

# **Brent Local Plan Examination Policy BD2 Update June 2021.**

## **1 Introduction**

- 1.1 This note has been produced post the Brent Local Plan Examination Hearings Sessions. It specifically reflects actions the Council has taken as a consequence of the Secretary of State's directions to modify London Plan Policy D9 in December 2020. As a consequence of this modified policy, the Council is proposing modifications to its Policy BD2 and associated Tall Buildings Zones to be identified on the Local Plan policies map. This reflects the need for the Brent Local Plan to be in general conformity with the adopted London Plan.

## **2 Background**

- 2.1 The Council submitted its draft Local Plan for Examination in March 2020. This contained policy BD2 Tall Buildings which was written to be in general conformity with what was at that time Policy D8 Tall Buildings of the draft London Plan. Consistent with D8, policy BD2 included a definition of what was a tall building in Brent. Tall Buildings Zones were also identified on the policies map as appropriate locations for buildings of 30+ metres. The policy also allowed for the potential in exceptional circumstances for tall buildings to be justified in locations not identified as Tall Buildings Zones.
- 2.2 In December 2020 the Secretary of State issued some directions to the Mayor of London to modify policy D9 Tall Buildings (formerly policy D8) of the Intend to Publish London Plan. These set out a new definition of the minimum height of what could be defined as a tall building in London. The Secretary of State also sought to further limit the potential for tall buildings to be allowed outside areas defined as suitable for tall buildings in Local Plans. These directions were incorporated into the published London Plan March 2021.
- 2.3 As a consequence, the Council is now proposing modifications to policy BD2. This is to ensure that Policy BD2 is in general conformity with the London Plan.

## **3 Brent Tall Buildings Strategy**

- 3.1 The Brent Tall Buildings Strategy was initially issued to support the Council's preferred options consultation in November 2018. Following representations received it was subsequently amended to support the publication version of the Local Plan dated October 2019. To reflect further representations received, it was also amended prior to the submission of the Local Plan in March 2020 (evidence base document EB\_D\_01). The Inspectors' Matters,

Issues and Questions for the draft Brent Local Plan examination raised a number of issues about the contents of the Strategy in Matter 7. The Council addressed these in its written response and verbally at the Hearings Sessions.

#### **4 Main modifications proposed to BD2 Tall Buildings**

- 4.1 The proposed modifications remove from policy BD2 "**more than 6 metres above the general prevailing heights of the surrounding area**". As the Tall Buildings Strategy April 2021 identifies in Figure 11, much of the built form of Brent is on average below 12 metres. As such, buildings of more than 6 metres above the general prevailing heights of the surrounding area could be less than 18 metres from ground floor to the floor of the uppermost storey. This is below the minimum definition of a tall building within London Plan policy D9. If retained it is therefore unlikely to be in general conformity with that policy, or the Secretary of State's position on the definition of a tall building in London. The policy retains the part of the definition of 'more than 30 metres tall'. This is the basis on that the Tall Buildings Strategy specifically sought to identify and define Zones that can accommodate buildings of this height.
- 4.2 The proposed modifications also remove from policy BD2 the words: "**Elsewhere tall buildings not identified in site allocations will only be permitted where they are:**
- a) **of civic or cultural importance; or**
  - b) **on sites of a sufficient size to successfully create a new character area while responding positively to the surrounding character and stepping down towards the site edges."**

This reflects the Secretary of State's position that perceived flexibility in policy D9 to potentially allow for tall buildings in London to come forward outside the development plan process was inappropriate. On this basis modification is considered necessary for Policy BD2 to be in general conformity with D9. A fuller version of the proposed modifications to Policy BD2 can be seen in Appendix 1.

- 4.3 Notwithstanding the removal of the lower building height definition of a tall building, the proposed modifications are considered sound and justifiable for Brent's circumstances. The definition of more than 30 metres is considered appropriate, as outside areas identified for tall buildings the Council can rely on other policies in the development plan and associated guidance to ensure that development taller than its surroundings but lower than up to 30 metres in height is only allowed where it can be shown to complement local

character. London Plan such as Policy D3 'Optimising site capacity through the design-led approach' which focusses on the need for development to address form and layout, experience and quality and character and Brent Local Plan Policy BD1 'Leading the way in good design' with the associated guidance in Brent Supplementary Planning Document 1 'Brent Design Guide' will be used to ensure that developments positively reflect their context, including in relation to their height.

## **5 Proposed modification to the policies map of Tall Buildings Zones**

- 5.1 In light of the proposed modification to Policy BD2, which removes the flexibility for buildings outside a Tall Buildings Zone as identified on the policies map, the Council has reconsidered the defined Zones. This has also taken account of known circumstances around potential development proposals post publication of the draft Local Plan.
- 5.2 This has resulted in an additional Tall Buildings Zone being identified and modifications to two previously identified Zones. These are proposed for incorporation in the draft Local Plan through a proposed modification to the policies map.

