APPENDIX B Decision Statement Kilburn Neighbourhood Plan 2023 - 2033

1. Summary

- 1.1 Following an independent examination of the Plan, Brent Council recommends that the Kilburn Neighbourhood Plan proceeds to referendum subject to the modifications set out in Table 1 of this statement.
- 1.2 The Council concur with the Examiner's recommendation that the referendum area for the Kilburn Neighbourhood Plan (as modified) should be the approved Neighbourhood Area as set out in Figure 1 of the Plan.
- 1.3 The Decision Statement, Examiner's Report and other documents can be inspected on the Council's website at <u>Brent Neighbourhood Planning</u>. Copies are also available for inspection in the libraries at:
 - Wembley Library, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ (Opening hours: 10:30am to 8pm Monday to Friday, 10:30am to 5pm Saturday, 12pm to 5pm Sunday)
 - The Library at Willesden Green, 95 High Road, Willesden, NW10 2SF (Opening hours: 10:30am to 8pm Monday to Friday, 10:30am to 5pm Saturday, 12pm to 5pm Sunday)
- 1.4 The Neighbourhood Plan, if approved at referendum, will be used alongside Council plans when making decisions on planning applications in the Neighbourhood Area. On being approved at referendum the Plan becomes part of the statutory development plan for the area.

2. Background

- 2.1 On 3 June 2016 Kilburn Neighbourhood Forum was approved as the qualifying body for the area and the boundary of the Neighbourhood Area was designated by the Council, in accordance with Section 61G of the Town & Country Planning Act 1990. The Forum was redesignated for a further five year period on 28 January 2022. The area is a cross boundary area with Camden and comprises the entire frontage of Kilburn High Road (except for the small section on the south that falls within Westminster) and the predominantly residential surrounding areas.
- 2.2 The Neighbourhood Plan was published by the Kilburn Neighbourhood Forum for Regulation 14 pre-submission consultation in early 2024.
- 2.3 Following the submission of the Kilburn Neighbourhood Plan to the Councils in January 2025, the Plan was publicised and comments invited from the public and stakeholders from 29 May to 11 July 2025.
- 2.4 Brent Council, in consultation with Camden Council and Kilburn Neighbourhood Forum, appointed an independent examiner, Mr Derek Stebbing, to review whether the Plan met the basic conditions required by legislation and other legal requirements and should proceed to referendum. The Examiner considered that a public hearing into the Plan was not required.

2.5 The Examiner's report concludes that, subject to making recommended modifications, the Plan meets the basic conditions set out in legislation and should proceed to a local referendum. The Examiner's report recommends that the area for the referendum should be the Neighbourhood Plan Area.

3. Decision

- 3.1 The Neighbourhood Planning (General) Regulations 2012 require a council to outline how it intends to respond to the recommendations of an Examiner.
- 3.2 Having considered each of the recommendations made in the Examiner's report, and the reasons for them, the Council has decided to make the modifications to the draft Plan set out in Table 1 of this Decision Statement in line with the Examiner's recommendations. These changes are considered to be necessary to ensure that the draft Plan meets the basic conditions and legal requirements.
- 3.3 The modifications set out in Table 1 produce no significant changes to the policy and strategy of the Neighbourhood Plan overall. Therefore a further Strategic Environmental Assessment is not required. An Equalities Impact Assessment has been undertaken of a draft version of the Plan.
- 3.4 The Corporate Director Neighbourhoods and Regeneration agrees:
 - A) That the recommendations of the Examiner and the subsequent amendments proposed as set out in Table 1 be accepted
 - B) That the Examiner's recommendation that the Kilburn Neighbourhood Plan, as modified, proceed to referendum on the basis that the Plan meets the basic conditions, is compatible with the European Convention on Human Rights, complies with the statutory definition of a neighbourhood development plan and comprises provisions that can be made by such a document
 - C) That, in accordance with the Examiner's recommendation, the referendum area be the Neighbourhood Area as designated by the Council on 3 June 2016.
- 3.5 Accordingly, I confirm that the draft Kilburn Neighbourhood Plan as modified:
 - i. Meets the basic conditions set out in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990;
 - ii. Is not considered to breach or otherwise be incompatible with any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998); and
 - iii. Complies with the provisions made by or under 38A and 38B of the Planning and Compulsory Purchase Act 2004.

