

[REDACTED]

From: [REDACTED]
Sent: 19 August 2021 14:00
To: Planning Strategy
Subject: Representations for Brent Local Plan: Consultation on Proposed Main Modifications
Attachments: brent-local-plan-modifications-representation-form_web-f-PG4.docx; brent-local-plan-modifications-representation-form_web-f-PG1.docx; brent-local-plan-modifications-representation-form_web-f-PG2.docx; brent-local-plan-modifications-representation-form_web-f-PG3.docx

Dear Mr Lewin,

I am attaching several representations (with PG1 to PG4 added to the basic document title) on the proposed modifications to Brent's draft Local Plan.

Please acknowledge safe receipt of this email and its attachments. Thank you. Best wishes,

[REDACTED]

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe



Brent Local Plan
Examination Stage Proposed
Modifications Representation Form

Council
Reference
Number:

Representations on the proposed modifications must be received by the Council by 5pm 19th August 2021.

All the representations should be submitted to planningstrategy@brent.gov.uk or Paul Lewin, Planning Policy Team Leader, Brent Civic Centre, Engineer's Way, Wembley, HA9 0FJ. Ideally provide your response in Word or similarly editable document formats. This will make it easier for us to summarise representations and speed up the process of reporting to the Inspectors.

Data Protection

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Your name, organisation name (if relevant) and comments will be made available for public inspection when displaying and reporting the outcome of the consultation. No other personal data will be displayed. No anonymous representations will be accepted.

If you consent the Council will place your details on our Planning Policy consultation database and inform you of any next stages in the Local Plan adoption process.

I wish to be informed of the next stages, such as publication of the Inspectors recommendations or the adoption of the Local Plan - **delete as appropriate**.

If you consent, the Council will also retain your details to inform you of any further planning policy consultations, such as any review of the Local Plan, Community Infrastructure Levy, Supplementary Planning Documents, Article 4 Directions, conservation area/ other heritage asset reviews and neighbourhood planning.

I wish to be informed of other planning policy consultations - **delete as appropriate**.

Please sign and date this form. Forms signed electronically or with typeset will be accepted.

Declaration:

By completing and signing this form, I agree to the above use of data submitted in association with my representations.

Signature:

Date:

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

**1. Personal
Details***

**2. Agent's Details (if
applicable)**

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Title	<input type="text"/>	<input type="text"/>
First Name	<input type="text"/>	<input type="text"/>
Last Name	<input type="text"/>	<input type="text"/>
Job Title (where relevant)	<input type="text"/>	<input type="text"/>
Organisation (where relevant)	<input type="text"/>	<input type="text"/>
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Telephone Number	<input type="text"/>	<input type="text"/>
E-mail Address	<input type="text"/>	<input type="text"/>

(necessary to assist in communicating with you effectively and ensuring the examination process is not subject to delay)

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which proposed modification does this representation relate?

Modification Reference e.g. MM1 MM3

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<div style="border: 1px solid black; width: 80px; height: 20px; margin: 0 auto; text-align: center;">?</div> <div style="border: 1px solid black; width: 80px; height: 20px; margin: 0 auto;"></div>	No	<div style="border: 1px solid black; width: 80px; height: 20px; margin: 0 auto; text-align: center;">?</div> <div style="border: 1px solid black; width: 80px; height: 20px; margin: 0 auto;"></div>
4.(2) Sound	Yes	<div style="border: 1px solid black; width: 80px; height: 20px; margin: 0 auto;"></div>	No	<div style="border: 1px solid black; width: 80px; height: 20px; margin: 0 auto; text-align: center;">X</div>
4 (3) Complies with the Duty to co-operate	Yes	<div style="border: 1px solid black; width: 80px; height: 20px; margin: 0 auto; text-align: center;">?</div>	No	<div style="border: 1px solid black; width: 80px; height: 20px; margin: 0 auto; text-align: center;">?</div>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

This representation is about the section “How Will Good Growth In Brent be Delivered?”, item 6 “Delivering the homes to meet Brent’s needs”.

