



Cabinet
6th February 2023

**Report from the Director of
Regeneration, Growth &
Employment**

**Draft Residential Amenity Space and Place Quality
Supplementary Planning Document**

Wards Affected:	All, excluding parts of Alperton, Harlesden and Kensal Green, Stonebridge and Tokyngton where Old Oak and Park Royal Development Corporation is the Local Planning Authority
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	One Appendix A: Draft Residential Amenity Space and Place Quality SPD
Background Papers:	Brent Local Plan 2019-2041
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1 Purpose of the Report

- 1.1 The purpose of the report is to seek Cabinet approval for consultation on a draft Residential Amenity Space and Place Quality Supplementary Planning Document (SPD).
- 1.2 Cabinet will also be requested to delegate authority to the Corporate Director for Communities and Regeneration in consultation with the Cabinet Member for Regeneration and Planning to consider consultation responses, along with any necessary changes, and the decision on whether to adopt the Residential Amenity Space and Place Quality SPD.

2 Recommendations

- 2.1 Cabinet approves the Draft Residential Amenity Space and Place Quality Supplementary Planning Document (SPD) as set out in Appendix A to be issued for statutory public consultation.

3 Detail

- 3.1 The Residential Amenity Space and Place Quality Supplementary Planning Document (SPD) sets out further guidance on the implementation of two Brent Local Plan 2022 policies: BH13 Residential Amenity Space and BD1 Leading the Way in Good Urban Design. The draft SPD has been brought forward following an evidence review of the implementation of the policies. This identified the need for further clarity to address how any shortfalls against the private amenity standard for individual dwellings could be provided through shared communal space. For higher density development in Brent, greater guidance is also required on the necessary quality of communal space, particularly in cases where provision would be below the minimum size standard.

Overview

- 3.2 The Residential Amenity Space and Place Quality SPD clarifies the borough's expectations for well-designed places. It supports the Brent Local Plan's objectives to ensure that new homes and neighbourhoods are designed to provide a high quality of life. This is for existing and future residents across the borough's different environments, scales of development and densities.
- 3.3 It is important to point out that the SPD does not create new policy, it simply provides guidance and information on the implementation of existing Local Plan policies in relation to residential amenity and good urban design.

Scope of impact

- 3.4 It covers a wide range of amenity space types and sizes. It addresses; outdoor private amenity space; outdoor shared amenity space; and indoor shared amenity space and common spaces. It may also be used to determine the quality of public space where relevant to the assessment of a scheme.
- 3.5 As such it has the scope to impact the majority of shared spaces within new residential developments. These spaces are a significant factor in the quality of development. They are key to the way new and existing residents experience their homes, neighbourhoods, and a sense of community. People's quality of life is directly affected by their environment. High quality environments are beneficial to health, wellbeing and social cohesion. Poor quality environments are not; they exacerbate existing inequalities.
- 3.6 The objective of the SPD is to provide a clear roadmap for proportionate expectations for different types and scales of development which contribute towards improving people's quality of life. It will be a material consideration in determining planning applications.

Structure

3.7 There are six sections in this SPD:

- Sections 1,2 and 3 address technical and qualitative principles relevant to all development;
- Section 4 addresses minor development;
- Section 5 sets out a new Place Quality Framework, for major and strategic development;
- Section 6 addresses specific typologies such as high-density development and Build to Rent.

3.8 The SPD signposts to relevant guidance in the draft Sustainable Environment and Development SPD which it is anticipated will be consulted on concurrently. The full contents list is in the draft SPD in Appendix A.

Exemplary guidance, innovation and industry context

3.9 The guidance goes beyond the scope of typical SPD design guidance by introducing a new “Place Quality Framework”. This sets out a new system for the assessment of design quality which is purposefully framed to health, wellbeing, social sustainability and quality of life outcomes.

3.10 This new approach responds to increasing evidence, acknowledgement and consensus on the significance of the impacts that the built and natural environment have on people, as described by the social determinants of health. Brent’s Local Plan Development Vision of Good Growth identifies the following related objectives:

- Improving physical and mental wellbeing for residents by adopting a health-integrated planning approach;
- Reducing health inequalities through focusing on narrowing the gap between the most affluent and the most deprived areas of the borough; and
- Reducing spatial inequalities within Brent and incidences of areas with high levels of multiple deprivation by promoting mixed and balanced communities.