Signed

Corporate Director Neighbourhoods and Regeneration

Date

Table 1: Examiner's recommendations and Brent Council response

Reference (as Examiners report)	Examiner's report paragraph	Policy / text in the Neighbourhood Plan submission draft	Examiner's recommended modifications New text shown as <u>underlined</u> Deletions shown as <u>strikethrough</u>	Brent Council response and reason
PM1	4.17	Reviewing the Neighbourhood Plan Para 4.9	'Reviewing the Neighbourhood Plan Monitoring and Review' Paragraph 4.9 – delete existing text in full, and replace with: Notwithstanding the defined period of the Neighbourhood Plan to 2033, it is recognised that, with the adoption of the Brent Local Plan (Feb 2022), the London Plan (March 2021) and the review of the Camden Local Plan, the Neighbourhood Plan will need to be reviewed periodically. This will enable the Neighbourhood Plan to remain 'current' and in conformity with the Local Plan and National Planning Policy Framework. "The effectiveness of the policies in the Neighbourhood Plan will be monitored on a regular basis up to 2033. Brent and Camden Councils are presently reviewing their current adopted Local Plans, and it may be necessary to formally review the Neighbourhood Plan prior to 2033 to take account of the policies and proposals in those updated Local Plans, and also to reflect any future changes to	Agree to modification - The proposed amendment ensures the long term effectiveness of the Plan.

			national planning policies, in order that the Neighbourhood Plan will remain as a key part of the statutory development plans for Kilburn."	
PM2	4.22 - 4.24	Green Infrastructure – Paragraph 5.18, Figure 3 Figure 6	'Introduction of Bioretention areas would also help address localised flooding risks by managing surface water runoff in a way that mimics natural processes, slowing down the runoff rate while providing wider benefits. While Kilburn does not suffer any flood risk from rivers, apart from Kingsgate Place where the former water course of the Kilburn stream 1 has flooded in the past, other areas do have a significant threat from surface level flooding (Figure 6).' Introduction of rain gardens and other sustainable drainage features, such as permeable surfacing, would also help address localised flooding risks by managing surface water run-off in a way that mimics natural processes, slowing down the run-off rate while providing wider benefits. While Kilburn does not suffer any flood risk from rivers, apart from at Kingsgate Road where the former water course of the Kilburn stream has flooded in the past, the High Road also flooded in 1975 and other areas do have a significant threat from surface level flooding as shown on Figure 6."	Agree to modification - The examiner considered the changes were required to ensure the accuracy of information and effectiveness of the policy.

			Identify Kingsgate Place, NW6 as an 'Area for Intervention' on Figure 3 Add reference as follows: "12. Kingsgate Place, with the potential for environmental and public realm improvements to alleviate the adverse impacts of vehicular traffic" Figure 6 Update to show the latest available flood risk data for the Plan area, and identify the source and date of this data as a footnote to the Map (for the information of users of the Plan).	
PM3	4.25 - 4.26	Policy WK1: High Road Public Realm	Amend the second part of the policy text, as follows: "Proposals will be supported where they:" and replace with: "Proposals will be supported where they comply with the following criteria, as appropriate to the nature of the proposed development and its site:".	Agree to modification - The examiner considered the changes were required for clarity and effectiveness of the policy.
			Criterion e) – Support the delivery of biodiversity net gain improvements through greening initiatives in the public realm.	

PM4	4.27 - 4.28	Policy WK2: Mobility	Criterion f) – delete the words "Support the reduction of clutter such as" and replace with: Support the reduction of "clutter" such as Secure improvements to the street scene by removing less attractive elements such as unnecessary telecoms infrastructure and advertising panels Add additional criterion g) to read as follows: "g) Contribute to or help deliver the introduction of 'rain gardens', helping to manage surface water runoff and introducing areas of greenery and biodiversity. The implementation of rain gardens or similar and, where appropriate, permeable surfacing, will be supported both along the High Road and across the Plan area." Add additional criterion h) to read as follows: "h) Contribute, through choice of durable, sustainable materials and resources for future maintenance, to ensuring that new public realm is well cared-for and remains high quality." Amend the second paragraph of policy text to read as	Agree to modification -
F IVI4	4.27 - 4.20	hubs	follows: "Mobility hubs should be located in the carriageway, replacing car parking spaces or helping to reduce road width, and could be incorporated as part of wider public realm and streetscene improvement schemes within the Plan area, or also as part of schemes to	The proposed amendments were suggested by the

