

	<p style="text-align: center;">Planning Committee 21st October 2009</p> <p style="text-align: center;">Report from the Chief Planner</p>
For Action	Wards Affected: ALL
<p>Report Title: LDF – PROGRESS AND PROPOSED CHANGES FOR EXAMINATION</p>	

1.0 Summary

- 1.1 Progress with the Council's Local Development Framework (LDF), particularly the Core Strategy and Site Specific Allocations documents which will form the new development plan is explained and Committee is asked to recommend minor changes to the Core Strategy for approval by the Council's Executive for consultation in advance of Examination by a Planning Inspector early in 2010.

2.0 Recommendations

- 2.1 That the Planning Committee recommends that Executive agrees the proposed changes to the Core Strategy set out in Appendix 1, for public consultation.

3.0 Detail

Introduction

- 3.1 The proposed submission versions of both the Core Strategy and the Site Specific Allocations DPDs were published for public consultation in June 2009. There were 400 representations made by 46 respondents. Of these representations, 166 were that the document is sound whereas 234 considered it to be unsound. On September 30th the council submitted the Core Strategy, and all the representations made, as well as a schedule of non-material changes, to the Secretary of State for examination by a planning inspector. A summary of the key issues arising from the representations is attached as Appendix 2.
- 3.2 It is intended that the Site Specific Allocations DPD will be submitted either by the end of the year or early in 2010. The reason this DPD was not submitted at the same time as the Core Strategy is that

Planning Inspectorate guidelines indicate that they would not wish to hold an examination into site allocations until after the report on the Core Strategy examination. This will not be before spring 2010.

Proposed Changes

- 3.3 Since the consultation period ended, discussions with potential objectors and stakeholders have resulted in proposals to make a few minor changes to policy. Members are asked to recommend these proposed changes to the Executive when it meets on November 16th. These proposed changes are set out in full in Appendix 1.
- 3.4 The first change is very minor and is proposed, in part, in response to a recommendation from the Government Office for London. This is basically to encapsulate the objective of achieving the London Plan target for affordable housing (70% social housing and 30% intermediate) in policy rather than merely in supporting text. It is a requirement of Government planning policy as set out in PPS3 that Local Development Frameworks include such a policy. This does not alter any of the objectives of the strategy.
- 3.5 The remaining two changes concern policy on climate mitigation and, in particular, how this relates to Wembley (policies CP19 and CP7). A number of objections were received to policy CP19, particularly to expectation in policy that development would have to connect to decentralised energy networks. Concerns were expressed, including by the GLA, that proposals for such networks were not sufficiently advanced and that there was a need to set out the Council's plans for delivering sustainable energy infrastructure. Officers recognise that further development work would be needed before developers could be asked to connect to such networks and, in particular, some assessment of the viability / feasibility. In these circumstances officers recommend that the wording of policy CP19 be changed to allow developers the opportunity to demonstrate that connecting to decentralised networks is not feasible. At the same time the infrastructure sought for Wembley will include District-wide Combined Cooling Heat and Power "if feasible". These relatively minor changes are likely to overcome some of the objections relating to the soundness of the Core Strategy.
- 3.6 In addition to the proposed changes outlined above, 3 additional background documents have been made available. These provide further support to policies within the Core Strategy and can be found on the website at the following link:

<http://www.brent.gov.uk/tps.nsf/Planning%20policy/LBB-309>

They are:

Affordable Housing Viability Study, BNP Paribas Real Estate, Sept. 2009

Core Strategy: Tall Buildings, LB Brent, Sept. 2009

Scenario and Sensitivity Testing Paper on Retail Matters, Roger Tym & Partners, Sept. 2009.

4.0 Financial Implications

- 4.1 There are no financial implications arising directly from this report. However, pursuit of a district-wide CCHP system, as indicated in policy CP7, may have some implications for Council expenditure in the future depending upon how any scheme is implemented.

5.0 Legal Implications

- 5.1 The preparation of the LDF, including the Core Strategy, is governed by a statutory process set out in Government planning guidance and regulations. The regulations allow for changes to be proposed to the draft Plan after publication. The changes proposed will be put to the Inspector for consideration along with any representations that may be made upon them.

6.0 Diversity Implications

- 6.1 Full statutory public consultation has been carried out in preparing the Core Strategy and an Impact Needs / Requirement Assessment (INRA), which assessed the process of preparing the Core Strategy, was prepared and made available in November 2008.

