



Brent Local Plan
Examination Stage Proposed
Modifications Representation Form

**Council
Reference
Number:**

29 a- m

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

The personal information you provide on this form will be processed in accordance with the Data Protection Act 2018 and the Privacy and Electronic Communications (EC Directive) Regulations 2003. It may be used by the Council, the Planning Inspectors or the Local Plan Programme Officer to contact you, if necessary, regarding your submission. All representations including all accompanying personal data will be sent to the appointed Planning Inspectors undertaking the Local Plan examination. Please see the [Council's planning](#) and [Planning Inspectorate's](#) privacy notices

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 / ~~do not 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 / ~~do not 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:

RPS on behalf of Stonebridge
Real Estate Development Ltd

Date:

19.08.21

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***

**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.*

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

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)	Stonebridge Real Estate Development Ltd	RPS Consulting Services Ltd
Address Line 1	c/o Agent	20 Farringdon Street
Line 2	<input type="text"/>	London
Line 3	<input type="text"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	EC4A 4AB
Telephone Number	<input type="text"/>	02036910500
E-mail Address (necessary to assist in communicating with you effectively and ensuring the examination process is not subject to delay)	<input type="text"/>	<input type="text"/>

Part B – Please use a separate sheet for each representation

Name or Organisation: **RPS on behalf of Stonebridge Real Estate Development Ltd**

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		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.

Please see accompanying letter.

(Continue on a separate sheet /expand box if necessary)

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.

Please see accompanying letter.

(Continue on a separate sheet /expand box if necessary)

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:

To allow a full explanation of our objection and discussion with the appointed Inspector and Local Planning Authority.

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.

Part B – Please use a separate sheet for each representation

Name or Organisation: **RPS on behalf of Stonebridge Real Estate Development Ltd**

3. To which proposed modification does this representation relate?

Modification Reference e.g. MM1 **MM5**

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

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.

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Part B – Please use a separate sheet for each representation

Name or Organisation: **RPS on behalf of Stonebridge Real Estate Development Ltd**

3. To which proposed modification does this representation relate?

Modification Reference e.g. MM1 **MM44**

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

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.

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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)

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

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Part B – Please use a separate sheet for each representation

Name or Organisation: **RPS on behalf of Stonebridge Real Estate Development Ltd**

3. To which proposed modification does this representation relate?

Modification Reference e.g. MM1 **MM45**

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

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.

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

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

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Part B – Please use a separate sheet for each representation

Name or Organisation: **RPS on behalf of Stonebridge Real Estate Development Ltd**

3. To which proposed modification does this representation relate?

Modification Reference e.g. MM1 **MM54**

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

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.

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

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Part B – Please use a separate sheet for each representation

Name or Organisation: **RPS on behalf of Stonebridge Real Estate Development Ltd**

3. To which proposed modification does this representation relate?

Modification Reference e.g. MM1 **MM94
Map Mod 24**

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

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.

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Part B – Please use a separate sheet for each representation

Name or Organisation: **RPS on behalf of Stonebridge Real Estate Development Ltd**

3. To which proposed modification does this representation relate?

Modification Reference e.g. MM1 **MM99**

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.

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Part B – Please use a separate sheet for each representation

Name or Organisation: **RPS on behalf of Stonebridge Real Estate Development Ltd**

3. To which proposed modification does this representation relate?

Modification Reference e.g. MM1 **MM101**

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

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.

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Name or Organisation: **RPS on behalf of Stonebridge Real Estate Development Ltd**

3. To which proposed modification does this representation relate?

Modification Reference e.g. MM1 **MM104**

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

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.

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Name or Organisation: **RPS on behalf of Stonebridge Real Estate Development Ltd**

3. To which proposed modification does this representation relate?

Modification Reference e.g. MM1 **MM106**

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

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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.

