

BRENT LOCAL PLAN – Reg 19 Consultation

Response to Local Plan Consultation

Applicant: Nilkanth Estates (BAPS Shri Swaminarayan Mandir)

Site: The Ducker Pond, Northwick Park

Consultee Ref No: ANON-D83X-JE3S-V

Objective: To seek an amendment to the draft Brent Local Plan Planning Policies Map 2019 – Open Space, to remove the former Ducker Pond from the Metropolitan Open Land (MOL) designation, to allow for reinstatement for community, sport/leisure and social infrastructure related use, reflecting its former use as an open air swimming pool and its previously developed site status.

Justification: The provision of a community sports centre would complement the planned and designated redevelopment of the adjacent Northwick Park hospital to the north, the golf driving range and golf course to the south. The proposals would facilitate the enhancement of the Capital Ring route within Northwick Park, achieve positive biodiversity net gain to support the SINC with active protection and nature conservation management, whilst positively promoting access to sport/leisure and inter-community events.

These factors combine to present a unique set of circumstances, that when considered holistically amount to exceptional circumstances that justify an alteration to the MOL boundary, appropriately at this stage through the LDF process, in accordance with the NPPF (paras 133 – 146) and emerging draft London Plan policies on Good Growth - GG1, GG2(D) making best use of land and enhance biodiversity and open spaces including MOL, GG3(E) healthy city, S1 (social infrastructure), S4 (play and recreation), S5 (sport and recreation), G1 (green infrastructure), G3 (MOL, NPPF tests and ss(c) appropriate alterations to boundaries) and G6 (biodiversity), including the recent Panel Inspectors' report, specifically in the context of Policy G3 recognising the 'exceptional circumstances' provision.

The Ducker Pool Site: Built in 1866. Formerly one of the largest outdoor swimming pools in the UK. Sold by the Harrow School in 1986, since which time the swimming pool has fallen into disrepair, albeit the former structures and pool remain in situ and evidence on the site.

The pool was crescent shaped, 152m long x 30m wide with a depth ranging from 1.1 to 2.6m with two bridges over.

Refer to former and current site photographs and 'History' note in support of this representation.

Site Area: 18,501sqm / 1.85ha

PTAL: 2 adjacent to 4

Planning Designations

- Site of Nature Conservation Interest (SINC).
- Metropolitan Open Land (MOL).
- Open space.
- Listed park and landscape.
- Air quality management area.

What is MOL?

Metropolitan Open Land: MOL are strategically important open spaces to London. MOL performs 3 valuable functions:

- a) to provide a clear break in the urban fabric and contribute to the green character of London;
- b) to serve the needs of Londoners outside their local area; and
- c) contains a feature or landscape of national or regional significance.

MOL is afforded the same level of protection as the Green Belt and the London Plan states that there should be a presumption against development in these areas, unless exceptional circumstances are proven as set out in this note and supporting documentation.

Planning Policy Context – Draft Brent Local Plan Policies

POLICY DMP1: DEVELOPMENT MANAGEMENT GENERAL POLICY

Subject to other policies within the development plan, development will be acceptable provided it is: ...

- i) resulting in no loss of, and where possible enhancing, **community facilities** or other land/buildings for which there is an identified need.

5.3.7 The most significant open space within this place is the designated Metropolitan Open Land (MOL) of Northwick Park. The adjoining site referred to as Ducker Pool, is designated as a Grade I SINC of borough importance. Smaller open spaces, and other SINC sites are scattered throughout this place including John Billam Playing Fields, Woodcock Park, Woodcock Park North SINC, Wealdstone Brook from Kenton to the Jubilee Line and Kenton Grange. Northwick Park and Kenton Railside, a Grade I SINC of borough importance, also acts as a wildlife corridor within this place.

The Northwick Park development provides a number of opportunities for this place, which includes:

- Improvements to the Northwick Park Hospital and Clinical Research Centre;
- **New and improved sports pavilion;**
- Provision of affordable and specialist homes;
- **Improvements to Northwick Park and Ducker Pool SINC (Grade I);**
- **Enhancements to the Capital Ring section within Northwick Park.**

- Improving sustainable transport access to, and within, this place through the implementation of a variety of transport schemes, such as:
 - Improvements to increase capacity and creating step-free access at Northwick Park Tube Station;
 - Implementation of Cycleways and other schemes within this place, in line with the Transport Strategy, to improve active travel;
 - Improving the Capital Ring and other pedestrian routes Northwick Park;
 - Applying the 'Healthy Streets Approach' to improve pedestrian and cycling connections between Northwick Park Station and Kenton Town Centre.
- Increasing the quality of the open spaces and **sports facilities** within this place, which can be achieved through:
- Pursuing pitch improvement opportunities at Northwick Park;
- Investment into purpose-built, non-turf cricket practice facilities at Northwick Park;
- Improved signage, pathways and infrastructure in the parks and open spaces within this place;

POLICY BP4 NORTH WEST Proposals should plan positively to deliver the place vision by adhering to the following principles: ...

