

Our ref: Q080589
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 Date: 19 August 2021



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 London Borough of Brent
 Planning Policy Team
 Brent Civic Centre
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By Email: planningstrategy@brent.gov.uk

London Borough of Brent – Local Plan – Main Modifications Consultation Representations submitted on behalf of St George West London Limited

Quod is instructed by St George West London Limited (“St George”) to submit representations to the Brent Local Plan: Main Modifications consultation being undertaken by the London Borough of Brent (‘the LBB’).

Our representations in respect of the emerging development plan policies relate principally to development within Site Allocation BSWSA7: Northfields, a strategic regeneration site owned and currently being delivered by St George. The site referred to as ‘Northfields’ within the draft Local Plan is now known as ‘Grand Union’.

Engagement by St George

St George continues to support LBB in progressing its draft Local Plan to adoption. St George have taken an active interest in the growth, development and success of Brent through their redevelopment of the Grand Union (Northfields) site, through which St George are committed to delivering long-term positive change for the community and wider borough. Grand Union will contribute towards the borough's housing and employment targets, and deliver significant benefits such as a community centre, nursery, and extensive open space and public realm. It will also open up access to the Grand Union canal, which the draft Local Plan encourages.

St George have engaged with the emerging Local Plan throughout its preparation stage, most recently appearing at the Examination in Public Hearing held in September 2020. Representations were also made to the Regulation 18 and 19 consultations, to which this representation should be read alongside.

Grand Union Development Context

St George has an established and long held interest in the land designated as Site Allocation BSWSA7 - Northfields. St George secured a hybrid planning permission in September 2018 (ref. 18/0321) for the entirety of the Northfields site with Phase 1 approved in detail and the remainder of the site approved in outline. The hybrid planning permission has subsequently been amended by a number

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of non-material amendment applications and one minor material amendment application most notably 19/0465 in March 2019, application 19/2732 in September 2019, application 20/2784 in June 2021 and application 21/2622 in July 2021.

Two reserved matters applications have since been submitted in relation to parts of the site approved in outline, with the Generator Phase (19/0925) approved in September 2018 (amended by application 21/2550) and Phase 2a of the Grand Union development determined in December 2019 under application reference 19/3674.

As approved, Grand Union has the capacity to deliver 3,350 new homes and a significant quantum of non-residential floorspace within buildings ranging in height of up to 81m (116.150AODm) (the equivalent of 28 residential storeys). As a strategic development site, these homes are expected to be delivered over a 19-year period, and the planning permission and development plan will need to remain flexible to react to any changes in the objectively assessed housing needs, and economic conditions.

Context to Representations

To assist with the consideration of our representations, we have benchmarked the policies within the Main Modification version of the Brent Local Plan against the requirements of National Planning Policy Framework 2021 (“The Framework”).

Paragraph 11 is most relevant, namely the presumption in favour of sustainable development. It requires that “plans and decisions should apply a presumption in favour of sustainable development”.

For plan making this means the following: -

All plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects

We have also considered the Main Modifications policies against paragraph 35 of the NPPF, and whether they can be considered ‘sound’. The NPPF considers plans to be ‘sound’ if they meet the following tests.

- a) *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 areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*
- b) *Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*



- c) *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*
- d) *Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.*

We trust that the representations provide a constructive commentary and request that this submission is considered as part of the consultation exercise. We would welcome the opportunity to meet with the Council to discuss our submission.

1 Representations to the Main Modification version of the Brent Local Plan

We set out our formal representations to the Main Modifications to the Brent Local Plan below.

Modification MM89: Site Allocation BSWA7: Northfields

St George support the increase of the indicative residential capacity and delivery timeframe, which corresponds with our previous representations and the parameters secured as part of the Grand Union planning permission, and the expected development programme. To allow future flexibility, we request that the following amendments are considered.

We also note that the Secretary of State (13th March 2020) directed the Mayor of London to achieve “the minimum level” of home delivery and how this will meet the higher level and broader housing needs of London. Under Section 24 (1)(b) of the Planning and Compulsory Purchase Act 2004 there is a legal requirement that all development plan documents must be in general conformity with the London Plan. We therefore consider it necessary to identify the indicative housing capacity thresholds as minimums.