3.11 The new framework additionally builds on emerging recommendations from DLUHC with regards to:

- **Emerging draft guidance from the Office of Health Improvement and Disparities** (to be published early 2023) on design coding for health disparities;
- **DCMS emerging strategy for “Tackling loneliness in the built environment”** and how design codes can be used to create more cohesive communities.

3.12 Subject to full benchmarking and review, it is anticipated the SPD will be exemplary and timely guidance which:

- Builds on the emerging national recommendations set out above, to provide new approaches for direct application to industry that support the promotion of health, wellbeing and quality of life through well-designed places;
- Provides next steps to translate evidence into action; going from the “what” to the “how”;
- Purposefully foregrounds the human experience and health inequalities to enable specific action and address local challenges;
- Encourages the adoption of evidence-informed design strategies and solutions;
- Encourages dialogue across different disciplines, sectors and types of participants with a common language focused on the quality of place, not only the design or quantitative metrics; and
- Highlights the importance of co-benefits across health, community and sustainability through green infrastructure.

Benefits of the new approach

3.13 The new ‘Place Quality Framework’ has been shaped to reflect local priorities and emphasise principles of equity through Good Growth in Brent. It provides an overarching reference point for good design that goes beyond physical form and visual aesthetics to prioritise people-focused outcomes. These include:

- supporting people’s physical and mental wellbeing,
- building strong and integrated communities across new and existing places,
- encouraging vibrancy and intergenerational mixing,
- supporting a sense of place and belonging, and
- fostering a sense of ownership and empowerment.

3.14 The overall framework has three dimensions – health and wellbeing; community and belonging; and vibrant and inclusive places. There are nine qualitative criteria based on human experience considerations. These criteria act as “building blocks” for people-focused places and include example design considerations framed as questions that help identify opportunities for positive impacts.

Impacts

3.15 Overall, the toolkit shifts expectations for development; by offering qualitative considerations in relation to the human experience of the built and natural environment and its impacts on lives. This:

- Enables a greater clarity when identifying the qualities (or deficiencies) of development proposals and how the benefits of growth are balanced more equitably.

- Sets out specific design considerations in direct relation to quality of life outcomes, to assist the work of designers, planners and decision-makers.
- Allows for a clearer consideration of the complex impacts of the built environment and its importance in improving health inequalities, isolation, social cohesion, community participation and inclusivity.
- Promotes a collaborative approach for pre-application discussion and engagement.

3.16 It will be applied to all developments larger than 10 dwellings, and as such will have a significant impact in the borough. It has been developed for ease of application, to support use by different types of users and across a range of development contexts.

Addressing health inequalities

3.17 This SPD emphasises the importance of considering quality of life impacts for groups who may experience greater challenges to their health and wellbeing. It encourages a contextual response to high levels of multiple deprivation and different demographic groups. This aims to maximise the positive impact that equitable access to high quality shared spaces can have for individual and social wellbeing.

Wider application

3.18 The Place Quality Framework can be used to inform the following emerging guidance and processes:

- Approach to Design codes, regarding health promotion, health inequalities and tackling loneliness.
- Community engagement processes.
- Design review processes by the Quality Review Panel.

Internal engagement

3.19 Engagement has occurred internally with Spatial Planning and Transport, Development Management, Policy and through the Major Cases Forum, shaping the final contents. All are positive about the document and recognise its intention to improve quality of life through the design of places.

3.20 The SPD reflects the intentions of the Brent Youth Strategy, such as the vision for “spaces and places where young people can be together, have fun and feel like they belong” and the key theme of “Places and Facilities”. This SPD emphasises the importance of shared spaces for young people as a “Place Quality Priority” and will contribute to ensuring these are delivered. The SPD is supported by the Director for Children and Young People.