			encourage sustainable travel at existing transport hubs."	examiner to provide additional guidance.
PM5	4.31 - 4.32	Policy CK1: A characterful Kilburn Design Principles Part 1	Part 1 Delete "Along the High Road. Willesden Lane and Belsize Road retail frontage (as defined in the Brent and Camden Local Plans), allocation proposals will be supported where they conform to the 'Kilburn High Road Code' presented in this Neighbourhood Plan." and replace with: "b) Along the High Road, Willesden Lane and Belsize Road retail frontages, as shown on Figure 7, and with the exception of the Kilburn Square site allocation, allocation proposals will be supported where they conform to the 'Kilburn High Road Design Code' that is set out on Figure 8."	Agree to modification - The changes make it explicit where the Design Code applies.
			c) iii – delete the second sentence within this criterion. "The prevailing height of buildings in the immediately adjacent area should inform the height of new development proposals. These adjoining heights should not generally be exceeded, unless there is a clear and justifiable urban design reason for taller buildings"	

Part 2
Delete the policy text in full
Development should be designed with safety in mind
and will be supported where the following criteria is met:
a) Provide pedestrian routes that are visually open,
direct and well used. Footpaths should not be placed
at the rear of properties. b) Ensure that the planting of trees and shrubs does
not create a physical obstruction or restrict the
performance of street lighting
c) Development must clearly define the boundary between public and private areas.
d) Allow natural surveillance from nearby dwellings
with safe and accessible routes for users to come and
e) Avoid the creation of windowless elevations and
blank walls immediately adjacent to public spaces
and replace with:
"Development should be designed with safety in
mind, taking account of the 'Secure by Design'
guidance set out at Table 1, and will be supported
where it: a) Provides pedestrian routes that are visually open
and direct. Footpaths should not be placed at the rear
of properties.

			b) Ensures that the planting of trees and shrubs does not create a physical obstruction or restrict he performance of street lighting. c) Allows natural surveillance from nearby dwellings with safe and accessible routes for users to come and go. d) Avoids the creation of windowless elevations and blank walls immediately adjacent to public spaces."	
PM6	4.33 - 4.34	Policy CK2: Shopfronts	Delete the final paragraph of policy text. Planning applicants for shopfront changes within the Neighbourhood Plan, may need professional advice dependent on location, conservation and or historic building status.	Agree to modification - The amendment removes unnecessary and potentially confusing text
PM7	4.36	Policy CK3: (A characterful Kilburn): Streets for people	Amend criterion b) to read Proposals for development will be supported which: a) Provide safe routes and crossing points for pedestrians and cyclists. b) Incorporate a Are car free policy.	Agree to modification The Examiner agreed that the change was needed for consistency with Borough Plan policies.
PM8	4.40	Policy DK1: Land use of retail frontages (Kilburn High Rd, Willesden Lane, Belsize Road)	Amend policy title to read: Land use of retail frontage (Kilburn High Rd, Willesden Lane, Belsize Road "Land Use of Defined Retail Frontages at Kilburn High Road, Willesden Lane and Belsize Road	Agree to modification The amendment is needed to improve

	understanding of how
	the policy will apply.
Delete existing policy text in ful	and replace with:
"Proposals for development at	sites and premises
within the defined retail frontage	es at Kilburn High
Road, Willesden Lane and Bels	size Road, as defined
on Figure 9, will be supported,	where they meet the
following criteria:	
a) The proposals fall within Use	e Classes E(a)-E(g),
F1 and F2; or	
b) The proposals are for mixed-	-use development
falling within the above Use Cla	asses and which
include residential developmen	t (Use Class C3) on
upper storeys; or	
c) The proposals are for leisure	and entertainment
uses falling within Use Class 'S	ui Generis', with the
exception that gambling-related	l uses including betting
shops/bookmakers, adult gamir	ng centres and casinos
will not be supported.	
Proposals for the refurbishmen	t and re-use of the
former Gaumont State Cinema	and The National as
leisure and entertainment venu	es will be supported.
Proposals for mixed-use development	ppment should meet
the following design requirement	nts:
Ground floor uses should	d generally comprise
retail, commercial or community	y activities that open
onto and activate the street;	
The development create	s a strong and
consistent building line that rela	
buildings;	