Our ref: KJ/SW/25283

Date: 19 August 2021

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Dear Sir / Madam

**REPRESENTATION ON BEHALF OF STONEBRIDGE REAL ESTATE DEVELOPMENT LTD
PROPOSED MAIN MODIFICATIONS OF DRAFT BRENT LOCAL PLAN SUBMITTED FOR EXAMINATION
IN MARCH 2020, CONSULTATION IN JULY 2021**

We act on behalf of our client Stonebridge Real Estate Development Ltd, owners of the Unisys site located off Harrow Road. Stonebridge Real Estate Development Ltd is seeking to develop Strategic Site Allocation BSSA7 (Bridge Park and Unisys Building). You will also be aware that Stonebridge Real Estate Development Ltd has been active in the formulation of the Draft Local Plan to date having commented on the Preferred Options Local Plan in November 2018 and the Regulation 19 Publication Stage Consultation on 5th December 2019. Our client welcomes the opportunity to continue to influence the Plan and to work in partnership to facilitate the regeneration of the area.

We set out our comments below against the Proposed Main Modifications and Modifications to the Policies Map of the Draft Brent Local Plan submitted for Examination in March 2020, in relation to the relevant thematic sections, specific Site Allocations and detailed policies.

In our comments we indicate recommended modifications to ensure the Plan's soundness.

MM3 – Chapter 4. Development Vision and Good Growth in Brent (p.28-29)

We support the principle of 'good growth' set out within this section and note that development is to make the best use of land by prioritising development in accessible locations and deliver efficiently and intensively in Growth Areas. We also note that the strategy supports higher density development in Brent's town centres and in areas with good accessibility to public transport.

As set out in our representation to the Local Plan Publication Stage Consultation, we recommend that it should be made clearer that opportunities for growth can also be derived from an objective of overall regeneration, particularly where there are several large-scale sites that cumulatively will make a substantial positive impact in an area through effective planning and maximising opportunities through appropriate land use and scale. Such an area is focussed around Stonebridge Park where, for example, a strategic planning application has been approved at Northfields and where other draft Site Allocations such as Wembley Point and Unisys could lead to a substantial overall beneficial improvement to the local area, delivering the 'good growth' sought. The opportunity and focus for increased densities and substantial transformative change should be emphasised in these types of locations.

Proposed Modifications: It is recommended that a further criterion '*Regeneration Opportunities*' is added under the heading '2. Making the Best Use of Land' (page 28) emphasising the opportunities and support for regeneration within the Growth Areas and Town Centres. This will ensure soundness through compliance with the requirements of National Planning Policy Framework (NPPF) (July 2021) paragraph 124 which seeks to achieve appropriate densities and that planning policies and decisions should support development that makes

efficient use of land, taking into account various factors including promoting regeneration and change (criterion e).

We note that under heading '6. Delivering Homes to Meet Brent's Needs' (page 30) criterion c) that the Council seeks to promote new family housing with at least 25% of new homes being 3 bedrooms or more. This requirement conflicts with London Plan (March 2021) Policy H10, Part A-6) which sets out that to determine the appropriate mix of unit sizes, decision-makers should have regard to *'the nature and location of the site, with a higher proportion of one and two bed units generally more appropriate in locations which are closer to a town centre or station or with higher public transport access and connectivity'*. However, for low-cost rent *'boroughs should provide guidance on the size of units required (by number of bedrooms) to ensure affordable housing meets identified needs'*. In this respect, the quantum is not appropriately aligned to an identified social need.

Furthermore, it should also be recognised that families can easily be accommodated in 2-bedroom, 4 person units and therefore a proportion of these units should be added to the definition of *'new family housing'* under criterion c) under heading 6.

Proposed Modifications: We recommend that the reference to a specific target for new family housing under '6. Delivering Homes to Meet Brent's Needs' (page 30) criterion c) should refer only to a target for low cost rent housing. This modification is required to ensure soundness and is justified through compliance with the requirements of London Plan Policy H10.

MM5 - Policy DMP1: Development Management General Policy (p.30)

We are generally supportive of this policy but recommend that modifications are made to ensure soundness.

Proposed Modifications: It is recommended that Policy DMP1 is amended to include an additional criterion as follows shown as underlined:

'j) prioritises locations or areas that are well served by public transport'

This will ensure consistency with national policy in the context of NPPF (July 2021) paragraph 125 which states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, especially in accessible locations, and ensure that developments make optimal use of the potential of each site. NPPF paragraph 125 also states that in these circumstances, criterion a) requires that plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible, and also that this should include the use of minimum density standards for city and town centres and other locations that are well served by public transport.