Policy Reference	Site Allocation Policies - BSWA7- Northfields
NPPF Paragraph 11 – Flexibility Test	The policy does not afford sufficient flexibility to respond to changes in future housing and employment needs and therefore the policy should be amended to meet the requirements of NPPF paragraph 11.
NPPF Paragraph 35 – Soundness Test	The policy does not meet the test as it is not effective, justified or consistent with national policy.
Proposed Modification	<p>INDICATIVE CAPACITY: <i>A minimum of</i> 3,350 new homes</p> <p>TIMEFRAME FOR DELIVERY: 11+ Years: 2,056 1,976+</p> <p>DESCRIPTION OF EXISTING SITE: Three industrial units remain along Beresford Avenue and are currently occupied under of which two are under the ownership of St George, with the third unit held under a different ownership. There is also a temporary information centre with associated parking that is accessed from Beresford</p>



	<p>Avenue towards the west of the site, which is currently being operated as a marketing suite for the Grand Union development.</p> <p>PLANNING HISTORY: Approved hybrid planning permission 18/0321 as amended by permission 19/2732 and 20/2784 and a number of other non-material amendment applications for the comprehensive redevelopment of the former Northfields industrial estate. The scheme proposes demolition of all existing buildings on site and the delivery of a mixed-use development including 3,030 homes, around 2,300sqm commercial floorspace, a minimum of 17,581sqm and up to 19,000sqm employment floorspace and 1,610sqm community and assembly and leisure floorspace (use classes B1a, B1c and B8), up to 2,900sqm community and assembly and leisure floorspace (uses classes D1 and D2), an energy centre, public and private open space, new routes and public access along the River Brent and Grand Union Canal, parking and cycle provision and new site access and ancillary infrastructure.</p> <p>PLANNING CONSIDERATIONS: Consistent with planning permission 18/0321 as amended by permission 19/2732 and 20/2784, due to the site's historic employment use SIL designation a minimum of 19,801 sq.m. of industrial and employment floorspace of the typology and affordability associated with that planning permission must be re-provided as part of the development.</p> <p>RISKS: Potential need for Compulsory Purchase Order of later phases to ensure delivery of site not owned by St George.</p> <p>DESIGN PRINCIPLES: The scale and massing should be sympathetic to existing heights in the surrounding context with lower building heights closer to Beresford Avenue. Tall buildings are appropriate on this site consistent with the heights parameters established by planning permission 18/0321 (as amended by application 19/2732 and 20/2784). Given the scale of the site, it can create a new building height character.</p> <p>JUSTIFICATION: The approved scheme seeks to provide for the redevelopment of this industrial site with a high density, residential-led mixed-use development. It will provide a minimum of 3,350 homes, industrial and employment floorspace, community, retail and leisure facilities and includes both a health centre and an energy centre.</p>
Reason for Modification	The site allocation should be updated to reflect the approved uses being delivered at Grand Union by planning permission ref. 18/0321 (as amended by permission 19/2732 and 20/2784), which is supported by existing adopted development plan policy and the Council's own evidence base.



	The presented 'Timeframe for Delivery' does not align with the indicative site capacity informed by the Grand Union planning consent and should be updated accordingly.
Evidence Base	It is important that the Main Modifications Local Plan allows sufficient flexibility to respond to the evolving objectively assessed needs of Brent, and its population. The policies which affect the Grand Union site should be flexible enough to allow for changes over the plan period, whilst responding to the scale of development that has been granted planning permission.

Modification MM94 and Policy Map Modification 18: Policy BD2: Tall Buildings

We support the extension of the Alperton Tall Building Zone (shown at Figure 2) to include the entirety of the Grand Union (Northfield) site, and the removal of the 'Core' designation from the Policy Map.

Figure 1 – Proposed Map Modification 18



Grand Union is therefore a location compliant with London Plan Policy D9(B).

