



**Delegated Decision: Corporate  
Director Communities and  
Regeneration**  
7<sup>th</sup> August 2023

**Report to the Corporate Director  
Communities and Regeneration**

**Draft Staples Corner Design Code Consultation**

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|---|---|
| <b>Wards Affected:</b>  | Dollis Hill, specifically the Staples Corner Growth Area as defined in the Brent Local Plan 2019-2041 and some adjacent streets |
| <b>Key Decision:</b>  | Yes   |
| <b>Open or Part/Fully Exempt:</b><br><small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small> | Open  |
| <b>No. of Appendices:</b>   | Two:<br>Appendix A: Draft Staples Corner Design Code<br>Appendix B: Equalities Impact Assessment (EqIA)                         |
| <b>Background Papers:</b>   | None  |
| <b>Contact Officer(s):</b><br><small>(Name, Title, Contact Details)</small>   | John Stiles, Principal Urban Design Officer<br><a href="mailto:john.stiles@brent.gov.uk">john.stiles@brent.gov.uk</a>           |

## 1.0 Purpose of the Report

- 1.1 The purpose of the report is to seek approval by the Corporate Director for Communities and Regeneration in consultation with the Cabinet Member for Regeneration, Planning and Growth to carry out public consultation on the Draft Staples Corner Design Code, as set out in Appendix A.

## 2.0 Recommendations

- 2.1 The Corporate Director for Communities and Regeneration in consultation with the Cabinet Member for Regeneration and Planning approves the Draft Staples Corner Design Code for consultation for an eight-week period and gives approval for any final editorial de minimis changes to be made prior to publication for consultation, should they be necessary. These are for example, grammatical or presentational associated with figures, graphical illustrations and page numbers.

## **3.0 Detail**

### **Background**

- 3.1 Recent changes to the National Planning Policy Framework (NPPF) have sought to give design coding a greater role in the planning system. Published in 2021, the National Model Design Code provides detailed guidance on the production of design codes, guides and policies to promote successful design. In March 2022, officers successfully secured funding from DLUHC to develop an exemplar design code and test new national planning guidance, electing to focus on the Staples Corner Growth Area.
- 3.2 Staples Corner is designated as a Growth Area under Policy BEGA2A of the Brent Local Plan 2019-2041. Para 5.2.36 sets out that the Growth Area will be subject to a comprehensive masterplan approach which will be led by the council. The Design Code supplements that approach by providing a set of concise, measurable and illustrated design requirements for new development coming forward in the area. It enables binary decision-making; yes, the code has been followed, or no, it has not, and as such, gives landowners, developers, occupants, and local communities greater certainty about what may be acceptable when seeking planning permission.

### **Engagement**

- 3.3 To help shape the Design Code, a steering group known as the Staples Corner Community Champions was recruited specifically to participate in a series of engagement workshops that took place from December 2022 to February 2023. The Sortition Foundation, on behalf of the council, sent 4,000 letters to residents and businesses within and around the Staples Corner Growth Area, inviting them to become Community Champions. The recruitment area was defined based on proximity to the Growth Area and included all of Dollis Hill ward east of Dudden Hill Lane, part of Welsh Harp ward, and parts of LB Barnet to the east of the A5 Edgware Road.
- 3.4 80 people registered their interest in becoming Community Champions. The Sortition Foundation selected 25 people to participate as Community Champions using their established methodology for defining focus groups that are truly representative of a particular area. This methodology utilised data from sources including the ONS, NOMIS and Brent Equality Profile and set corresponding proportional targets across a range of demographics such as, gender, age, ethnicity, disability, and educational level. Based on the Sortition Foundation's experience, 25 people was considered to be the optimal group size in terms of manageability, whilst allowing some tolerance for any dropouts. Each participant was remunerated with a high street shopping voucher as compensation for their time.
- 3.5 The engagement workshops resulted in the development of six 'guiding principles' that underpin the Design Code and the vision for Staples Corner. The 'guiding principles' have helped the council set out its priorities for the area and how development should come forward.

