

	Cabinet 7 April 2025
	Report from the Corporate Director Neighbourhoods and Regeneration
	Lead Member - Cabinet Member Regeneration, Planning and Property (Councillor Teo Benea)
Brent Local Development Scheme	

Wards Affected:	All except parts of Alperton, Harlesden and Kensal Green, Stonebridge and Tokyngton where OPDC is the Local Planning Authority.
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
List of Appendices:	One Appendix A: Brent Local Development Scheme April 2025
Background Papers:	None
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1.0 Executive Summary

- 1.1. The report seeks Cabinet consideration and approval of an updated Brent Local Development Scheme. This sets out the Council's proposed timetable for the replacement of parts of the Development Plan including the Brent Local Plan and other planning related documents such as Supplementary Planning Documents and Conservation Area document updates.

2.0 Recommendation(s)

- 2.1 That Cabinet approve the Brent Local Development Scheme as set out in Appendix A

3.0 Detail

Cabinet Member Foreword

- 3.1 Having an up-to-date development plan and associated planning documents is a critical part of shaping the future of Brent. It is key to setting out how Brent will embrace the challenge of its anticipated continued population growth in a manner that is as sustainable as possible. This will support Brent's identity as a place, positively embracing change by meeting the population's needs for housing and necessary social and cultural infrastructure, providing the places for Brent's businesses and economy to grow, retaining its green infrastructure and areas of historical significance, whilst working towards being carbon neutral and addressing the challenge's posed by climate change.
- 3.2 The development plan and associated planning documents provide a positive framework for managing development to meet the borough plan priorities as follows:
1. **Prosperity and Stability** – The Plan seeks to address housing needs of the population and necessary social and cultural infrastructure. By supporting extensive regeneration of parts of Brent, especially in its growth areas, town centres and commercial areas and supporting business it provides increased opportunities for wealth generation and prosperity of residents through providing access to local jobs. This will sustain its desirability and prosperity, whilst providing clear guidelines for development helps ensure stability in an area.
 2. **Thriving Communities** – Addressing the wide range of needs of residents and businesses will better equip Brent communities in meeting the challenges and opportunities ahead. A strengthened sense of place provided through a clear vision for the development of Brent helps to improve development outcomes and create a sense of belonging which contributes towards community cohesion.
 3. **A Healthier Brent** – Providing more and better homes, jobs, social infrastructure and improving the quality and amount of green infrastructure in Brent, encouraging walking and cycling, whilst reducing unnecessary vehicle movements will improve mental and physical well-being.
 4. **A Cleaner, Greener Future** – New developments will deliver higher environmental standards, better addressing the threat posed by climate change and working towards the Council's goal to do as much as it can to be carbon neutral by 2030.
 5. **The Best Start in Life** – A principal determinant of future life chances for younger people is having a stable accommodation, including a home that is affordable, has sufficient space to live and growth in and internally provides a healthy environment. Brent's current development plan supports the delivery of as many homes as are realistically considered to

be feasible in the period to 2041, a significant number of will be higher quality affordable homes, with higher levels of outdoor amenity space than standards set in the London Plan.

Background

- 3.3 The Council is required to have a Local Development Scheme (LDS) that is regularly reviewed. It should set out the types of planning documents that the Council is intending to produce in the coming years. This can include Development Plan Documents (also known as Local Plans), Supplementary Planning Documents, which expand on the interpretation and application of Development Plan policies, as well as other Council related planning workstreams, such as reviews of conservation area guidance. In addition, it also sets out timetables for reviews of any Neighbourhood Plans which are produced by Neighbourhood Forums.
- 3.4 The Council's Authority Monitoring Report, produced annually, reviews progress against the workstream milestones identified in the LDS. The Council's last LDS was last updated in July 2021 at the request of the Inspectors who were examining the Brent Local Plan.
- 3.5 In publicising changes to the National Planning Policy Framework (NPPF) in December 2024 and forthcoming planning reforms, the Government's Chief Planning Officer requested submission to them of each Local Planning Authority's updated LDS. This was to enable Government to understand the extent to which authorities were embracing its requirement to have universal up to date Local Plan coverage. It also would help plan resourcing of the Planning Inspectorate's examinations of forthcoming submitted Local Plans.