It is acknowledged that the setting of an appropriate building height across the Alperton Tall Building Zone accords with Policy D9 (B) of the adopted London Plan. However, we note that the applied upper building height of 78 meters is significantly lower than the building heights approved as part of the Grand Union planning consent (18/0321 as varied by permissions 19/2732 and 20/2784) which comprise the equivalent of c.85m (building height, rather than AODm). The AODm of the taller buildings are Block M (81.2m), Block Q (104.3m), Block L (115.6m) and Block R (116.15m) all of which sit on finished floor levels of c.25m (AOD). The proposed 85m building height would therefore be



inconsistent with a number of approved buildings across the site. This does not represent a sound approach.

No evidence has been provided within the draft Local Plan to justify the proposed building height upper limit and we therefore recommend that the indicative building height for the Alperton Tall Building Zone is increased to 95m (subject to this referring to the building height) to accord with the implemented planning permission at Grand Union; or referenced as indicative given the absence of evidence supporting the threshold.

This principle should be applied to all tall building zones to ensure sufficient flexibility and support a design-led approach.

The draft Brent Local Plan Policy Map should also clarify that the buildings heights referred to across the Tall Building Zone represent the height of the building itself, rather than the AODm, and that the building heights shall be applied for commercial and employment uses as well as residential.

Further changes are sought to Policy BD2 specifically its sub-definition of tall buildings in intensification corridors and town centres, which should be increase to 18m in line with Policy D9 of the adopted London Plan (2021),

Policy Reference	BD2 – Tall Buildings in Brent
NPPF Paragraph 11 – Flexibility Test	The policy does not afford sufficient flexibility.
NPPF Paragraph 35 – Soundness Test	The policy does not meet the test as it is not effective or justified.
Proposed Modification	<p>In intensification corridors and town centres outside conservation areas and areas of distinctive residential character developments of a general building height of 18⁵ metres when measured from ground to the floor level of the uppermost storey could be acceptable, with opportunities to go higher at strategic points in town centres.</p> <p>Amendment of building heights shown in the draft policy map to confirm they represent building height and not AODm.</p>
Reason for Modification	<p>The proposals map should not include an indication of building heights as this is contrary to the London Plan’s intention for development densities (and building heights) to be established through a design-led approach.</p> <p>The increase of building heights to 18 metres in locations identified as appropriate for tall buildings brings the policy in line with London Plan Policy D9’s definition of ‘tall buildings’</p>
Evidence Base	The Local Plan provides no evidence base to support the indicative building heights shown on the policy map, which contradicts the existing planning permission at Grand Union.



Main Modification MM106: Policy BH13: Residential Amenity Space

We request that the following changes are made to Policy BH13 to provide greater flexibility in the provision of external private amenity. This is particularly pertinent for developments such as Grand Union, which are delivered at higher densities.

We support the addition under modification MiM158 of enhanced flexibility towards the provision of private and communal amenity space, where it can be demonstrated that opportunities to deliver high quality amenity space have been maximised. We however retain our concern that the policy standards are unachievable for many high-density developments and that further flexibility should be provided.

NPPF Paragraph 11 – Flexibility Test	The policy does not afford sufficient flexibility.
NPPF Paragraph 35 – Soundness Test	The policy does not meet the test as it is not consistent with national policy.
Proposed Modification	All new dwellings will be expected to provide have external private amenity space of a sufficient size and type to satisfy its proposed residents’ needs. This is normally expected to be 50sqm per family home for family housing (3 bedrooms or more) situated at ground floor level and 20 sqm for all other housing.
Reason for Modification	The policy requires a significant quantum of amenity space which, based upon the Council’s general approach is well in excess of being realistically achieved on high density developments within Growth Areas, and in fact is only likely to be achievable for low-density, suburban style developments. The deliverability of the policy is therefore questionable for high density development within Growth Areas and therefore flexibility within the Policy is required.
Evidence Base	The Local Plan provides no evidence base to substantiate its position that the desired amount of private amenity space is necessary to deliver high quality homes, nor does it demonstrate how Brent would meet its housing needs if the proposed standards were applied to all developments.