MM44 - Section 5.5: South Place (p.152)

We note the MM44 added additional text (underlined) for clarification to the second point in Opportunities (page 152) to read: Improve Stonebridge Park gateway through redevelopment of Argenta House/Wembley Point and Unisys/Bridge Park sites. Unisys/Bridge Park presents the potential for a comprehensive redevelopment to replace the existing redundant tall buildings next to the North Circular and provide a scale of enabling development to support provision of a modern leisure centre with swimming pool.

It is noted that the additional text to the Opportunities is to provide greater clarity in support of a comprehensive redevelopment of the Unisys/Bridge Park sites. However, the additional reference to replace the existing redundant tall buildings disregard any opportunity to retain the existing tall buildings for alternative uses which would be more sustainable in re-using the existing building structure.

Proposed Modifications: It is recommended that the text within the Opportunities for the Unisys/Bridge Parks to be revised to ensure the policy is sound, as follow with additional proposed text shown as underlined:

- *Improve Stonebridge Park gateway through redevelopment of Argenta House/Wembley Point and Unisys/Bridge Park sites. Unisys/Bridge Park presents the potential for a comprehensive redevelopment ~~to replace the existing~~ of the redundant tall buildings for alternative uses next to the*

North Circular and provide a scale of enabling development to support provision of a modern leisure centre with swimming pool.

This is an important reference given there are a number of sites within close proximity to Stonebridge Park station that have the scope (either individually or cumulatively) to make a dramatic transformational change to the townscape – through high quality design and enhanced permeability – and via optimised housing delivery through providing taller buildings, particularly to offset the negative aspects of the North Circular and to respond to the strong urban frontage.

MM45 – Section 5.5 - Policy BP5: South (p.154-155)

It is noted that the policy supporting text paragraph 5.5.14 refers to the existing 21 storey Wembley Point building and the 8 storey Unisys building and recognises that both buildings are located at an important gateway to the borough and highly visible from the North Circular road and by rail. It is also noted that the supporting text considers a cluster of taller buildings could be appropriate in this location, subject to the buildings being of high-quality design which contributes to the sense of arrival to the borough successfully mediating between the taller elements and the surrounding low-rise.

It is however considered that criterion c) should not include explicit reference to potential building heights, which should be subject to detailed design, townscape and environmental assessment at application stage.

Proposed Modifications: It is recommended that criterion c) from Policy BP5 should be updated to remove the reference to buildings of 15 metres (5 storeys) to ensure that the policy is sound and does not prejudice future application proposals; as follow with ~~striktthrough text~~ to be removed:

c) There is an opportunity for some taller buildings near Wembley Point. This will be subject to buildings being of the highest design quality, and enhancing the local setting. Additional taller ~~buildings of up to 15 metres (5 storeys)~~ could be appropriate in the intensification corridors of A404 Harrow Road/ Brentfield/Hillside and Carven Park, A407 High Road and A4088 Dudden Hill Lane.

MM54 - Site Allocation Policy BSSA7: Bridge Park and Unisys Building (p.175-176)

The overall allocation of this site is strongly supported. The allocated uses should be identified as potential uses, subject to detailed feasibility and following consideration of need and demand (particularly in relation to the ‘small scale commercial and community uses’) at the time a development proposal is being formulated.

Proposed Modifications: It is recommended that text within the allocated uses section is revised to ensure the policy is effective, as follows with additional proposed text shown as underlined:

‘Allocated Use: New leisure centre, hotel, office, residential, with potential for small scale commercial and community uses.’

The indicative capacity for the site should be updated to take into account the detailed analysis of the site that has been undertaken to date, which could provide for up to 1,000 new homes.

Proposed Modifications: It is recommended that text within the allocated uses section is revised to ensure the policy is effective, as follows:

Indicative Capacity: ~~505~~ up to 1,000 new homes

It is noted that the allocation includes that the site is considered to be of sufficient size to accommodate BH3 Built to Rent and BH8 Specialist Older People’s Housing policy requirements. It is considered that the wording should be clarified to indicate that the provision of Build to Rent and Specialist Older People’s Housing is encouraged on the site, subject to a detailed feasibility assessment, but not mandated. This clarification is necessary to ensure that the policy is sound and consistent with national policy.

