London, it is important to point out that housing supply is capacity rather than demand driven. It is Brent's experience that demand is virtually limitless and the aim should be to optimise delivery on sites which are capable of being brought forward. Exceeding housing requirements by 20% does not, therefore, seem achievable.

Design

Brent Council is concerned about the proposed approach to design. Use of the wording 'permission should be refused for development of obviously poor design

Planning for Communities

Paragraph 129 as currently drafted allows for the development of open space, including playing fields, where they are either no longer required or where the benefits of development clearly outweigh the loss. The Council is concerned that this may tip the balance too far in favour of development where there may be benefits in the form of economic development of some sort which have to be weighed against the effects of the loss of valuable open space that is still used, e.g. playing fields. It is suggested that both criteria should be fulfilled if a loss of space is to be acceptable.


Planning for Places

In relation to climate change, much of the content in the document is supported. However, it is considered that it needs to be a more cross-cutting issue and should be referred to in the core planning principles. There are concerns also about whether the draft NPPF allows boroughs to go further than the Government's timetable for zero carbon development. It is worth noting that the London Plan already exceeds the government timetable.

I would be happy to discuss any of the above points with you and look forward to being informed about future progress of the draft NPPF.

Yours sincerely

Chris Walker
Assistant Director
Planning and Development

	<p style="text-align: center;">Planning Committee 16th November 2011</p> <p>Report from the Assistant Director, Planning & Development</p>
<p style="text-align: right;">Wards affected: All</p>	
<p style="text-align: center;">Local Planning Issues and LDF Progress</p>	

1.0 Summary

- 1.1 This report outlines progress on Brent's Local Development Framework and the implications of this in dealing with local planning issues that have arisen. It proposes a revised timetable for progressing the LDF in the future.

2.0 Recommendations

- 2.1 That Planning Committee notes the progress made in progressing Brent's Local Development Framework and agrees the revised LDS timetable for publication on the Council's website.

3.0 Detail

Introduction

- 3.1 In March 2011 Planning Committee considered a report which dealt with a number of planning issues that had been raised in relation to the interpretation of existing policy for specific planning applications or enforcement matters. Committee agreed that the issues should be considered as part of the programme for the preparation of the Development Management Policies DPD, which will form the final part of the Council's LDF. Since then, further constraints on staff resources has meant that progress has been slower than anticipated and it is now necessary to revise the Council's timetable for preparation on the LDF. This is set out in a document called the Local Development Scheme (LDS).
- 3.2 The LDS was last agreed to be revised by Planning Committee in October 2010. Since then changes in regulations governing its production mean that it no longer has

to be endorsed by either the Mayor of London or by the Secretary of State. It can also be reviewed at any time the local planning authority consider appropriate. Given that Brent's LDS is out of date and over one year old, it is proposed that Committee agrees a revised timetable.

Progress to date

Development Plan Documents

- 3.3 The Core Strategy and the Site Specific Allocations DPD of the LDF have been adopted. Progress has been good with the Wembley Area Action Plan, the third development plan document of the council's LDF. The Issues and Options stage of consultation finished on 7th November. A summary of the comments received will be circulated to the meeting.
- 3.4 Although progress with the action plan has been good, there is still a need to adjust its timetabling in the LDS. Further studies are necessary before a draft Plan can be produced and together with the reduction in staff resources, it is not expected that a draft plan can be ready for consideration by Committee until March 2012 with adoption in Summer 2013.
- 3.5 The proposed Development Management Policies DPD will complete the suite of Development Plan Documents to finally replace all of the UDP. This will contain planning policies which are regularly used in determining planning applications such as policy for change of use to non-retail uses or design policies. Unfortunately, it will not be possible, given current staff resources, to progress this to public consultation before Autumn 2012, with submission to the Secretary of State for examination then estimated for Summer 2013 and adoption in Spring 2014.
- 3.6 Although this revised timetable will mean that the planning issues discussed at Planning Committee in March, such as the proliferation of takeaways and betting offices, cannot be addressed for the borough as a whole until late in 2012, there is an opportunity to take forward policies in the Wembley Area Action Plan before then. This will give the Council an opportunity to 'test the water' before seeking to extend policy boroughwide.

Supplementary Planning Documents

- 3.7 Supplementary Planning Documents provide detailed planning guidance but, as the name implies, they have to be supplementary to policy within the development plan and cannot in themselves make new policy. Recently adopted SPDs include the Wembley Link SPD and the Alperton Masterplan SPD which are both supplementary to policies in the Core Strategy and the Site Specific Allocations DPD.
- 3.8 The draft Town Hall Planning Brief SPD is before you tonight for approval. In addition it is proposed that a revised Design Guide for New Development, currently SPG17, be drafted for public consultation by March 2012. This will contain detailed guidance and standards that should be adhered to in the design of new development. However, this SPD will be supplementary to design policy contained in the Development management Policies DPD and, consequently, cannot be adopted until that document has been adopted in 2014

Sudbury Town Neighbourhood Plan

- 3.9 Members of Committee will be aware that Brent was successful in bidding, on behalf of Sudbury Town Residents Association, for £20,000 to help prepare a Neighbourhood Plan for the Sudbury Town area. Although the Neighbourhood Plan is intended to be a plan prepared by the community for their local area, the Council would wish, and will be required when the Localism Bill is enacted later this year, to give support in the preparation of the plan. This will mean that some staff resources will inevitably have to be directed towards providing this support, although it is difficult to gauge at the present time what this will need to be. The money is available now so it is anticipated that this work will commence shortly. The new Neighbourhood Plan will form part of the Council's development plan alongside the Development Plan Documents of the LDF and the London Plan.

