



The Planning Inspectorate

Report to the London Borough of Brent Council

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Inspectors appointed by the Secretary of State

Date: 17 January 2022

Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the Brent Local Plan 2019 - 2041

The Plan was submitted for examination on 17 March 2020

The examination hearings were held between 29 September and 16 October 2020

File Ref: PINS/T5150/429/10

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Abbreviations used in this report

AMR	Annual Monitoring Report
CIL	Community Infrastructure Levy
CRT	Canal and River Trust
DPD	Development Plan Document
dpa	Dwellings per annum
DtC	Duty to Co-operate
EA	Environment Agency
GLA	Greater London Authority
HE	Historic England
HMO	House(s) in Multiple Occupation
HRA	Habitats Regulations Assessment
IDP	Infrastructure Delivery Plan
IFS	Infrastructure Funding Statement
IIA	Integrated Impact Assessment
LB	London Borough
LGS	Local Green Space
LLR	London Living Rent
LSIS	Locally Significant Industrial Site
MM	Main Modification
MTS	Mayor of London's Transport Strategy
NPPF	National Planning Policy Framework (the Framework)
NP	Neighbourhood Plan
OAHN	Objectively Assessed Housing Need
OPDC	Old Oak and Park Royal Development Corporation
PPG	Planning Practice Guidance
PPTS	Planning Policy for Traveller Sites
SA	Sustainability Appraisal
SEND	Special Educational Needs and Disabilities
SFRA	Strategic Flood Risk Assessment
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SoCG	Statement of Common Ground
SIL	Strategic Industrial Land
TfL	Transport for London
UCO	Use Classes Order
WLO	West London Orbital (rail link)
WOA	Wembley Opportunity Area

Non-Technical Summary

This report concludes that the Brent Local Plan 2019-2041 (the Plan) provides an appropriate basis for the planning of the London Borough of Brent, provided that a number of main modifications (MMs) are made to it. Brent Council has specifically requested that we recommend any MMs necessary to enable the Plan to be adopted.

The MMs all concern matters that were discussed at the examination hearings. Prior to and following the hearings, the Council prepared a schedule of the proposed modifications and, where necessary, carried out a sustainability appraisal (SA) and habitats regulations assessment (HRA) of them.

The MMs were subject to public consultation over a six-week period. In some cases, we have amended their detailed wording and/or added consequential modifications where necessary. We have recommended their inclusion in the Plan after considering the SA and HRA work and all representations made in response to consultation on them.

The main modifications can be summarised as follows:

- Changes to policies BH1 and BH2 to reflect the most up-to-date housing land supply position as well as the housing trajectory;
- Deletion of site allocations which are considered to be unsound;
- Changes to a number of the site allocations to ensure that the policy wording is clear, precise and effective;
- Changes to the key diagram at figure 6 to ensure it is effective;
- Modifications to figure 34 which identifies the town centre hierarchy to ensure that the figure is accurate and accords with the London Plan;
- Amendments to appendix 6 of the Plan which sets out the strategic policies for the purposes of neighbourhood planning, to provide greater clarity;
- Additional policy wording in relation to affordable housing, housing mix, meeting housing needs and houses in multiple occupation in order to ensure the policy wording is effective in its application;
- Modifications throughout the Plan to reflect the changes to the Use Classes Order, specifically the introduction of Classes E, F.1 and F.2 which came into effect whilst the Plan was being examined;
- Amendments to employment policies BE1, BE2 and BE3 to ensure the Plan presents a robust and justified approach to employment land over the Plan period;
- Modifications to policy BSU13 as well as the reasoned justification concerning sustainable infrastructure to provide greater clarity in relation to the development of sites on the floodplain;
- Modifications to Policy BH9 concerning gypsy and traveller accommodation to ensure the policy is consistent with the London Plan and the PPTS;

- Modifications to the tall buildings policy outlined at Policy BD2 to ensure the policy is clear, justified, effective and accords with the London Plan;
- Modifications to ensure adequate and effective monitoring of the Plan and its policies; and
- A number of other modifications to ensure that the Plan is positively prepared, justified, effective and consistent with national policy.

Introduction

1. This report contains our assessment of the Brent Local Plan 2019-2041 (the Plan) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (the 2004 Act), as amended. It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. Paragraph 35 of the National Planning Policy Framework 2021 (NPPF) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The Brent Local Plan 2019-2041, submitted in March 2020, is the basis for our examination.