			 Residential and office uses are appropriate on upper storeys and should include windows and balconies that look out across the street and create variety and interest in building form; and Schemes are designed carefully to avoid noise and odour conflicts between uses in line with Agents of Change principles, where relevant." 	
PM9	4.42	Policy DK2: Creative industries	"Proposals for developments which incorporate affordable workspace in accordance with the Borough Councils' policies (within current local guidelines) (Use Class E(g)) for creative industries and opportunities for co-working and space sharing, will be strongly supported. Such uses will be appropriate within the defined retail frontages along the High Road. Willesden Lane and Belsize Road as identified on Figure 9. Proposals for such uses will also be supported across the Neighbourhood Area where they do not cause noise or disturbance to the detriment of residential amenity."	Agree to modification The amendment is needed for consistency with Borough Plan policies and clear application of the policy.
PM10	4.44	Policy DK3: Markets and outdoor stalls	Add new criterion d) to the second part of the policy, as follows: "The provision of new markets and street stalls within the defined retail frontage along the High Road is welcome. Proposals for such uses which activate	Agree to modification The amendment will aid decision making.

			under-utilised and left-over spaces along the High Road will be supported. New market stalls should generally be moveable, but permanent markets stalls will also be supported where they: a) complement the appearance of the street and; b) allow sufficient space for shoppers and pedestrians to pass and use the market without obstruction; and c) are designed such that they can be adapted over time for use by different vendors and d) do not result in any significant detrimental impacts upon residential amenities.	
PM11	4.45 - 4.47		Amend policy	Agree to modification
		Policy DK4: Social and Community facilities	Policy DK4: Social and Community facilities (1) Important local social and community facilities Important local facilities in the Kilburn plan Plan area are listed in Table 2 of the Neighbourhood Plan (at May 2023). Social and community use will generally be protected from loss. Proposals that involve the loss of any space used for social or community purposes will only be supported where a replacement facility that would better meet the needs of existing users is provided. or where the	The amendment is required for clarity.
			application is supported by material which demonstrates the benefits to the community would outweigh the harm created by loss of that facility.	

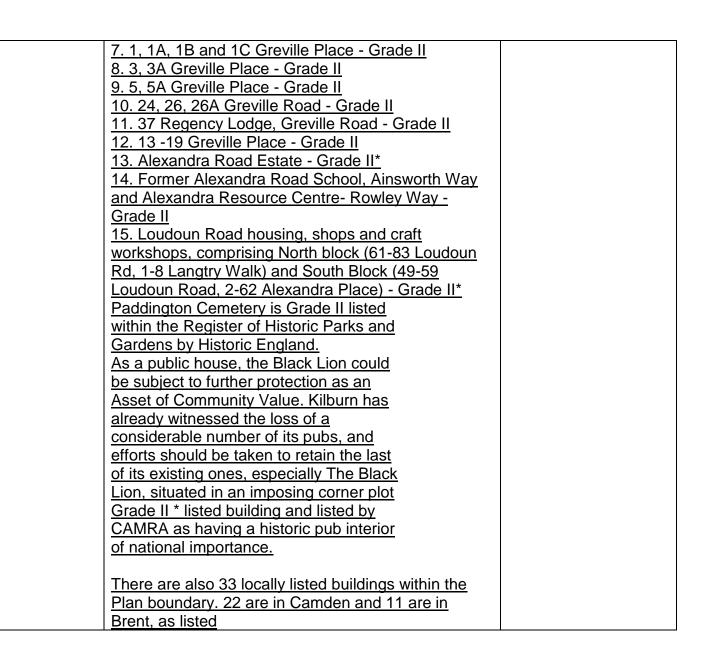
		(2) New or improved facilities Proposals for new or improved community facilities will be supported and should: a) include provision of flexible space that can be used for a variety of community uses; b) be provided in locations that capitalise on opportunities to promote walking, cycling and use of public transport; c) be easily accessible to all; and d) respond to local character and take account of all other relevant Policies and guidance contained in this Plan. design policies and guidance set out in the Neighbourhood Plan."	
PM12	4.52	Paragraph 6.10 and Appendix 2 – Kilburn's Local Heritage Replace Appendix 2 to read as follows: "This appendix presents a summary of the heritage assets within the Neighbourhood Plan area. Kilburn is an area rich in local heritage features and assets. The Neighbourhood Plan Area contains eight different Conservation Areas: 1. South Hampstead (partially) 2. Alexandra Road (partially) 3. Priory Road 4. South Kilburn (partially) 5. St. Johns Wood 6. Paddington Cemetery 7. North Kilburn	Agree to modification to correct factual information.