Main Modification MM107: Policy BE1: Economic Growth and Employment Opportunities for All

St George support the DBLP-MM which resolves outstanding objections to Policy BE1. The policy has been correctly amended and now requires 10% of employment floorspace within major developments exceeding 3,000 sq.m. of employment floorspace to be affordable research and development, light industrial and studio workspace.

We also welcome the mechanism that where exceptional circumstances preclude the delivery of new affordable workspace as part of a development, that a financial contribution to provide affordable workspace off-site can be secured.



Policy Map Modification 31: Policy BE2: Strategic Industrial Locations (SIL) and Locally Significant Industrial Sites (LSIS)

St George support the deallocation of the “Northfields (east of Grand Union Canal)” site from its former SIL designation as set out in the Table accompanying Policy BE2; and as set out in Proposals Map Modification 31 (shown at Figure 3) in accordance with the extant planning permission (18/0321).



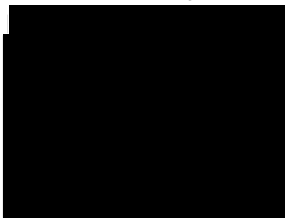
Figure 2 - Proposed Map Modification 31

Conclusion

Subject to our recommended amendments, St George remain supportive of the draft Local Plan: Main Modifications and would welcome opportunities to meet with the Council to discuss our submission in further detail.

We trust the case set out above is clear and our representations will be considered as part of the Brent Local Plan Main Modifications Consultation.

Yours sincerely,





Brent Local Plan
Examination Stage Proposed
Modifications Representation Form

**Council
Reference
Number:**

26 a-e

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:



Date:

18/08/2021

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" value="c/o Agent"/>	<input type="text" value=""/>
First Name	<input type="text" value="c/o Agent"/>	<input type="text" value=""/>
Last Name	<input type="text" value="c/o Agent"/>	<input type="text" value=""/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value=""/>
Organisation (where relevant)	<input type="text" value="St George West London"/>	<input type="text" value="Quod (on behalf of St
George West London)"/>
Address Line 1	<input type="text"/>	<input type="text" value="8-14 Meard Street"/>
Line 2	<input type="text"/>	<input type="text" value="Soho"/>
Line 3	<input type="text"/>	<input type="text" value="London"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text" value="W1F 0EQ"/>
Telephone Number	<input type="text"/>	<input type="text"/>
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" value=""/>

Part B – Please use a separate sheet for each representation

Name or Organisation: Quod

3. To which proposed modification does this representation relate?

Modification Reference e.g. MM1

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.

Please see Section 6

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.

Policy Reference	Site Allocation Policies - BSWSA7- Northfields
NPPF Paragraph 11 – Flexibility Test	The policy does not afford sufficient flexibility to respond to changes in future housing and employment needs and therefore the policy should be amended to meet the requirements of NPPF paragraph 11.
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Proposed Modification	<p>INDICATIVE CAPACITY: <i>A minimum of</i> 3,350 new homes</p> <p>TIMEFRAME FOR DELIVERY: 11+ Years: 2,056 1,976+</p> <p>DESCRIPTION OF EXISTING SITE: Three industrial units remain along Beresford Avenue and are currently occupied under of which two are under the ownership of St George, with the third unit held under a different ownership. There is also a temporary information centre with associated parking that is accessed from Beresford Avenue</p>