Benchmarking and review

3.21 Benchmarking to key national guidance documents has been undertaken and analysis of relevant local authority guidance is in progress, such as Essex’s

LiveWell accreditation. Further internal and external review can potentially include:

- A formal review by the Brent Quality Review Panel. *Initial informal feedback from the new Brent Quality Review panel was highly supportive of the proposed approach.*
- Initial discussions with developers to test the toolkit through pre-application schemes, and further feedback from DM officers.
- Expert review through existing professional networks in healthy places practice

Options

3.22 There are essentially two options open to the Council:

- a) Do not take forward a draft Residential Amenity Space and Place Quality SPD, or
- b) Take forward a draft Residential Amenity Space and Place Quality SPD

Do not take forward a Residential Amenity Space and Place Quality SPD

3.23 In this scenario, the Council is likely to receive a number of planning applications for development which requires further guidance on the implementation of residential amenity space policy. Where there may be shortfalls on quantity, the qualitative expectations may need to be addressed prior to determination through additional material being submitted and associated extensions of time for the application to be determined with the applicant. There will also be no detailed advice to applicants on the Council's interpretation of its Local Plan policies. This may result in delay and confusion for the applicant. Lack of clarity over interpretation of policy could also lead to more appeals as applicants might challenge the Council's interpretation of policies used as reasons for refusal.

3.24 There is no detailed guidance on the implementation of policy BD1 Leading the Way in Good Urban Design in relation to health, wellbeing and social sustainability. Therefore these aspects will not be clearly prioritised in development and growth in the borough, resulting in less opportunity for improving quality of life and quality of place for residents. There is no guidance on improving health inequalities so there is limited opportunity to integrate this objective into the assessment of the design quality of a development.

Take forward a Residential Amenity Space and Place Quality SPD

3.25 In this scenario, it is likely that the Council receive a higher proportion of planning applications for a better standard of developments that ultimately it can approve. This is because applicants will have clarity on the expectations for the qualitative aspects of amenity spaces and the breadth of impacts expected to be addressed. There will also be no detailed advice to applicants on the Council's interpretation of its Local Plan policies. The SPD will identify the key issues that applicants need to consider. Applicants therefore will be

able to better understand the potential risk in submitting an application. This will reduce wasted resource from the applicant and Council as it is likely to result in fewer refusals and then re-submission to address refusal reasons. It will also reduce appeals, as Council's interpretation of policies used as reasons for refusal will be clear.

- 3.26 Detailed guidance is provided on the implementation of policy BD1 Leading the Way in Good Urban Design in relation to health, wellbeing and social sustainability. Therefore these aspects will be clearly prioritised in development and growth in the borough, resulting in improved quality of life and quality of place for residents. Guidance on improving health inequalities will contribute to integrating this objective into the assessment of the design quality of a development.
- 3.27 Taking account of the negative and positive impacts of the options, Option B is recommended, with the draft SPD as set out in Appendix A issued for consultation. Ultimately if adopted, the SPD will improve planning outcomes and reduce wasted resource. A consultation on the draft will allow suitable engagement which will encourage feedback on the document. This is likely to improve its quality in achieving its outcomes.

4 Financial Implications

- 4.1 No implications as a result of this report.

5 Legal Implications

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

6 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 An Equalities Impact Screening has been undertaken. This analysis identifies that the Residential Amenity Space and Place Quality SPD has the potential for

positive equalities impacts for people of all ages, people with disabilities, BAME communities, women and other protected characteristics identified.

7 Consultation with Ward Members and Stakeholders

- 7.1 The Cabinet Member for Regeneration and Planning has been briefed on the development of this SPD. It was also presented to the Local Plan Members Working Group in October 2022, and their feedback has been incorporated into the final draft document.
- 7.2 Statutory public consultation (following cabinet approval in February) will provide further opportunities for engagement with partners, stakeholders, local residents, businesses and communities. There will be opportunity for Public Health to engage as well as social prescribers.
- 7.3 To advance the draft Residential Amenity Space and Place Quality SPD towards adoption, statutory public consultation of not less than 4 weeks is required, however consistent with the approach the Council has taken with other SPDs, it is recommended that the draft Residential Amenity Space and Place Quality SPD is made available for public consultation for a period of 6 weeks. Subject to consideration of all consultation representations and any necessary amendments, the final Residential Amenity Space and Place Quality SPD would then be adopted.

Report sign off:

Alice Lester

Director Regeneration Growth and Employment