Proposed Modifications: It is recommended that text within the Planning Considerations section is modified, to make the policy sound, as follows with additional proposed text shown as underlined:

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'Site is of sufficient size to consider the incorporation of BH3 Build to Rent and BH8 Specialist Older People's Housing policy requirements, subject to a detailed feasibility assessment.

In terms of cross referencing other relevant policies within the Plan, it is also supported that Policy BE9 encourages future hotel provision in the two major town centres of Wembley and Kilburn in addition to sites allocated in the Plan. The site's acceptability for visitor accommodation is recognised by the Site Allocation which includes hotel use and is therefore consistent with Policy BE9.

MM94 – Section 6.1 - Policy BD2: Tall Buildings in Brent (p.276) Map Mod 24 – Policies Map of Stonebridge Park Tall Building Zone

We are generally supportive of this policy in the context that the Local Plan Policies Map (Environmental Protection, Heritage, Employment and Article 4) identifies Site Allocations BSSA6 and BSSA7 both fall within a Tall Building Zone.

Policy BD2 states that tall buildings should be directed to the locations shown on the policies map in Tall Building Zones, where heights should be consistent with the general building heights shown on the policies map, stepping down towards the Zone's edge.

The associated Proposed Modifications to the Policies Map 'Stonebridge Park Tall Building Zone' (Map Mod 24) removes the Core Designation, extend the Zone and adds the appropriate heights of 'up to 78 metres' to the Stonebridge Park Tall Building Zone.

We welcome the removal of the Core Designation from the Stonebridge Park Tall Building Zone. It is however considered that the 'up to 78 metres' appropriate height is too explicit, as potential building heights should be subject to detailed design, townscape and environmental assessment at application stage.

Proposed Modifications to Map Mod 24: it is recommended that the reference of '~~up to 78 metres~~' to be removed from the Stonebridge Park Tall Building Zone Policies Map, to ensure that the policy is sound and does not prejudice future application proposals.

MM99 – Section 6.2 - Policy BH3: Build to Rent (p.290)

This policy is restrictive and *ultra vires*. Although a Development Plan can support various housing models, it cannot dictate a type of model and preclude others. This would instead be a matter for the market to decide. Therefore, whilst the overall support of Build to Rent is welcomed, a policy which demands that within Growth Areas (excluding South Kilburn) or on development sites of 500 dwellings or more the provision of Build to Rent would be expected is unsuitable as a policy. This is especially the case for this site given the significant supply of Build to Rent properties that have been consented in close proximity as part of the regeneration of Wembley.

The policy is unsound and inconsistent with national policy in the context of National Planning Policy Guidance (Paragraph: 001 Reference ID: 60-001-20180913) which advises that authorities should include a plan policy setting out their approach to promoting and accommodating Build to Rent. This should recognise the circumstances and locations where build to rent developments will be encouraged (our emphasis), for example as part of large sites and/or a town-centre regeneration area.

In addition, the policy should acknowledge other forms of residential accommodation which can add to the housing stock and meet local demand, such as the potential provision of co-living accommodation.

Proposed Modifications: It is recommended that the first paragraph of Policy BH3 is revised as follows with additional proposed text shown as underlined:

'The provision of Build to Rent development as defined within London Plan Policy H11 will be supported within Brent. To encourage increased housing delivery, within each Growth Areas (excluding South Kilburn) or development sites of 500 dwellings or more, the provision of Build to Rent properties will be ~~expected~~ encouraged unless this would: ...'

As set out above, it is suggested that Policy BSSA7 is modified to indicate that the provision of Build to Rent is encouraged on the site, subject to a detailed feasibility assessment, but not mandated.

MM101 – Section 6.2 - Policy BH5: Affordable Housing (p.292)

The policy needs specifically to identify that a minimum provision of 35% affordable housing as set out in supporting text at paragraph 6.2.5 without the need for a viability appraisal will be acceptable.