COMMUNITY AND CULTURAL FACILITIES

- i) **Encouraging community use** Bryon Court Primary School's sports facility. As part of the development within the **Northwick Park Growth Area** the following improvements to community and cultural facilities should be achieved:
- j) Redeveloped and/or enhanced university hospital.
- k) Redeveloped and/or enhanced university facilities.
- l) Enhancements to Northwick Park Sports Pavilion.
- m) Improved setting of and better integration of open space within the site to Northwick Park.

OPEN SPACE AND BIODIVERSITY

Maintaining and enhancing the quality of the well-used, cherished public parks, open spaces and biodiversity areas through:

- p) Enhancements to Northwick Park, Woodcock Park and Pellat Road Sports Ground.
- q) Pursuing opportunities to increase the provision of pocket parks.
- r) **Exploring opportunities to create a Local Nature Reserve at Ducker Pool.**

- s) Protecting and enhancing existing wildlife corridors within this place.
- t) **Improving the Capital Ring route** within this place in the aim of creating a new Green Chain.

TRANSPORT

- u) Improving Northwick Park station to increase capacity and establish stepfree access.
- v) Implementing Cycleways to encourage uptake of active travel.
- w) Improvements to road junctions around Northwick Park Growth Area and station with the view of improving road safety.
- x) Improving walking and cycling infrastructure within this place, with a focus on improving pedestrian and cycling links between the four tube stations.

5.3.31 As part of the development, there is a desire **to create a 'local hub'**, that will provide various uses such as commercial, retail **and community uses**. The exact nature of the 'local hub' will be informed by community consultation.

5.3.38 Northwick Park and the **Ducker Pond are a designated SINC site of borough importance (Grade I)**. The site's diverse habitat mosaic of woodland, short and long grassland, ponds, hedges, tree lines, mature/ veteran trees and streams, means that it is one of the more valuable biodiversity sites in the borough.

BNWGA1: NORTHWICK PARK GROWTH AREA

Planning Considerations: Adjoining the site to the south west is **Ducker Pool, a Site of Importance for Nature Conservation (SINC) (Grade I)**, also subject to a group Tree Preservation Order. The Growth Area's increase in residents **could add to its recreational use as a nature conservation asset**. Mitigation measures to address potential adverse impacts should be identified as part of the masterplanning process and ideally improvements to biodiversity implemented to enhance its SINC status.

POLICY BSI1: SOCIAL INFRASTRUCTURE AND COMMUNITY FACILITIES

NEW SOCIAL INFRASTRUCTURE

Proposals for new or enhanced social infrastructure facilities, including the consolidation of existing facilities, will be supported by the Council where:

- e) easily accessible by public transport, walking and cycling, preferably in town centres or Growth Areas;
- f) located **within the community** they are intended to serve;
- g) provided in flexible and adaptable buildings;
- h) ideally **co-located with other social infrastructure uses**; and
- i) maximising **wider community benefit**, through if necessary, requiring formal community use agreements.

6.3.4 Social infrastructure (also referred to as community and cultural facilities) plays a vital role in supporting Brent's diverse community, reducing inequality and helping to promote social inclusion and cultural wellbeing. The Council defines social infrastructure as a wide variety of services that are essential to the sustainability and wellbeing of a community. This could include the following:

- a) Educational facilities including early years' education, primary education, secondary, special schools, further education and adult learning;
- b) Health services including primary and secondary health;
- c) **Sports and leisure facilities** including swimming pools, **sports halls** and outdoor sports spaces;
- d) Libraries;
- e) Places of worship;
- f) Theatres, music, galleries and other cultural space;
- g) **Community space, meeting rooms and halls**; ...