Background Papers

Core Strategy, Proposed Submission, June 2009
Site Specific Allocation Proposed Submission DPD, June 2009

Contact Officers

Any person wishing to inspect the above papers should contact Ken Hullock, Planning Service, X5309, ken.hullock@brent.gov.uk

Chris Walker
Chief Planner

Appendix 1

Proposed Changes to the Core Strategy: Submission Version

Introduction

The Council submitted its Core Strategy to the Secretary of State on 30th September 2009. Since then, discussions with potential objectors and stakeholders have led to the Council proposing a few minor changes to policy which will be considered by the Inspector appointed to examine the Strategy. These changes are set out below.

Since consultation on the proposed submission version of the Core Strategy ended on July 13th, further supporting documents have been made available. Representations relating to the soundness of these proposed changes to the Core Strategy Submission Version and associated documents can be made by 8th January 2010.

on-line at www.brent.gov.uk/ldf, by e-mail to ldf@brent.gov.uk, or in writing, using the response form provided, to:

LDF Team
Planning Service
LB Brent
Brent House
349 High Road
Wembley
Middlesex HA9 6BZ

Proposed Changes

Additions to policies are shown in *italics*

Deletions to policies are ~~struck through~~

Paragraph 4.8

The direction for the future change and regeneration of the borough also needs to accommodate population and housing growth. The issue is how much growth is appropriate and how, where and when it can be provided. The council accepts that at least 10,146 new homes (including 1,000 non self-contained homes) can be accommodated in Brent up until 2016/2017, and will aim for a target of 50% affordable in accordance with the London Plan. *Within that, the Council will also aim to achieve the objective of 70% social housing and 30% intermediate provision. (See also paragraphs 5.91 and 5.92.)*

CP 2

Population and Housing Growth

The borough will plan for sustainable population growth of 28,000 people by 2017. The provision of at least 22,000 additional homes (including 1,030 re-occupied vacant homes) will be delivered between 2007 and 2026 (including over 11,200 homes from 2007/08 to 2016/17). The borough will aim to achieve the London Plan target that 50% of new homes should be affordable *and, within that, the objective of 70% social housing and 30% intermediate provision*. Over 85% of the new homes will be delivered in the growth areas with the following minimum targets:

	2007-2016	2017-2026
Wembley	5000	6500
Alperton	1500	100
Burnt Oak / Colindale	1400	1100
Church End	700	100
South Kilburn	1400	1000
Rest of the Borough	2050	360

The council will also promote additional housing as part of mixed use development in town centres where public transport access is good.

Policy CP 7

Wembley Growth Area

Wembley will drive the economic regeneration of Brent. It will become a high quality, urban, connected and sustainable city quarter generating 10,000 new jobs across a range of sectors including retail, offices, conference facilities, hotels, sports, leisure, tourism and visitor attractors, creative and cultural industries and education facilities reflecting its designation as a Strategic Cultural Area for London. Around 70 hectares of land around the Wembley National Stadium and Wembley town centre will be redeveloped for at least 11,500 new homes to 2026, supported by infrastructure identified within the Infrastructure and Investment Framework. This will include:

- New road connections
- Junction improvements
- 2 new 2 form of entry primary schools
- A new combined primary (2 form of entry) and secondary school (6 form of entry) on the Wembley Park site
- Extensions to existing local schools
- Nursery places
- At least 2.4 hectares of new public open space comprising of a new park (1.2ha min) and 3 pocket parks/squares (0.4ha each)
- Improvements to the quality and accessibility of existing open spaces
- A new community swimming pool
- A new civic centre
- Indoor and outdoor sports facilities
- Play areas
- A minimum of 1,000 trees
- New health facilities with space for 17 GPs and 13 new dentists
- *If feasible*, District-wide Combined Cooling, Heat and Power as set out in Policy CP17
- New multi use community facilities

As identified in Map E.1 'Wembley Growth Area, Energy Action Plan Area and Town Centre Boundary', Wembley town centre will be extended eastwards to facilitate a further 30,000sqm net of new retail floorspace in addition to that already granted planning consent.

CP 19

Brent Strategic Climate Mitigation and Adaptation Measures

All development should contribute towards achieving sustainable development, including climate change mitigation and adaptation.

Major proposals (10 or more dwellings and 1,000m² or more floorspace) and proposals for sensitive uses (education, health and housing) in Air Quality Management Areas, should submit a Sustainability Statement demonstrating, at the design stage, how sustainable design and construction measures are used to mitigate and adapt to climate change over the intended lifetime of a development. This includes the application of the London Plan energy hierarchy and meeting or exceeding the London Plan targets. In all areas a minimum rating of Code Level 3 should be achieved. For non-residential, a rating of BREEAM 'Excellent' is expected, or the equivalent on any 'Code for Sustainable Commercial Schemes' (when forthcoming).