8. Kilburn (partially)

Recognising the importance of these Conservation Areas is crucial to understanding and seeking to protect Kilburn's character, particularly as there are no Conservation Areas on the High Road itself, meaning the designation of the Conservation Areas plays an important role in maintaining the character of Kilburn's residential areas. It is to be noted that the potential Conservation Area extensions of both North Kilburn and Kilburn Conservation Areas will, if approved, extend to the High Road.

The area also contains 15 listed buildings:

- 1. The Black Lion Grade II. An imposing corner plot, 274 Kilburn High Rd
- 2. The National Club Grade II (United Kingdom Children of God)
- 3. Gaumont State Cinema Grade II* (Ruach Ministries)
- 4. Goetze Grave Grade II listed building located in Paddington Old Cemetery Non-Civil Parish - 1389534 Historic England
- <u>5. The Chapels at Paddington Cemetery (and associated structures) Grade II</u>
- 6. Mecca Social Club, Carlton Rooms Maida Vale Grade II (Islamic Community Centre)



below:	
1. 351-353 Kilburn High Road	
2. 345 Kilburn High Road	
3. 315 & 317 Kilburn High Road	
4. 157 Kilburn High Road	
5. 127-131 Kilburn High Road Trinity Mansions and	
shops	
6. 77 Kilburn Bridge Pub, Kilburn High Road	
7. Priory Road Conservation Area- Boundary Road	
8. 131 Kilburn High Road	
9. 187-193 Kilburn High Road	
10. Jubilee (Metropolitan) railway bridge (forms the	
arches along Maygrove, Iverson Rd)	
11. 330 - 334 Kilburn High Road	
12. 308 Kilburn High Road	
13. 1-31 Oppidan Apartments, 25 Linstead Street	
14. Kilburn Grange Park - Kilburn High Road	
15. 105 - 107 Kingsgate Rd	
16. 1-8 Smyrna Mansions, Smyrna Road	
17. Roman Catholic Church of the Sacred Heart	
18. 2 West End Lane	
19. Ebenezer Baptist Chapel, Kilburn Vale	
20. Priory Works, 252 Belsize Lane	
21. 254- 256 Belsize Road	
22. 11 Springfield Walk	
23. Brondesbury Mews and adjoining public	
lavatories	
24. 10 Brondesbury Road	
25. 24-34 Glengall Road	
26. 41-61 Kilburn High Road	
27. 125 Kilburn High Road (Juniper, formerly The	
Cock Tavern public house)	

PM13	Page 28	Various	28. 155 Kilburn High Road (The Earl of Derby public house) 29. 259-267 Kilburn High Road 30. 325 Kilburn High Road 31. 99-101 Willesden Lane (The Prince of Wales public house) 32. 134-136 Willesden Lane 33. 138-142 Willesden Lane (Christ Church School)" Amend the accompanying reference in the first sentence of Paragraph 6.10 (on Page 23) to read as follows: "Kilburn benefits from fifteen 15 listed buildings, twenty two 33 locally listed buildings (see Appendix 2), and eight different Conservation Areas." The Examiner identified that there were a range of minor errors, inconsistencies that needed addressing and included these within one proposed modification PM13. Below sets these out in detail for clarity.	Agree to all PM13 modifications set out below. These amendments are for clarity, corrections and consequential changes.
PM13		Contents page	For Clarity: Contents page should list the policies within each section Table of Contents 1. Introduction 2. Kilburn 'past'	

		T
		3 Kilburn 'present'
		4. Kilburn 'future'
		Our Vision for Kilburn
		<u>Objectives</u>
		5. A Welcoming Kilburn
		Policy WK1 : High Road Public Realm
		Policy WK2 : Mobility hubs
		6. A Characterful Kilburn
		Kilburn High Road Design Code
		Policy CK1 : A characterful Kilburn Design
		Principles
		Policy CK2 : Shopfronts
		Policy CK3 : (A characterful Kilburn): Streets
		for people
		<u>101 poopto</u>
		7. A Distinct Kilburn
		Policy DK1: Land use of defined Retail
		Frontages at Kilburn High Road, Willesden
		Lane and Belsize Road
		Policy DK2 : Creative Industries
		Policy DK3 : Markets and outdoor stalls
		Policy DK4 : Social and Community facilities
		8. A Coordinated Kilburn
		9. Next Steps
		Appendix 1: Strategic Local Plan policies
		· · · · · · · · · · · · · · · · · · ·
		Appendix 2: Kilburn's Local Heritage
		Glossary of Terms
		Acknowledgments
PM13	Para 3.6	Amend to read
		In Brent, the neighbourhood area overlaps with parts
		of Paddington Old Cemetery, South Kilburn and North