## **Structure**

3.6 There are seven sections in this draft Design Code:

- Section 1 provides an introduction setting out what a design code is, who this design code is for, where it applies, and how it is structured and to be used.
- Section 2 sets out the existing context of Staples Corner.
- Section 3 sets out the vision for Staples Corner as developed collaboratively between the council and a group of local stakeholders.
- Section 4 describes the coding plan and how the design code relates to the emerging masterplan.
- Sections 5, 6 and 7 form the three parts of the design code addressing each of the following:
  - Area-wide design codes that act as general principles and apply to the entirety of the Growth Area and the transitional areas at its edges.
  - Street-focussed design codes that set out specific principles for key streets and roads within and around the Growth Area.
  - Place-focussed design codes that set out specific principles for key places within the Growth Area.

3.7 The draft Design Code signposts to relevant guidance in SPD1 Brent Design Guide and the recently adopted Residential Amenity Space & Place Quality and Sustainable Environment & Development SPDs.

## **Staples Corner Masterplan**

3.8 As of January 2023, the council is bringing forward a Masterplan working with 5<sup>th</sup> Studio and RCKa as lead consultants. The Design Code has been developed in close collaboration with the Masterplan team and will become an important part of the future Staples Corner Masterplan SPD. Therefore, the Design Code will remain at 'draft' status after its consultation period has closed and until such a time that the Masterplan SPD is adopted. However, as emerging guidance, it will be able to be used in pre-application discussions and carry a degree of weight in the determination of planning applications.

## **Options**

3.9 There are essentially two options open to the Council:

- a) Do not take forward a draft Staples corner Design Code, or
- b) Take forward a draft Staples Corner Design Code.

## **Do not take forward a draft Staples Corner Design Code**

3.10 In this scenario, the council is likely to receive a number of planning applications for development that ultimately are unacceptable or require further guidance on achieving an acceptable level of design quality. Where there may be shortfalls

in quality, the council may revert to SPD1 Brent Design Guide, though this does not set out design-related guidance specific to the conditions of the Staples Corner Growth Area. There will also be no detailed advice to applicants on the council's interpretation of the relevant London Plan Guidance, as well as the National Design Guide and National Model Design Code. This may result in delay and confusion for applicants. Lack of clarity over the interpretation of guidance could also lead to more appeals as applicants might challenge the council's interpretations of guidance used as reasons for refusal.

### **Take forward a draft Staples Corner Design Code**

- 3.11 In this scenario, once the Design Code is in the public domain, it is likely that the Council receive a higher proportion of planning applications proposing a better standard of development that ultimately it can approve. This is because applicants will have clarity on the expectations for the qualitative and quantitative aspects required to improve the overall place quality of the Staples Corner Growth Area. The Design Code will identify the key issues applicants will need to consider. Applicants will therefore be able to better understand the potential risks associated with submitting an application. This will reduce wasted resource from both applicants and the council as it is likely to result in fewer refusals and subsequent re-submissions to address refusal reasons. It will also reduce appeals, as the council's interpretations of guidance as reasons for refusal will be clear.

### **Next Steps**

- 3.12 Following approval and call-in period, consultation will take place from 24<sup>th</sup> August to 19<sup>th</sup> October 2023. Subject to consideration of all consultation representations and any necessary amendments, the Draft Staples Corner Design Code would then be incorporated into the emerging Staples Corner Masterplan SPD, with adoption deferred until after that document has been subject to a period of statutory consultation.

## **4.0 Financial Implications**

- 4.1 There are no direct financial implications as a result of this report.

## **5.0 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.

## **6.0 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 (see Appendix B). This analysis identifies that the Draft Staples Corner Design Code 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 Cabinet Member for Regeneration, Planning & Growth has been briefed on the development of this Design Code, along with the Ward Members who formed part of the Staples Corner Community Champions design code steering group. It was also presented to the Local Plan Members Working Group on 9 February 2023, and their feedback has been incorporated into the final draft document.

7.2 Statutory public consultation (following Corporate Director in consultation with Cabinet Member approval in August) will provide further opportunities for engagement with partners, stakeholders, local residents, businesses and communities.

7.3 To advance the Draft Staples Corner Design Code towards adoption, statutory public consultation of not less than 4 weeks is required, however, consistent with the approach the council has taken with other similar documents, it is recommended that the Draft Staples Corner Design Code is made available for public consultation for a period of 8 weeks. Subject to consideration of all consultation representations and any necessary amendments, the Draft Staples Corner Design Code would then be incorporated into the emerging Staples Corner Masterplan SPD, with adoption deferred until after that document has been subject to a period of statutory consultation.

**Report sign off:**

**Alice Lester**

Director of Regeneration, Growth  
and Employment