Changes to the Planning System

- 3.6 As part of the Government's plans for enabling growth, significant changes have already been implemented, albeit that this has been a limited review of the NPPF in respect to housing targets/ delivery, green belt and other key infrastructure considered to be of national importance. A more fundamental review of the NPPF is expected, either in late 2025 or early 2026.
- 3.7 The last Government through the Levelling Up and Regeneration Act 2023, initiated prospective changes to the Local Plan adoption process. The current Government has indicated that it will pursue similar changes by enabling provisions set out in the legislation and introducing further supporting regulations and guidance. The aim is to simplify and speed up the process of producing a Local Plan. Typically, a Local Plan using the current system takes between four to seven years to be adopted, although some have been significantly slower. The new system indicates a timeline of around 30 months.
- 3.8 The NPPF identifies that authorities wishing to use the existing system have until 31st December 2026 to submit plans for examination. After this date any plans submitted will have to follow the new system. To stop authorities

potentially submitting substandard plans with the hope of using the examination process to address obvious problems in a Local Plan's content, the Government has required the Planning Inspectorate to not allow their examinations to go beyond 6 months.

What is best for Brent's Local Plan Reviews – the new or the old system and how will this affect their timing?

- 3.9 Brent's development plan comprises three elements that apply to the whole planning authority area: the London Plan adopted March 2021, Brent Local Plan adopted February 2022 and the West London Waste Plan adopted July 2015. In addition, the OPDC local plan covers the parts of the borough within its jurisdiction. Neighbourhood plans produced by Neighbourhood Forums and applied neighbourhood level are not proposed to be subject to change in processes.
- 3.10 The Waste Plan is a joint document that covers the London Boroughs of Brent, Ealing, Harrow, Hillingdon, Hounslow, Richmond upon Thames and Old Oak and Park Royal Development Corporation. Due to its age, the partner authorities agreed that it should be reviewed. Work started in Autumn 2024 with the appointment of consultants to draft a new Plan and take it through the examination process. Formal consultation has yet to occur. Currently it is anticipated by the partner authorities, albeit that the timeline is challenging, that this Plan will be submitted for examination by December 2025. It will therefore use the existing Local Plan adoption process. There is a minor risk associated with not yet knowing the future London Plan's waste apportionment targets, but it is considered fundamental change is unlikely, so given its current age, there is merit in the Plan progressing as soon as it can.
- 3.11 The London Plan has a slightly different adoption process compared to Local Plans as it is covered by separate legislation. The mayor has indicated that the review of the London Plan will begin more formally this Spring/Summer, when a high-level consultation document will be issued. A draft London Plan (containing detailed policies) will be issued by March 2026, with the examination process expected in late 2026 to early 2027. Adoption is anticipated in 2027, ideally prior to 2028 Mayoral elections. Realistically, this timeline will be very challenging to achieve. Dates have already slipped for the initial consultation and, due to changes in the NPPF, the Plan will have to grapple with what will be a highly contentious green belt boundary review, plus much increased nationally determined housing need targets.
- 3.12 The adoption timeline and in particular the housing target issue has significant consequences for any Brent Local Plan review, which must be in 'general conformity' with the London Plan. Currently Brent's Local Plan housing target is 2,325 dwellings per annum. The Government's standard method issued in December 2024 identifies Brent's need as 3,080 dwellings per annum. Government has indicated that it does not expect rigid application of London borough need targets derived through the standard method. This is because the London Plan is expected to deliver London's need, setting borough targets taking account of the best strategy for all of London. The current London Plan

sets a London annual housing target of 52,287, the national method sets a target of 87,992. There is clearly a very large gap between existing targets and identified need. How the London Plan will address this is not clear.