PM13	Para 3.7	Kilburn Conservation Areas. Brent is due to consult on the extension of the Kilburn and North Kilburn conservation areas to include the shopfronts on Willesden Lane, an area within the town centre, and the residential area between Willesden Lane and Victoria Road Correction: "the National Planning Policy Framework (NPPF) (2023) (2024)	
PM13	Para 3.11	Clarity: Add Consultation on an updated London Plan began in May 2025.	
PM13	Para 3.12	Correction "Camden are consulting on a draft local plan (2023). Camden have consulted on a proposed a submission draft local plan (2025)"	
PM13	Paras 3.16- 3.24 'Wider Initiatives'	Waiting on approval	
PM13	Page 9 Policy / project box	Clarity: Remove reference to <u>draft</u> Neighbourhood Plan	
PM13	Section 5	General for Clarity – the structure of this and the following sections could be improved to include the Objective followed by the Policy then relevant supporting text, which expands on the policy, and then text relating to the projects.	
PM13	Section 5 para numbers	Clarity –There are duplicate paras 5.8 and 5.9. It is recommended that all para numbers are updated	
PM13	Para 5.14	Clarity Remove duplicate text that is within policy.	

		'In line with TfL's policy, mobility hubs should ideally be limited to active travel modeswalking, wheeling or cycling'	
PM13	Figure 3	Correction - The no.9 circle isn't over Kilburn High Road station – circle on north side of Belsize Road, but station is on south side.	
PM13	Figure 6	Clarity: Date the Kilburn Flood Risk figure	
PM13	Para 5.29	Typo: 'the southern end of Kilburn High RD Road Station (Overground) at the southern end of Kilburn High Road'	
PM13	Design Code Figure 8	Reference should be made to Figure 7 where the code applies. 'The design code applies to development within the defined town centre boundary along Kilburn High Road and Willsesden Lane boundary as shown on Figure 7'	
PM13	Figure 8 Point 4 Mix	Add at end of existing point 4 text add <u>Given the</u> priority for different ground floor uses in different frontages/ streets, reference to policies DK1, DK2 and DK4 for the appropriate uses depending on location will be encouraged.	
PM13	Figure 8 Point 5 flexibility	"Floor to ceiling heights at ground floor must be should be no less than 4 m to allow for a variety of uses"	
PM13	Figure 8 Point 7 frontages	Add " On upper floors, the frontage can be articulated through the provision of balconies, loggias	

		and terraces, providing interest and interaction with	
		the street, subject to careful consideration of the	
		impacts on residential amenity, given air quality	
		impacts.	
PM13	Project Box C	Туро:	
		Brent's SDP3 to SPD3	
PM13	Project Box D	Туро:	
		Brent-&, Camden and TfL.	
PM13	Para 6.32	'in Brent, guidance will be provided by the Brent	
		Quality Review Panel and potentially the Brent	
		Community Review Panel.	
PM13	Figure 9	Correction:	
	Title / Key	Amend the refence to refer to the uses 'Entertainment	
		& Leisure Centres Uses	
PM13	Para 7.20	Clarity:	
		Through adopted Policy E2 and Draft Local Plan	
		Policy IE3	
PM13	Para 7.22	Clarity:	
		Meanwhile Camden, through adopted Policy TC6 and	
		<u>Draft Local Plan policy IE10,</u> supports new	
		markets'	
PM13	Para 7.28	Clarity:	
		'and the Camden Local Plan, through <u>adopted</u>	
		policy C2 and Draft Local Plan policy SC3 recognises	
		the importance of delivering new community facilities	
		and protecting existing facilities'	
PM13	Para 8.10	Correction:	
		'A portion of CIL is ringfenced for spending on local	
		neighbourhood projects identified by the local	
		community, see Camden Local CIL Ward Priority List	

PM13	Section 9	2023-2024 2026. Information for Brent on CIL spending and priorities is available here Remove Section 9 as no longer relevant
PM13	Appendix 1 Last para	It is to be noted that Camden has published a new Local Plan in 2024. Camden Council has submitted their Submission version of the Local Plan on 3 October 2025. The 2017 Plan remains the current adopted plan,