6 a) increases the number of homes to be delivered under the Local Plan, and the increased numbers are unsound, because they cannot be delivered without major breaches of other Brent planning policies.

Those breaches are already taking place under existing planning policies, as Brent Council’s leadership and planners seem fixated on building as many extra homes as possible, regardless of the impact on parts of the borough, and the quality of life for existing (and future) residents.

There is plenty of evidence that this is happening – see, for example, this blog article about Council plans that go against its policies on protecting heritage assets and green spaces:
<https://wembleymatters.blogspot.com/2021/07/detrimental-developments-whats-brent.html>

A current private development (on the Minavel House site), approved in 2017, ignored an adopted area plan for Alperton, which set a maximum height of 17 storeys for the area, and allowed a 26 storey block to be built.

That area plan was quietly revoked by Brent’s Cabinet, as it was proving an embarrassment to Brent’s planners, because other developers were also seeking to build blocks above 17 storeys. The outcome, with massive overdevelopment in what was previously a low-rise area, can be seen in this blog article:
<https://wembleymatters.blogspot.com/2021/08/the-new-minavil-house-in-alperton-rises.html>

Many of the new homes are planned for areas which already have “open space deficiency”, and yet there is little or no extra open space provided as part of the proposed development. Most, especially in tall buildings, have very limited private amenity space, such as flats approved for the Ujima House site on Wembley High

Road, where even three bedroom family homes have just a 7.5 sqm balcony, when the recommended amount is at least 50sqm private amenity space.

This is considered to be “acceptable” because there is a public park “only” 500 metres away – but that existing public park, which already serves a large residential area of Wembley, has been used many times already to justify shortfalls of amenity space in other high density developments, such as the “twin towers” of 23 and 26 storeys at the corner of the High Road and Park Lane.

It is not in dispute that more housing is needed, in Brent and elsewhere, but the real need is for genuinely affordable housing, not thousands more flats for sale, or for private rent at amounts which a large proportion of the borough’s residents could not afford. Evidence on this point can be seen in this blog article:

<https://wembleymatters.blogspot.com/2021/08/wembley-housing-zone-is-this-answer-to.html>

At item 2 of the “How Will Good Growth In Brent be Delivered?” section, “Making the best use of land”, the proposed modifications add an extra point:

‘d) Identifying appropriate areas for tall buildings and change that add quality to and complement Brent’s character and sense of place.’

More than enough areas for tall buildings have been identified already, and some of the proposals include areas which previous local area plans, such as the Wembley Area Action Plan, had correctly identified as ‘areas **inappropriate** for tall buildings’.

Brent’s planning policies have always included protection for the suburban character of parts of the borough developed for residential homes in the inter-war years, when it was part of “Metroland”. In pursuing the proposed higher housing growth targets, the additional tall buildings required to meet them would do the opposite of “add quality”, and destroy what should continue to be the protected character, rather than complement it.

The “sense of place” which the proposals would create would be one that suits developers (pack in as many homes as you can / make as much profit as possible), but would leave more of the borough over-crowded, and lacking in the local green space necessary for health and wellbeing. It would condemn tens of thousands of residents to a lower quality of life than that which Brent should provide.

The Local Plan is unsound with its housing targets because of these reasons.

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The modifications needed to make the Local Plan sound would be to reduce the housing delivery figures in para. 6 a) to delivery of:

‘no more than the minimum London Plan housing target’, **rather than** the proposed:

‘more homes than the minimum London Plan housing target of 23,250 between 2019/20-2028/29. A minimum 46,018 dwellings will be delivered for the whole plan period of 2019/20-2040/41’

The proposed additional paragraph 2 d) should also be removed from the Local Plan.

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspectors, based on the matters and issues they identify for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Please note the Inspectors will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspectors have identified the matters and issues for examination.