Proposed Revised LDS Timetable

- 3.10 The proposed revised timetable for the LDF is set out in below. Committee is asked to agree this for publication, in the form of a gantt chart, on the Council's website.

Development Plan Documents	Work Commences	Initial Public Consultation	Consult on Draft Plan	Submit	Exam	Adopt
Wembley Area Action Plan DPD	Feb11	Sept11	March12	Nov12	March13	Sept13
Development Policies DPD	April12	N/A	Nov12	July13	Nov13	May13
Joint West London Waste Plan	N/A	N/A	N/A	May12	Sept12	March13
Supplementary Planning Documents						
Brent Town Hall Planning Brief	N/A	N/A	Nov11	N/A	N/A	April 12
Design Guide for New Development.	Jan12	N/A	Nov12	N/A	N/A	May13

4.0 Financial Implications

- 4.1 Since the Housing and Planning Delivery Grant was abolished there are no longer any financial benefits to the Council from the progression of Development Plan Documents of the LDF according to a timetable established by the LDS. However, if the development gets out-of-date then the likelihood of planning appeals being lost and costs being awarded against the Council increases.

5.0 Legal Implications

- 5.1 The preparation of the LDF, including the LDS, is governed by a statutory process set out in Government planning guidance and regulations. It is a statutory requirement to prepare an LDS and to keep it up to date. However, recent changes to the regulations mean that the LDS no longer has to be submitted to Government nor to the Mayor of London for approval.

6.0 Diversity Implications

- 6.1 Full statutory public consultation is carried out in preparing all Development Plan Documents and an Impact Needs / Requirement Assessment (INRA), which assessed the process of preparing the LDF, was prepared and made available in November 2008.

7.0 Staffing/Accommodation Implications

- 7.1 The timetable for progressing the LDF documents proposed in this report is based upon existing staffing levels and current priorities for remaining staff resources. There are no accommodation implications arising from this report.

8.0 Environmental Implications

- 8.1 The boroughs development plan, together with the London Plan, is a primary consideration in determining planning applications. The contents of the LDF will have a major bearing on how the borough develops in the future, including how sustainable development will be.

9.0 Background Papers

Brent Core Strategy July 2010
Brent Site Specific Allocations DPD, July 2011
Brent LDS, 2010

Contact Officers

Any person wishing to inspect the above papers should contact Ken Hullock, Planning & Development 020 8937 5309

Chris Walker
Assistant Director, Planning & Development

This page is intentionally left blank

	<p style="text-align: center;">Planning Committee 16 November 2011</p> <p>Report from the Assistant Director, Planning & Development</p>
<p style="text-align: right;">Wards affected: All</p>	
<p style="text-align: center;">West London Waste Plan</p>	

1.0 Summary

- 1.1 This report explains progress with the preparation of the Joint West London Waste Plan with particular regard to the latest position on the identification of sites for processing waste in Brent.

2.0 Recommendations

- 2.1 That Planning Committee recommends to Executive that, on the basis that the sites identified in this report are included in the West London Waste Plan, the Plan be agreed for publication and deposit for 6 weeks consultation in February 2012.

3.0 Detail

Introduction

- 3.1 The 6 London Boroughs which comprise the West London Waste Authority (Brent, Ealing, Harrow, Hillingdon, Hounslow and Richmond upon Thames) agreed to prepare a Joint West London Waste Plan (WLWP). In October 2010 Planning Committee considered a report proposing the draft West London Waste Plan for public consultation. At that time the plan proposed 6 sites within Brent, out of 24 sites in total, for the treatment of waste as follows:

Existing Waste Transfer Sites

Twyford Waste Transfer Station
Veolia Transfer Station, Marsh Road

Proposed New Sites

Asia Sky site, Abbey Road
Rail sidings, Premier Park Road
Alperton Lane industrial area, Marsh Road
Hannah Close / Great Central Way

- 3.2 The Plan, when adopted, will form part of Brent's LDF. The WLWP will in due course provide an up-to-date policy framework to assess planning applications for waste management facilities across the six West London boroughs. Public consultation on the draft Waste Plan ended in March 2011. Since then, consultants acting on behalf of the 6 boroughs have been modifying the Plan in light of comments received, changes to the estimates of the amount of waste to be processed as set out in the new London Plan and an assessment carried out on the deliverability of sites.

