

	<p align="center">Officer Key Decision Corporate Director Communities and Regeneration 12 June 2023</p>
	<p align="center">Report from Director Regeneration, Growth and Employment</p>
<p align="center">Residential Amenity Space and Place Quality Supplementary Planning Document</p>	

Wards Affected:	All, but 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 Decision:	Yes
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	Appendix A: Residential Amenity Space and Place Quality SPD Consultation Statement Appendix B: Residential Amenity Space and Place Quality Draft SPD
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	John Stiles Principal Urban Design Officer John.Stiles@brent.gov.uk

1.0 Purpose of the Report

- 1.1 The purpose of the report is to seek consideration by the Corporate Director for Communities and Regeneration in consultation with the Cabinet Member for Regeneration, Planning and Growth of the consultation responses received on the Residential Amenity Space and Place Quality Supplementary Planning Document (SPD), along with any necessary changes, and the decision on whether to adopt the SPD.

2.0 Recommendations

- 2.1 The Corporate Director for Communities and Regeneration in consultation with the Cabinet Member for Regeneration, Planning and Growth, considers the consultation representations received, officer responses and recommended changes to the Residential Amenity Space and Place Quality Draft SPD as set out in Appendix A.
- 2.2 The Corporate Director for Communities and Regeneration in consultation with the Cabinet Member for Regeneration, Planning and Growth approves the adoption of the Residential Amenity Space and Place Quality SPD as set out in Appendix B.

3.0 Detail

Cabinet Decision Residential Amenity Space and Place Quality Draft SPD

- 3.1 On 6th February 2023 Cabinet considered an agenda item on the Residential Amenity Space and Place Quality Draft SPD. The aim of the SPD is to set 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 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. The SPD relates to both major and minor developments.
- 3.2 Cabinet resolved:
 - a) To approve consultation on a Residential Amenity Space and Place Quality Draft SPD as set out in Appendix A.
 - b) To delegate authority to the Corporate Director for Communities and Regeneration in consultation with the Cabinet Member for Regeneration, Growth and Planning to consider consultation responses, along with any necessary changes, and the decision on whether to adopt the final SPD

SPD Consultation

- 3.3 The Council consulted on the draft SPD over a six-week period between 16th February and 30th March 2023. Consultation was consistent with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the council's Statement of Community Involvement. Potentially interested parties and statutory consultees on the planning policy database were made aware through e-mail notice. The draft SPD was publicised by the Council's communications team, including on the Council's social media outlets. Councillors were made aware through the members' bulletin. The document

was made available in Council libraries and on the Council's web-based 'Have Your Say' consultation portal.

- 3.4 A total of 6 residents responded, in addition to 4 organisations, including a local community group and developers/ agents. A schedule of who responded, a summary of their comments, officer responses and recommended changes to the draft SPD are set out in the Consultation Statement in Appendix A.
- 3.5 Generally, the document was well received, and all responders were generally supportive of the SPD's overall aims.

Planning Policy and Guidance

- 3.6 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.
- 3.7 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.
- 3.8 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.
- 3.9 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.
- 3.10 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.
- 3.11 As adopted, the document will be given significant weight as a material consideration in the determination of planning applications. The Council will work with applicants early on in the application process seeking compliance with the SPD to ensure acceptable developments.

Residential Amenity Space and Place Quality SPD

- 3.12 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.
- 3.13 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.
- 3.14 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.

Options

- 3.15 There are essentially two options open to the Council:
- a) Do not take forward draft Residential Amenity Space and Place Quality SPD, or
 - b) Take forward draft Residential Amenity Space and Place Quality SPD

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

- 3.16 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.
- 3.17 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

- 3.18 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.
- 3.19 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.
- 3.20 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.

Post Consultation Process

- 3.21 Consistent with regulations the Council is required to consider all of the responses to the draft SPD received. These have been summarised, responded to and where appropriate recommended changes to the SPD have been made. This work is contained within a Consultation Statement that will be made publicly available.

4.0 Financial Implications

- 4.1 There are no direct financial implications arising as a result of this report. Any financial decisions arising in the future as a result of the adoption of this report will be subject to further approvals.

5.0 Legal Implications

5.1 The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the processes that need to be followed by the Council in taking forward a SPD. The Council will follow these processes. Once adopted, the SPD will be a significant material consideration in the determination of planning applications.

6.0 Equality Implications

6.1 The Equality Act 2010 introduced a new public sector equality duty under section 149. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Council must, in exercising its functions, have “due regard” to the need to:

1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
2. Advance equality of opportunity between people who share a protected characteristic and those who do not.
3. Foster good relations between people who share a protected characteristic and those who do not.

6.2 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.

7.0 Consultation with Ward Members and Stakeholders

7.1 The Lead Member for Regeneration, Growth 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 document. The document’s formal consultation was publicised in the members’ bulletin.

Report sign off:

Alice Lester

Director of Regeneration, Growth
and Employment