- 3.13 Depending on the extent of objection to the draft London Plan contents, the weight that could be attached to its policies when proceeding with the Brent Local Plan review is at this stage very difficult to predict. The difference between existing Plan targets and need brings a high degree of uncertainty about Brent's likely housing target, with associated and potentially fundamental impacts on the prospective Local Plan vision and strategic policies, should the target substantially alter from the current Local Plan. The timing of the last Brent Local Plan review was impacted both by delays in the London Plan adoption process and some uncertainty around its Brent housing target, which the Council objected to, and ultimately was successful in getting reduced.
- 3.14 As Brent's Local Plan was adopted in February 2022 its housing target remains effective until February 2027. It has been anticipated that any future London Plan would initially supersede and set out a new Brent target, before a reviewed Brent Local Plan would set the next target. It is expected therefore that if there is any absence of a locally adopted 'up to date' housing target it will only be a matter of months.
- 3.15 To date, albeit only 3 years since adoption, the Brent Local Plan appears overall to have served Brent well. Planning permissions for new dwellings have provided the potential for delivery well above housing targets. On 31st March 2024 (last comprehensive completions monitoring date) uncompleted dwellings with extant permission totalled 18,293, whilst in the preceding three years 15,002 additional dwellings were given permission. There have been no significant departures from Plan policy or appeals that have sought to fundamentally challenge policy. It is accepted that there are some policies that would benefit from review, such as reinforcing policy on gambling establishments and student housing. Whilst obviously important and of concern to residents and councillors, these do not go to the heart of the Plan's strategy.
- 3.16 Nevertheless, consistent with Government's approach to substantially increasing housing delivery and having universal coverage of the country with up-to-date plans, and the Council's own priority of seeking to ensure delivery of as many new homes as it can, a timely review should be a Council priority. As well as addressing policies identified as benefitting from review, this would allow the opportunity to test more fundamental change to policies with residents that could have significant impacts, e.g. extent and location of priority areas for regeneration/ intensification and appropriate heights.
- 3.17 Local Plans can be costly to produce, ranging from £500 K to several million in some cases where there is a protracted adoption process. For Brent the cost of a review is not covered by existing revenue budget and will be subject to an additional budget request. This is progressing through internal finance review processes, with current a current estimate being around £1 m. However, this could vary significantly depending on a range of factors including the extent of

the plan and evidence base, the requirement for legal advice and the extent of challenge to proposed policies.

3.18 It is not considered to be feasible to take forward a review of our Local Plan under the current adoption process due to a number of factors such as:

- the requirements of the current Local Plan process,
- the uncertainty regarding the new London Plan and implications for our plan,
- the need to identify sufficient sites for Gypsies and Travellers pitches taking account of the revised national definition,
- the cost of taking forward a Local Plan,
- the time that it would take to undertake a local plan review and,
- the cut-off point for submission of the plan to the Secretary of State (31st December 2026).

3.19 Taking these factors into account, there is likely a high degree of failure to get a sound plan if adoption under the current system is pursued. This would result in costly abortive work that does not represent good value for money, cause reputational damage and, by diverting resource away from focusing on using the new system, could well delay adoption of a new plan.

3.20 On this basis it is recommended that the Council pursues a review of the Brent Local Plan using the new system. It should initiate this once it is clearer what that system is, and the draft Brent Local Plan has clarity on what the emerging London Plan policies are likely to be. The indicative timeline in the Gantt chart on page 18 of Appendix A shows both the West London Waste Plan and the Brent Local Plan review, for which the Council will be responsible for adopting. An indicative timeline for the Brent Local Plan review is:

- Scoping and Early Participation March 2026
- First Formal Consultation January 2027
- Second Formal Consultation January 2028
- Examination June 2028
- Adoption January 2029

What other planning policy work will be undertaken in the next four years?