Public Consultation

- 3.3 Almost 600 responses from organisations and individuals were received, excluding 2 petitions with 2200 signatures. The overwhelming focus of the consultation responses was on the 24 sites proposed for potential waste management use. The main objections were to a site in Hillingdon (the Tavistock Road former Coal Depot at West Drayton in Hillingdon) and to proposed sites in Park Royal. In addition to individual responses, petitions were submitted regarding the proposals at Tavistock Road and in Park Royal.
- 3.4 One third of total responses to the draft WLWP opposed the sites proposed at Park Royal. Many of these expressed local residents' concerns at the designation of several sites for waste use in such close proximity. A 193-signature petition from Ealing residents was received on this issue. The main concerns raised by the petitioners were: the unfairness of locating so many sites in the area; the cumulative impact of new sites when added to existing waste and industrial facilities; proximity to housing; increased traffic; air pollution and the health impacts of pollution.
- 3.5 In terms of the sites proposed in Brent, objections were received from the owners of new sites proposed for waste treatment at Twyford Tip and Marsh Road Alperton and from some businesses and other land owners in the Brent part of Park Royal.

Revised West London Waste Plan for Submission

- 3.6 Although the final version of the WLWP to be submitted to the Secretary of State has not been finalised, the list of sites to be included in the document has. A full list of the sites in West London is set out as Appendix 1. In Brent the sites proposed for inclusion in the submission document are:
- Twyford Waste Transfer Station
Veolia Transfer Station, Marsh Road
- 3.7 Committee will note that none of the new sites in Brent proposed in the draft plan are included in the revised list. This is in part because the Hannah Close / Great Central Way site is now operational and, therefore, no longer proposed. The remaining three sites are, for one reason or another, considered to be difficult to deliver. This, combined with a need to identify a significantly reduced land area for waste processing than originally set out in the draft plan, has meant that there is no need to designate any proposed new sites in Brent.

Next Steps

- 3.41 Executive, on 12th December, will be asked to approve a revised WLWP for publication. Once the document has been agreed by all 6 boroughs it will be made available for a further 6 week public consultation in February 2012. Authority will then be sought from each borough, i.e. in Brent's case from Executive, to submit the Plan to the Secretary of State for Examination in Public. It is anticipated that an Examination will be held in late 2012 and that the WLWP should be adopted by the 6 boroughs in early 2013.

4.0 Financial Implications

- 4.1 Brent's financial contribution towards the preparation of a joint WLWP is provided from Planning & Development's existing budget. This varies from year to year but averages out at about £30, 000 pa.
- 4.2 There is an urgent need for West London boroughs to identify land for processing waste through the development plan so that sites can deal with waste locally rather than sending it to landfill, for which there is a tariff which increases year on year.

5.0 Legal Implications

- 5.1 The drafting of the WLWP has taken into account relevant planning legislation.

6.0 Diversity Implications

- 6.1 Full statutory public consultation has been carried out in preparing the Waste DPD. An Equalities Impact Assessment of the Waste DPD has also been carried out.

7.0 Staffing/Accommodation Implications

- 7.1 There are no staffing or accommodation implications arising from this report.

8.0 Environmental Implications

- 8.1 The Waste DPD may potentially give rise to a significant impact upon the local environment close to waste management sites. However, the identification and use of appropriate sites will mean that the environmental impact is controlled and minimised, particularly upon residential areas, and managing waste locally rather than it being sent to landfill will help mitigate the effects of climate change. Sustainability appraisal has been undertaken at all stages of developing the Waste DPD.

9.0 Background Papers

West London Waste Plan, Proposed Sites and Policies, Feb 2011

Contact Officers

Any person wishing to inspect the above papers should contact Ken Hullock, Planning & Development 020 8937 5309

Chris Walker
Assistant Director, Planning & Development

Appendix 1 Existing and Proposed Sites to be included in the WLWP

Table i: The proposed sites allocated for redevelopment

Site Number	Site Area (ha)	Borough	Description	Site Type
352	1.46	Brent	Twyford Waste Transfer Station	Existing
1261	2.71	Brent	Veolia Transfer Station, Marsh Road	Existing
309	1.15	Ealing	Greenford Reuse & Recycling Site, Greenford	Existing
310	0.94	Ealing	Greenford Depot, Greenford Road, Greenford	Existing
328	2.10	Ealing	Quattro, Victoria Road, Park Royal	Existing
303	4.25	Hillingdon	Victoria Road Transfer Station	Existing
353	3.11	Hounslow	Transport Avenue Waste Transfer Station	Existing
342	3.67	Richmond	Twickenham Depot	Existing
182	0.3	Ealing	Park Royal 1 (GLA – combine with adjacent site and renumber)	Proposed
191	0.65	Ealing	Atlas Road, Park Royal	Proposed
222	2.83	Harrow	Council depot, Forward Drive	Proposed
244	3.12	Hillingdon	Yeading Brook, Bulls Bridge	Proposed
2861	3.20	Hounslow	Western International Market	Proposed
Total	29.49	Ha		

This page is intentionally left blank