Guidance Note to Accompany Model Representation Form

1. Introduction

1.1. The Council has proposed modifications to the Brent Local Plan that it has been submitted for examination by the appointed Planning Inspectors. It is only the proposed modifications and associated documents that are subject to consultation. All previous representations received on the submitted Plan have been considered by the Inspectors as part of the examination process to date and do not need to be re-submitted, or additional points made on them. The *Planning and Compulsory Purchase Act 2004*, as amended, [PCPA] states that the purpose of the examination is to consider whether the plan complies with the relevant legal requirements, including the duty to co-operate, and is sound. The Inspectors will consider all representations on the plan that are made within specified consultation periods.

1.2. To ensure an effective and fair examination, it is important that the Inspector and all other participants in the examination process are able to know who has made representations on the plan. The LPA will therefore ensure that the names of those making representations can be made available and taken into account by the Inspector.

2. Legal Compliance and Duty to Co-operate

2.1. You should consider the following before making a representation on legal compliance:

- The plan should be included in the Council's current Local Development Scheme [LDS] and the key stages set out in the LDS should have been followed. The LDS is effectively a programme of work prepared by the Council, setting out the plans it proposes to produce. It will set out the key stages in the production of any plans which the Council proposes to bring forward for examination. If the plan is not in the current LDS it should not have been published for representations. The LDS should be on the Council's website and available at its main offices.
- The process of community involvement for the plan in question should be in general accordance with the Council's Statement of Community Involvement [SCI]. The SCI sets out the Council's strategy for involving the community in the preparation and revision of plans and the consideration of planning applications.
- The Council is required to provide a Sustainability Appraisal [SA] report when it publishes a plan. This should identify the process by which SA has been carried out, and the baseline information used to inform the process and the outcomes of that process. SA is a tool for assessing the extent to which the plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.
- The plan should be in general conformity with the London Plan (formally known as the Spatial Development Strategy).
- The plan should comply with all other relevant requirements of the PCPA and the *Town and Country Planning (Local Planning) (England) Regulations 2012*, as amended [the Regulations].

2.3. You should consider the following before making a representation on compliance with the duty to co-operate:

- Section 33A of the PCPA requires the Council to engage constructively, actively and on an ongoing basis with neighbouring authorities and certain other bodies over strategic matters during the preparation of the plan. The Council will be expected to provide evidence of how they have complied with the duty.
- Non-compliance with the duty to co-operate cannot be rectified after the submission of the plan. Therefore, the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector cannot recommend adoption of the plan.

3. Soundness

3.1. The tests of soundness are set out in paragraph 35 of the National Planning Policy Framework (NPPF). Plans are sound if they are:

- **Positively prepared** – providing a strategy which, as a minimum seeks to meet the area’s objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring authorities is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- **Effective** - deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the NPPF.

3.2. If you think the content of the plan is not sound because it does not include a policy on a particular issue, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy or the London Plan?
- Is the issue with which you are concerned already covered by another policy in this plan?
- If the policy is not covered elsewhere, in what way is the plan unsound without the policy?
- If the plan is unsound without the policy, what should the policy say?

4. General advice

4.1. If you wish to make a representation seeking a modification to a plan or part of a plan you should set out clearly in what way you consider the plan or part of the plan is legally non-compliant or unsound, having regard as appropriate to the soundness criteria in paragraph 3.1 above. Your representation should be supported by evidence wherever possible. It will be helpful if you also say precisely how you think the plan should be modified.

4.2 You should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification. You

should not assume that you will have a further opportunity to make submissions. Any further submissions after the plan has been submitted for examination may only be made if invited by the Inspector, based on the matters and issues he or she identifies.

4.3. Where groups or individuals share a common view on the plan, it would be very helpful if they would make a single representation which represents that view, rather a large number of separate representations repeating the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

4.4. Please consider carefully how you would like your representation to be dealt with in the examination: whether you are content to rely on your written representation, or whether you wish to take part in hearing session(s). Only representors who are seeking a change to the plan have a right to be heard at the hearing session(s), if they so request. In considering this, please note that written and oral representations carry the same weight and will be given equal consideration in the examination process.