The affordable housing approach to Build to Rent is not set out in this policy. The London Plan recognises (footnote 68) that boroughs may publish guidance setting out the proportion of Discounted Market Rent (DMR) homes to be provided at a different rental level to benefit from the fast track route, having regard to the relationship between the level of discount required and the viability of achieving the relevant threshold level. This should also reflect NPPF 2021 which defines affordable housing provision for rent as 'at least 20% below local market rents (including service charges where applicable)'. This provision is suitable for those Build to Rent operators seeking to provide accommodation for key/essential workers in London such as those people employed in the public sector.

Proposed Modifications: To ensure soundness and that the policy is justified through compliance with the requirements of London Plan (2021) Policy H6, it is recommended that Policy BH5 is revised to clarify the Council's affordable housing target at 35% and what is required to comply with the fast track approach without the need for viability analysis, subject to meeting tenure split objectives and other Plan requirements.

It is also recommended that the policy is modified to clarify the Council's Build to Rent affordable component and relevant rental levels to take account of the fast track route (considering the relationship between the level of discount required and the viability of achieving the relevant threshold level).

MM104 – Section 6.2 - Policy BH8 Specialist Older Persons Housing (p.299)

It is noted that to support achieving the London Plan annual benchmark monitoring provision figure of 230 dwellings per annum the Council will require provision of specialist older people's accommodation in defined circumstances. Within all Growth Areas except South Kilburn developers will be expected to work together to identify sites on which as a minimum 10% of all the Growth Area's additional dwellings, over those which already have planning permission, will be delivered as specialist older people's accommodation. Elsewhere, the policy requires, as a minimum, 10% specialist older people's on sites with a capacity of 500 or more dwellings.

As set out above, to ensure the plan is sound it is necessary to modify Policy BSSA7 to indicate that the provision of all types of Specialist Older People's Housing is encouraged on the site (including market provision), subject to a detailed feasibility assessment, but not mandated.

MM106 – Section 6.2 - Policy BH13: Residential Amenity Space (p.306)

This policy requires all new dwellings to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs, which is normally expected to be 50sqm for 3 bed family housing situated at ground floor level and 20sqm for all other housing. The policy wording is considered particularly onerous and prescriptive in the context of developments in built-up parts of London that need instead to seek to optimise valuable internal amenity space, whilst developments may also provide, or be best suited to the provision of, communal amenity space or the utilisation of public amenity space in the area.

Although not set out within the policy itself, the supporting text (paragraph 6.2.100) states that where sufficient private amenity space cannot be achieved individually for each dwelling to meet the full requirement of the policy, the remainder should be supplied in the form of communal amenity space. The supporting text goes on to state that in some locations, such as town centres, the Council understands that meeting the overall minimum in high density developments might be challenging. Whilst amenity space will assist in achieving the urban greening factor targets, other requirements such as renewable energy sources may compete for areas that might otherwise accommodate amenity areas, such as roofspace. As such flexibility should be allowed where it can be shown that all reasonable options for provision have been considered. The Proposed Additional Minor Modifications (MiM158) added further clarification that: *'Where not meeting the standards, developments will need to demonstrate how the level of amenity space provided is considered to be acceptable taking into account factors such as, accessibility of dwellings to their own amenity space and its quality, the amount and quality of communal space, proximity to other areas of open space nearby and internal amenity spaces.'*

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Proposed Modifications: to ensure soundness and the required flexibility set out within the policy supporting text, it is recommended that additional text is added to the end of Paragraph 6.2.100 as follow with additional proposed text shown as underlined:

'... Where not meeting the standards, developments will need to demonstrate how the level of amenity space provided is considered to be acceptable taking into account factors such as, accessibility of dwellings to their own amenity space and its quality, the amount and quality of communal space, proximity to other areas of open space nearby and internal amenity spaces. The provision of amenity space will be considered flexibly where it can be shown that all reasonable options for provision have been considered and where it can be demonstrated that high quality communal space can be delivered to meet residents' needs.

Conclusion & Recommendation

We trust the above representation to the Proposed Main Modifications of the Draft Brent Local Plan (July 2020) consultation will be fully taken into consideration by the Inspector, including the proposed Plan modifications as set out above.

We wish to be kept informed of the progress of the Local Plan. If you require any further information in the meantime, please do not hesitate to contact me.

Yours faithfully,

[Redacted signature]

[Redacted name]

[Redacted title]

[Redacted address]

for RPS Consulting Services Ltd

Enc.