Within the Wembley Energy Action Area (EAA) and in the Housing Growth Areas, major proposals are currently required to achieve a minimum Level 4 rating (in relation to the Code for Sustainable Homes). In particular, proposals will be expected (relative to their scale) to connect to, provide or contribute towards decentralised energy networks (heating and cooling) and renewables infrastructure in key Growth Areas of the Borough, notably Wembley, *unless it can be demonstrated that such provision is not feasible*.

Additional Supporting Documents

Affordable Housing Viability Study, BNP Paribas Real Estate, Sept. 2009

Core Strategy: Tall Buildings, LB Brent, Sept. 2009

Scenario and Sensitivity Testing Paper on Retail Matters, Roger Tym & Partners, Sept. 2009.

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Appendix 2

Core Strategy Proposed Submission DPD Consultation Responses

Number of Representations

Number of respondents: 46
Total no of representations: 400

Representations that CS is sound 166
Representations that CS is unsound 234

Break down of representations by policy:

Policy	Title	Total Reps	Sound	Unsound
CP1	Spatial Development Strategy	11	6	5
CP2	Population and Housing Growth	14	8	6
CP3	Commercial Regeneration	5	3	2
CP4	North-West London Co-ordination Corridor	2	2	0
CP5	Placemaking	8	4	4
CP6	Design & Density in Place Shaping	10	6	4
CP7	Wembley Growth Area	6	3	3
CP8	Alperton Growth Area	5	5	0
CP9	South Kilburn Growth Area	2	2	0
CP10	Church End Growth Area	2	1	1
CP11	Burnt Oak/Colindale Growth Area	4	1	3
CP12	Park Royal	6	4	2
CP13	North Circular Road Regeneration Area	2	1	1
CP14	Public Transport Improvements	3	1	2
CP15	Infrastructure to Support Development	11	6	5
CP16	Town Centres and the Sequential Approach to Development	8	2	6
CP17	Protecting and Enhancing the Suburban Character of Brent	5	1	4
CP18	Protection and Enhancement of Open Space, Sports and Biodiversity	5	4	1
CP19	Brent Strategic Climate Mitigation and Adaptation Measures	11	5	6
CP20	Strategic and Borough Employment Areas	4	1	3
CP21	A Balanced Housing Stock	6	4	2
CP22	Sites For Nomadic Peoples	1	1	0
CP23	Protection of existing and provision of new Community and Cultural Facilities	4	3	1

Key Issues

General

Concern expressed that policy should protect existing uses that contribute to the local economy and development should take account of existing site characteristics.

Suggested that the Core Strategy is unsound because of insufficient evidence.

Issues about the appropriate locations for tall buildings and evidence to support policy.

Housing

Issues relate to:

- whether policy should reflect the emerging London Plan, which suggests that more flexible requirements will be introduced for affordable housing, and whether the target of 50% should apply.
- whether the need for viability to be taken account of in determining appropriate levels of affordable housing should be explicitly set out in policy.

Concerns about whether the stated capacity is deliverable and that there no are mechanisms for delivering the level of family housing sought. Delivery of housing targets not based on a SHLAA.

GOL consider that reference to the 70:30 social rental and intermediate housing provision should be in policy.

Town Centres and Retail

Sequential preference for town centres - in particular whether Wembley should be promoted as sequentially preferable.

Whether retail development should be contingent upon creating a continuous retail link from the High Road.

Assessment of retail floorspace need is based upon a flawed retail need and capacity study.

Concern about the appropriate categorisation of town centres in the hierarchy.

Infrastructure

Infrastructure requirements - including:

- whether the evidence base is adequate; and
- whether the requirements are based on need arising from new development or making up existing deficiencies.

Climate Change Mitigation and Adaptation

There is insufficient evidence to support and justify the Code for Sustainable Homes /BREEAM requirement in growth areas and Wembley Energy Action Area and also a

lack of evidence to demonstrate deliverability of proposed decentralised energy networks.

Employment Land

There are issues relating to the protection of employment land. The GLA are concerned about policy insufficiently protecting a particular Strategic Employment Location (Northfields) whilst other objectors would wish to see greater flexibility and exceptions to policy allowed.

Community and Cultural Facilities

The development of co-located multi-purpose facilities discriminates against a wide range of community groups, particularly faith groups which require dedicated community activity use. New community uses could in principle use industrial / commercial sites