## **6 Proposed modification to the policies map of an additional Tall Buildings Zone**

- 6.1 The draft Local Plan Policy BSESA20: Kilburn Square is a site allocation. The proposal on the Council's land within this allocation is for the demolition of existing redundant space (a former Health Centre which the CCG vacated some time ago and due to additional provision coming forward within the South Kilburn estate on the Peel site, it is not needed by them for other purposes in the longer term). It is proposed that this will be replaced with general needs affordable housing (100% social rent) and an older persons' assisted living housing scheme (also 100% social rent).
- 6.2 Subsequent to the submission of the draft Local Plan more work has been undertaken by the Council as the owner of the estate in testing delivery options. As a result of this a tall building is being proposed adjacent to the Kilburn Square open space. The tenants of the estate have been consulted as have the local neighbourhood forum. As the existing building is not occupied by residents, the scheme will not need a tenants' ballot to proceed. The initial scheme has been subject to Design Council design review. Recognising the surrounding character, the Design Council regarded the principle of an additional tall building as acceptable in this location, principally due to the existence of a tower on the estate. This site has PTAL 6a.

- 6.3 The proposed modification is required to ensure general conformity with London Plan policy D9. It will give greater certainty to the delivery of the indicative capacity (and provides for the potential for maximising the much needed affordable housing scheme). Further detail of the extent of the Tall Buildings Zone can be seen in Appendix 2. The extent of the area incorporates the existing tower and adjacent land around Kilburn Square with the potential for a 'sister' tower. The acceptable height reflects the height of the existing tower at 17 storeys (approx 51 metres) of up to 51 metres. The wider extent of the zone allows an appropriate area in which to step down to more sensitive lower height areas of the Kilburn conservation area to the south and an area of distinctive residential character to the north, which it is proposed in the longer term will form an extension to the conservation area.

## **7 Proposed modifications to the policies map of Tall Buildings Zones at Stonebridge Park and Wembley Central (B).**

- 7.1 Subsequent to the submission of the draft Local Plan more work has been undertaken by the Council as the principal owner of many housing estates in testing options to deliver much needed additional affordable homes within the borough. As a result of this, amendments to two tall building zones at Stonebridge Park and Wembley Central (B) are proposed to facilitate potential delivery to be in general conformity with London Plan Policy D9.
- 7.2 For Stonebridge Park an additional area adjacent to the site allocation BSSA7 Bridge Park and Unisys Building has been identified. This incorporates the Conduit Way estate. This extension is justified on the basis that the existing estate is of low density, lower quality homes which has the potential to be intensified to a higher density reflective of its higher public transport accessibility. This is particularly so along and in the areas adjacent to the Brentfield frontage. This will complement the taller buildings proposed on the Unisys and Bridge Park site and reinforce the gateway role from the North Circular of those entering the borough from further afield. A small area has been removed that previously crossed into Old Oak and Park Royal Development Corporation local planning authority area.
- 7.3 For Wembley Central Area B, an additional area north of Duke's Way has been included. This is a council housing block. This area has already been developed for a tall building at King Edward Court (11 storeys plus lower ground floor). As such its inclusion is justified in part on this basis to correctly reflect the current situation of a tall building being there. In addition, this block has also been identified as potentially being able to accommodate

additional upper floors, in part taking account of the opportunity afforded by the adjacent taller Uncle building.

- 7.4 Further detail of the extent of the new and modified Tall Buildings Zones is set out in Appendix 2.

# Appendix 1

## Policy BD2 Tall Buildings

A tall building is one that is ~~more than 6 metres above the general prevailing heights of the surrounding area~~ or more than 30 metres in height.

Tall buildings are directed to the locations shown on the policies map in Tall Building Zones, ~~intensification corridors, town centres and site allocations.~~

In Tall Buildings Zones heights should be consistent with the general building heights shown on the policies map, stepping down towards the Zone's edge.

In intensification corridors and town centres outside conservation areas and areas of distinctive character developments of a general building height of 15 metres above ground level could be acceptable, with opportunities to go higher at strategic points in town centres.

~~Elsewhere tall buildings not identified in site allocations will only be permitted where they are:~~

- ~~a) of civic or cultural importance; or~~
- ~~b) on sites of a sufficient size to successfully create a new character area while responding positively to the surrounding character and stepping down towards the site edges.~~

In all cases the tall buildings must be shown to be positive additions to the skyline that would enhance the overall character of the area. They should be of exceptional design quality, consistent with London Plan Policy requirements in showing how they positively address their visual, functional, environmental and cumulative impacts.

## Appendix 2 Proposed modifications to the draft Brent Local Plan Policies Maps for Tall Building Zones.

### Kilburn High Road Tall Buildings Zone Proposed Modification (New)



## Wembley Central Area B Tall Buildings Zone at Submission Stage



## Wembley Central Area B Tall Buildings Zone Proposed Modification



## Stonebridge Park Tall Buildings Zone Submission Stage



## Stonebridge Park Tall Buildings Zone Proposed Modification