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Signature:

Date:

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Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

**1. Personal
Details***

**2. Agent's Details (if
applicable)**

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Title	<input type="text"/>	<input type="text"/>
First Name	<input type="text"/>	<input type="text"/>
Last Name	<input type="text"/>	<input type="text"/>
Job Title (where relevant)	<input type="text"/>	<input type="text"/>
Organisation (where relevant)	<input type="text"/>	<input type="text"/>
Address Line 1	<input type="text"/>	<input type="text"/>
Line 2	<input type="text"/>	<input type="text"/>
Line 3	<input type="text"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text"/>
Telephone Number	<input type="text"/>	<input type="text"/>
E-mail Address	<input type="text"/>	<input type="text"/>

(necessary to assist in communicating with you effectively and ensuring the examination process is not subject to delay)

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which proposed modification does this representation relate?

Modification Reference e.g. MM1 MM7

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<div style="border: 1px solid black; width: 60px; height: 20px; margin: 0 auto; text-align: center;">?</div> <div style="border: 1px solid black; width: 60px; height: 20px; margin: 0 auto;"></div>	No	<div style="border: 1px solid black; width: 60px; height: 20px; margin: 0 auto; text-align: center;">?</div> <div style="border: 1px solid black; width: 60px; height: 20px; margin: 0 auto;"></div>
4.(2) Sound	Yes	<div style="border: 1px solid black; width: 60px; height: 20px; margin: 0 auto; text-align: center;">?</div> <div style="border: 1px solid black; width: 60px; height: 20px; margin: 0 auto;"></div>	No	<div style="border: 1px solid black; width: 60px; height: 20px; margin: 0 auto; text-align: center;">X</div> <div style="border: 1px solid black; width: 60px; height: 20px; margin: 0 auto;"></div>
4 (3) Complies with the Duty to co-operate	Yes	<div style="border: 1px solid black; width: 60px; height: 20px; margin: 0 auto; text-align: center;">?</div>	No	<div style="border: 1px solid black; width: 60px; height: 20px; margin: 0 auto; text-align: center;">?</div>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

I believe that parts of Policy BP1 for the Central Zone are unsound, because they extend the area in which tall buildings are proposed to be allowed to areas where they should not be built.

Brent's definition of a tall building is one more than 30 metres / ten storeys high, or more than 6 metres above the general prevailing heights of the surrounding area.

While this may be acceptable for the main Wembley Park development area (the former British Empire Exhibition site, to the south and east of Bridge Road, Wembley Park Drive, Empire Way and from there along Wembley Hill Road to the Harrow Road), it would not be acceptable for areas outside this, which the Wembley Area Action Plan identifies as "inappropriate for tall buildings"

To allow tall buildings to cross that line, and spread beyond the Wembley Park "masterplan" development area, would seriously damage the suburban character of the principally residential areas of Wembley Park and Wembley Hill, which Brent's planning policies have always sought to protect, and should continue to do so.

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In order to make the Local Plan sound, sub-paragraph a) in the “Character, Heritage and Design” section of Policy BP1 should remain as:

‘a) Tall buildings are appropriate within the Wembley masterplan area, taking care to preserve protected views of the stadium and create a high quality new neighbourhood, integrating well with the suburban character of the surrounding area.’

The wording ‘Wembley masterplan area’ **should not be replaced** with the words ‘tall building zone’.

Any proposed map showing the area of the Central Place in which tall buildings are permitted under the Local Plan should also be amended accordingly.

Those changes would make this aspect of the Local Plan sound.

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

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3.2. If you think the content of the plan is not sound because it does not include a policy on a particular issue, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy or the London Plan?
- Is the issue with which you are concerned already covered by another policy in this plan?
- If the policy is not covered elsewhere, in what way is the plan unsound without the policy?
- If the plan is unsound without the policy, what should the policy say?

4. General advice

4.1. If you wish to make a representation seeking a modification to a plan or part of a plan you should set out clearly in what way you consider the plan or part of the plan is legally non-compliant or unsound, having regard as appropriate to the soundness criteria in paragraph 3.1 above. Your representation should be supported by evidence wherever possible. It will be helpful if you also say precisely how you think the plan should be modified.