3.21 The current Local Plan has some policies that it indicated would be subject to additional advice provided, this includes master planning for Capitol Valley, part of the Colindale/ Burnt Oak Growth Area and the area around Morrison's and the Locally Significant Industrial Sites north of Hay Lane. Further guidance is also anticipated in relation to design to support sympathetic intensification of parts of the borough. In addition, to support the conservation and enhancement of some of Brent's conservation areas, some appraisals and design guides are proposed for updating. All these documents are set out on pages 14-17 of Appendix A.

Options

a) Agree the LDS as set out in Appendix A

- 3.22 This is recommended. It realistically deals with the resources available to the Council, the benefits/ risks associated with the proposed work programme and provides as much clarity as it can on the Council's and neighbourhood forum's suggested work programme on planning policy matters for the next few years. This will give more certainty to residents, councillors, developers and partners on the timing of consultation/ engagement and what the Council is seeking to achieve.

b) Agree the LDS as set out in Appendix A incorporating any amendments Cabinet considers are necessary

- 3.23 Subject to Cabinet identifying clear and justified reasons that would stand up to external scrutiny taking account of resources available and benefits/ risks, this may be an appropriate option. For the reasons set out in relation to option A.

c) Reject the LDS as set out in Appendix A and retain the existing LDS until further notice

- 3.24 This is not recommended. The existing LDS which was adopted in July 2021 does not effectively deal with the suggested reviews of the West London Waste Plan and the Brent Local Plan, plus other workstreams associated with planning for the borough's future. The Council would therefore not be able to comply with the Government's Chief Planning Officer in identifying how Brent would be taking forward any local plan review with a view to keeping it development plan up to date and relevant as required in the NPPF.
- 3.25 Taking account of the positive and negative outcomes of the options, Cabinet is recommended to follow option a).

4.0 Stakeholder and ward member consultation and engagement

- 4.1 The Council is not formally required to consult on its LDS. Engagement has occurred with the Cabinet member and with partner boroughs on the timing of production of the development plan documents and with neighbourhood forums on the timing of neighbourhood plan updates. The documents identified within the LDS will all be subject to appropriate levels of consultation and engagement as set out in regulations and the Council's [Statement of Community Involvement](#). The Council will place the LDS on its website and make members aware of its publication on the internet in the members' bulletin.

5.0 Financial implications

- 5.1 None directly related to the production and publicity of the LDS which will be undertaken using existing budget and resources within the Council.
- 5.2 Additional spend for essential expenditure on the Brent Local Plan Review and any related documents where specialist research and supporting information is

required to produce sound, well evidenced work, will be funded through the use of contingencies and/or reserves.

6.0 Legal Considerations

- 6.1 The requirement for a Council to produce a LDS is set out in the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011, and for it to be regularly reviewed.

7.0 Equity, Diversity & Inclusion (EDI) Considerations

- 7.1 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:

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

- 7.2 The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

- 7.3 From the production of the LDS itself there are not considered to be any detrimental impacts to groups with protected characteristics under the Equality Act 2010. Neither are there considered to be any health equalities implications. Each document identified within the LDS will be subject to its own EqIA screening and if necessary a fuller assessment. This will identify the prospective of detrimental impacts and prospective mitigation measures to reduce those impacts, or a consideration if those impacts are acceptable.

8.0 Climate Change and Environmental Considerations

- 8.1 The Council's Development Plan and associated documents are and will continue to be very supportive of measures which help contribute towards sustainable goals and achieving net zero-carbon. The Plan has to take into account other strategies applicable in the borough, which includes the Climate Emergency Declaration and associated plans.

9.0 Human Resource/Property Considerations (if appropriate)

- 9.1 None

10.0 Communication Considerations

10.1 The main engagement processes related to the LDS itself have been set out in the stakeholder and ward member consultation and engagement section above.

Report sign off:

Alice Lester

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Regeneration