6.3.6 As Brent's population continues to grow and diversify it is essential that the local need for community facilities is adequately met. It also needs to be designed to be easily accessible and adaptable. This will allow it to be better used and more likely to be viable in the longer term. It will also meet users' needs without the need to invest substantial sums, which for most community groups are unlikely to be available. Social infrastructure should also be used to its maximum potential, which often is not currently the case due to occupier practices. To promote community cohesion and make best use of land, **the multiple use of new premises will be sought**. Where relevant, **Community Use Agreements (CUA)** will be secured to ensure dual use through S106 planning obligations. The development and implementation of CUAs can help support well-managed and safe community access to facilities, for example on educational sites. This can also encourage other outcomes. As well as widening access to facilities and providing clarity on their use CUAs can help to enhance links between community groups, educational establishments and sports clubs.

Supporting Technical Assessment

To support the submission of this representation initial technical assessment work has been undertaken. The summary of the technical work outlined below should be read in conjunction with the technical notes submitted in support of this representation.

Trees: Tree survey carried out by Arbol Euro Consulting. Proposed development is confined to the footprint of the former Ducker swimming pool. This area has been self seeded predominantly by early mature goat willow and oak and identified as low grade and low public amenity value being within the centre of the site and not readily seen from Watford Road. As the supporting photographs show there were no trees in the Ducker Pond until it was infilled in the late 1980s. The site is protected by a woodland TPO. Any tree removal would be compensated by new tree planting to extend the woodland area or in the wider Northwick Park area alongside bio-diversity enhancement measures.

Ecology: A preliminary ecological appraisal (PEA) survey has been carried out by Thomson Ecology. The initial findings support semi-natural broadleaf woodland, standing water (a pond) and running water (stream), dense scrub and bare ground. The site has potential to support breeding birds, reptiles, stag beetle, roosting bats, toads and great crested newts.

As a number of these are protected species more detailed assessment is required in the next ecology season. Following the detailed ecology work, including GCN, bat and badger surveys, a detailed compensation scheme, including a new wildlife pond, as part of the bio-diversity net gain measures and management plan will be proposed in support of the future development scheme and in consultation with LB Brent and Natural England.

Flood Risk Assessment & Drainage: EAS Drainage consultants have been appointed to advise on the flooding and sustainable drainage aspects of the site and future scheme.

The site is located in Flood Zone 1, at 'low risk' of flooding from rivers and is not located in a Critical Drainage Area. The minor watercourse to the west is not an EA 'Main River' but is classed as an 'Ordinary Watercourse'. Preliminary discussions have been held with the EA but as the flood source is not a 'Main River' it will fall under the remit of Brent Council as LLFA.

It is recommended that the proposed drainage strategy should discharge into the watercourse and will be necessary to achieve greenfield run-off rates. Attenuation features should be in the form of a balancing pond or wetland area and conveyance swales with lined permeable paving to the car parking areas to treat runoff prior to discharge into the watercourse. Given the high surface water risk across the site, it will be necessary to ensure that offsite flowpaths are not directed into the onsite drainage system, which will be designed to attenuate upto and including a 1 in 100 year (+40%CC) rainfall event. Despite the medium to high risk surface water risk across the site there are numerous means to mitigate this on the site and allow development on the site.

Through water feature, landscaping, hydrological measures, sewer diversion, management of minor watercourses and proposed drainage system will all in combination reduce the risk of flooding on the site to an acceptable level and support the enhancement of wildlife and bio-diversity measures across the site to safeguard the SINC.

The Proposed Scheme

A multi-purpose community and sports centre complementing the objectives of the Northwick Park Growth Area, hospital redevelopment and adjacent golf centre. The scheme will re-introduce a public leisure facility on the site, with improved and sustainable access by public transport and non-vehicular modes, supported by Travel Plans, enhance the designated Capital Ring cycle route through the site, positively manage and enhance landscaping on the site within the context of ecology safeguarding and the woodland TPO, enhance opportunities for outdoor activities including woodland walks with information boards and foraging opportunities, alongside the wider Northwick Park open space, safeguard habitats and result in an overall bio-diversity net gain across the site. The proposed community / sport and leisure building will be highly sustainable, incorporating green and blue roofs and living walls as an exemplar development of its kind for the community.

The removal of the MOL designation through the Local Plan process is the appropriate time for alterations to boundaries and the provision of a community, sport and leisure building on the site of a former open swimming pool (recreational / leisure use) as previously developed land amounts to a set of exceptional circumstances which will preserve the landscape context and visual amenities of the site, whilst securing the wider community, ecology and landscape enhancement.

The proposed alteration to the Open Space Proposal Map to remove the MOL designation, whilst retaining the open space and SINC designations, would facilitate this form of development to come forward in due course and support the green infrastructure and social and community well-being objectives in the NPPF as enshrined in the emerging draft New London Plan and supported by the recent Panel Inspectors' report.