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Signature:

Date:

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applicable)**

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E-mail Address	<input type="text"/>	<input type="text"/>

(necessary to assist in communicating with you effectively and ensuring the examination process is not subject to delay)

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which proposed modification does this representation relate?

Modification Reference e.g. MM1 MM7

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	?	No	?
4.(2) Sound	Yes	?	No	X
4 (3) Complies with the Duty to co-operate	Yes	?	No	?

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

This representation complements my other submission (ref PG2) on MM7, and relates to paragraph 5.1.19 on page 46.

For the reasons given in my main submission on this proposed modification, the proposed amendment to this paragraph is unsound.

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The modification required to make this paragraph sound is to reinstate the following sentence in the paragraph, which the proposed modification would delete:

‘The taller elements within the area will be consistent with the parameters set out in the Wembley masterplan associated with the outline planning permission 15/5550 for the remainder of Wembley Park.’

The ‘further guidance on the location and scale of tall buildings’ in the Policies Map and policy BD2, referred to in the final sentence of the paragraph should be amended in accordance with this, to ensure that the whole of the Local Plan is consistent.

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspectors, based on the matters and issues they identify for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

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8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Please note the Inspectors will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspectors have identified the matters and issues for examination.

Guidance Note to Accompany Model Representation Form

1. Introduction

1.1. The Council has proposed modifications to the Brent Local Plan that it has been submitted for examination by the appointed Planning Inspectors. It is only the proposed modifications and associated documents that are subject to consultation. All previous representations received on the submitted Plan have been considered by the Inspectors as part of the examination process to date and do not need to be re-submitted, or additional points made on them. The *Planning and Compulsory Purchase Act 2004*, as amended, [PCPA] states that the purpose of the examination is to consider whether the plan complies with the relevant legal requirements, including the duty to co-operate, and is sound. The Inspectors will consider all representations on the plan that are made within specified consultation periods.

1.2. To ensure an effective and fair examination, it is important that the Inspector and all other participants in the examination process are able to know who has made representations on the plan. The LPA will therefore ensure that the names of those making representations can be made available and taken into account by the Inspector.

2. Legal Compliance and Duty to Co-operate

2.1. You should consider the following before making a representation on legal compliance:

- The plan should be included in the Council's current Local Development Scheme [LDS] and the key stages set out in the LDS should have been followed. The LDS is effectively a programme of work prepared by the Council, setting out the plans it proposes to produce. It will set out the key stages in the production of any plans which the Council proposes to bring forward for examination. If the plan is not in the current LDS it should not have been published for representations. The LDS should be on the Council's website and available at its main offices.
- The process of community involvement for the plan in question should be in general accordance with the Council's Statement of Community Involvement [SCI]. The SCI sets out the Council's strategy for involving the community in the preparation and revision of plans and the consideration of planning applications.
- The Council is required to provide a Sustainability Appraisal [SA] report when it publishes a plan. This should identify the process by which SA has been carried out, and the baseline information used to inform the process and the outcomes of that process. SA is a tool for assessing the extent to which the plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.
- The plan should be in general conformity with the London Plan (formally known as the Spatial Development Strategy).
- The plan should comply with all other relevant requirements of the PCPA and the *Town and Country Planning (Local Planning) (England) Regulations 2012*, as amended [the Regulations].

2.3. You should consider the following before making a representation on compliance with the duty to co-operate:

- Section 33A of the PCPA requires the Council to engage constructively, actively and on an ongoing basis with neighbouring authorities and certain other bodies over strategic matters during the preparation of the plan. The Council will be expected to provide evidence of how they have complied with the duty.
- Non-compliance with the duty to co-operate cannot be rectified after the submission of the plan. Therefore, the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector cannot recommend adoption of the plan.

3. Soundness

3.1. The tests of soundness are set out in paragraph 35 of the National Planning Policy Framework (NPPF). Plans are sound if they are:

- **Positively prepared** – providing a strategy which, as a minimum seeks to meet the area’s objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring authorities is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- **Effective** - deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the NPPF.