	<p>towards the west of the site, which is currently being operated as a marketing suite for the Grand Union development.</p> <p>PLANNING HISTORY: Approved hybrid planning permission 18/0321 as amended by permission 19/2732 and 20/2784 and a number of other non-material amendment applications for the comprehensive redevelopment of the former Northfields industrial estate. The scheme proposes demolition of all existing buildings on site and the delivery of a mixed-use development including 3,030 homes, around 2,300sqm commercial floorspace, a minimum of 17,581sqm and up to 19,000sqm employment floorspace and 1,610sqm community and assembly and leisure floorspace (use classes B1a, B1c and B8), up to 2,900sqm community and assembly and leisure floorspace (uses classes D1 and D2), an energy centre, public and private open space, new routes and public access along the River Brent and Grand Union Canal, parking and cycle provision and new site access and ancillary infrastructure.</p> <p>PLANNING CONSIDERATIONS: Consistent with planning permission 18/0321 as amended by permission 19/2732 and 20/2784, due to the site's historic employment use SI designation a minimum of 19,801 sq.m. of industrial and employment floorspace of the typology and affordability associated with that planning permission must be re-provided as part of the development.</p> <p>RISKS: Potential need for Compulsory Purchase Order of later phases to ensure delivery of site not owned by St George.</p> <p>DESIGN PRINCIPLES: The scale and massing should be sympathetic to existing heights in the surrounding context with lower building heights closer to Beresford Avenue. Tall buildings are appropriate on this site consistent with the heights parameters established by planning permission 18/0321 (as amended by application 19/2732 and 20/2784). Given the scale of the site, it can create a new building height character.</p> <p>JUSTIFICATION: The approved scheme seeks to provide for the redevelopment of this industrial site with a high density, residential-led mixed-use development. It will provide a minimum of 3,350 homes, industrial and employment floorspace, community, retail and leisure facilities and includes both a health centre and an energy centre.</p>
Reason for Modification	<p>The site allocation should be updated to reflect the approved uses being delivered at Grand Union by planning permission ref. 18/0321 (as amended by permission 19/2732 and 20/2784), which is supported by existing adopted development plan policy and the Council's own evidence base.</p> <p>The presented 'Timeframe for Delivery' does not align with the indicative site capacity informed by the Grand Union planning consent and should be updated accordingly.</p>
Evidence Base	<p>It is important that the Main Modifications Local Plan allows sufficient flexibility to respond to the evolving objectively assessed needs of Brent, and its population. The policies which affect the Grand Union site should be flexible enough to allow for changes over the plan period, whilst responding to the scale of development that has been granted planning permission.</p>

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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:

Name or Organisation: Quod

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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 Section 6

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.

Policy Reference	BD2 – Tall Buildings in Brent
NPPF Paragraph 11 – Flexibility Test	The policy does not afford sufficient flexibility.
NPPF Paragraph 35 – Soundness Test	The policy does not meet the test as it is not effective or justified.
Proposed Modification	In intensification corridors and town centres outside conservation areas and areas of distinctive residential character developments of a general building height of 185 metres when measured from ground to the floor level of the uppermost storey could be acceptable, with opportunities to go higher at strategic points in town centres. Amendment of building heights shown in the draft policy map to confirm they represent building height and not AODm.
Reason for Modification	The proposals map should not include an indication of building heights as this is contrary to the London Plan’s intention for development densities (and building heights) to be established through a design-led approach.

	The increase of building heights to 18 metres in locations identified as appropriate for tall buildings brings the policy in line with London Plan Policy D9's definition of 'tall buildings'
Evidence Base	The Local Plan provides no evidence base to support the indicative building heights shown on the policy map, which contradicts the existing planning permission at Grand Union.

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.

Name or Organisation: Quod

3. To which proposed modification does this representation relate?

Modification Reference e.g. MM1

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 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.

St George support the DBLP-MM which resolves outstanding objections to Policy BE1. The policy has been correctly amended and now requires 10% of employment floorspace within major developments exceeding 3,000 sq.m. of employment floorspace to be affordable research and development, light industrial and studio workspace.

We also welcome the mechanism that where exceptional circumstances preclude the delivery of new affordable workspace as part of a development, that a financial contribution to provide affordable workspace off-site can be secured.

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.

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Name or Organisation: Quod

3. To which proposed modification does this representation relate?

Modification Reference e.g. MM1

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 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.

St George support the deallocation of the "Northfields (east of Grand Union Canal)" site from its former SIL designation as set out in the Table accompanying Policy BE2; and as set out in Proposals Map Modification 31 in accordance with the extant planning permission (18/0321).

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 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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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.