3.2. If you think the content of the plan is not sound because it does not include a policy on a particular issue, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy or the London Plan?
- Is the issue with which you are concerned already covered by another policy in this plan?
- If the policy is not covered elsewhere, in what way is the plan unsound without the policy?
- If the plan is unsound without the policy, what should the policy say?

4. General advice

4.1. If you wish to make a representation seeking a modification to a plan or part of a plan you should set out clearly in what way you consider the plan or part of the plan is legally non-compliant or unsound, having regard as appropriate to the soundness criteria in paragraph 3.1 above. Your representation should be supported by evidence wherever possible. It will be helpful if you also say precisely how you think the plan should be modified.

4.2 You should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification. You

should not assume that you will have a further opportunity to make submissions. Any further submissions after the plan has been submitted for examination may only be made if invited by the Inspector, based on the matters and issues he or she identifies.

4.3. Where groups or individuals share a common view on the plan, it would be very helpful if they would make a single representation which represents that view, rather a large number of separate representations repeating the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

4.4. Please consider carefully how you would like your representation to be dealt with in the examination: whether you are content to rely on your written representation, or whether you wish to take part in hearing session(s). Only representors who are seeking a change to the plan have a right to be heard at the hearing session(s), if they so request. In considering this, please note that written and oral representations carry the same weight and will be given equal consideration in the examination process.



Brent Local Plan
Examination Stage Proposed
Modifications Representation Form

Council
Reference
Number:

Representations on the proposed modifications must be received by the Council by 5pm 19th August 2021.

All the representations should be submitted to planningstrategy@brent.gov.uk or Paul Lewin, Planning Policy Team Leader, Brent Civic Centre, Engineer's Way, Wembley, HA9 0FJ. Ideally provide your response in Word or similarly editable document formats. This will make it easier for us to summarise representations and speed up the process of reporting to the Inspectors.

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Signature:

Date:

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Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which proposed modification does this representation relate?

Modification Reference e.g. MM1 MM15

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	?	No	?
4.(2) Sound	Yes	-	No	X
4 (3) Complies with the Duty to co-operate	Yes	?	No	?

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Chapter: 5.1 Central Place Section: BCSA7

The proposed modification of the Local Plan for the South Site at Wembley Park Station is unsound, because the change to the indicative capacity for the number of homes would cause a massive overdevelopment of this small site.

The height of the building(s) that would be required to provide 456 housing units (including an appropriate number of family-sized units) would breach Brent’s tall buildings housing policy, particularly the Wembley Area Action Plan designation that this is in an area **‘inappropriate for tall buildings’**.

The building heights required would also not be compliant with the “Design Principles” set out for this site allocation, which state that: ‘Up to ten storeys will be considered acceptable to the western side of the site stepping up slightly directly adjacent to the station.’

The evidence on these points was summarised in a November 2020 blog article, which can be accessed here:
<https://wembleymatters.blogspot.com/2020/11/wembley-park-station-car-park-tall-story.html>

The site is in an area identified as having “open space deficiency”. Having such a high density development on such a small site would add to that deficiency. Other planning policies, such as respecting the suburban character of the area and the displacement of parking to nearby residential areas, will also be affected by this proposed modification.

I believe that this proposed modification, from 300 to 456 units “indicative capacity”, is intended to “legitimise” a bad recommendation which was made to the Planning Committee in November 2020, in support of a planning application which breached a number of Brent’s planning policies. That decision is now set aside, as the Secretary of State has called in the application, and the application will be examined by a Planning Inspector later this year.

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The "modification" to the latest draft on this item that I consider necessary to make the Local Plan sound is to return the "Indicative Capacity" to the original figure of 300 (or less), and remove the proposed modified figure of 456.

I believe that 300 is the maximum capacity of high density homes which this Wembley Park Station car park site could provide, while still complying with Brent's other planning policies.

A lower figure would be preferable, so that the buildings required would be more in keeping with the scale of existing developments in Brook Avenue, such as Matthews Close (up to 8 storeys high).

Suggested revised wording:

Indicative Capacity
300 dwellings

Timeframe for Delivery
1-5 Years -
6-10 Years 300
11+ Years -

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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