Main Modifications

3. In accordance with Section 20(7C) of the 2004 Act the Council requested that we should recommend any main modifications (MMs) necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. Our report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2**, **MM3** etc, and are set out in full in the Appendix attached to this report.
4. Following the examination hearings, the Council prepared a complete schedule of proposed MMs and carried out an updated SA and HRA¹ on them which was necessary in order to assess the impacts on sustainability of any proposed modifications. It is noted that the Council sought the views of Natural England with regard to proposed modifications relating to the HRA and that Natural England responded to confirm it was content with the HRA and its conclusions taking into account the identified proposed modifications.²
5. The MM schedule was subject to public consultation for six weeks between 8 July and 19 August 2021. We have taken account of the consultation responses in coming to our conclusions in this report and in light of this we have made some amendments to the detailed wording of some main

¹ Core_Gen_02a: Post Hearings Integrated Impact Assessment (IIA) Addendum: Impacts of Proposed Modifications (2021)

² PHA_01: Natural England response to proposed modifications to the Habitats Regulations Assessment (September 2020)

modifications and added consequential modifications where these are necessary for consistency or clarity. None of the changes significantly alter the content of the modifications published for consultation or undermine the participatory processes and SA and HRA that has been undertaken. Where necessary, we have highlighted these amendments in the report.

Coronavirus Pandemic and Changes to the Use Classes Order

6. Following the submission of the Plan for examination, the country was hit by the coronavirus pandemic.
7. On 21 July 2020, the Government published The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 and these came into force on 1 September 2020. National policy remains unchanged, and whilst implementation of some of the policies in the Plan will be affected, the full implications may not be clear for some time. Notwithstanding this position, the views of the Council in the context of the Use Classes Order (UCO) changes were sought³. Where necessary, modifications to the policies concerned to reflect these changes in the UCO have been recommended.
8. These changes in circumstances have happened late in the examination process. The relative certainty that will be provided by finalising the Plan will be beneficial in terms of encouraging sustainable development and helping the country to recover. Once adopted, the Council is required to monitor the implementation of the Plan and review whether it needs updating.

Policies Map

9. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a Local Plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted Local Plan. In this case, the submission policies map comprises the set of plans identified as the Draft Local Plan Policies Map.⁴
10. The policies map is not defined in statute as a development plan document (DPD) and so we do not have the power to recommend MMs to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the policies map. In some instances, where the geographic illustration of policies on the submission policies map is not justified or clear, changes to the policies map are needed to ensure that the relevant policies are effective. These further changes to the policies map were published for consultation⁵ alongside the MMs. In this report we identify any amendments that are needed to those further changes in the light of the consultation responses made.
11. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted

³ PINS_05: Inspectors Letter to LB Brent on changes to Use Classes Order (4 August 2020); and B/HS06/6: LB Brent Response to Matter 6 Hearing Statement

⁴ Core_06(a): Draft Local Plan Policies Map: Overview Map; Core_06(b): Development Areas; Core_06(c): Environmental Protection, Heritage, Employment and Article 4; and Core_06(d): Open Space, Flood Zones, Shopping.

⁵ Core_06(e): Modifications to the Policies Map.

policies map to include all the changes proposed in the Draft Local Plan Policies Map and the further changes published alongside the MMs incorporating any necessary amendments identified in this report.

The London Plan

12. Section 24(1) of the 2004 Act requires that the Plan must be in general conformity with the spatial development strategy. During much of the examination process, the London Plan had been an emerging Plan which included a journey from its examination by a Panel of Inspectors and their report to the Mayor of London on 8 October 2019 to publication of the final 'made' London Plan on 2 March 2021. The Panel concluded that, subject to a number of modifications contained in their report, the London Plan provided an appropriate basis for the strategic planning of Greater London.
13. During this time, the Secretary of State wrote to the Mayor of London on 13 March 2020, expressing a number of soundness concerns in relation to the emerging London Plan (as it was then), issuing eleven Directions and exercising his powers under Section 337 of the Greater London Authority Act 1999 to direct that the London Plan could not be published until the Secretary of State's Directions had been incorporated into the London Plan.
14. These eleven Directions, some of which are highly relevant to this examination, can be briefly summarised as: DR1 – increase emphasis on family housing; DR2 – promote "gentle densification"; DR3 – affordable housing and tariff style contributions not to be sought on developments of 10 units and less; DR4 – move away from a "no net loss" stance of managing industrial floorspace supply, to a more flexible approach, including a new emphasis on industrial intensification, encourage release of vacant industrial land for other uses and applying a more flexible approach to allow non-industrial uses in SILs (Strategic Industrial Locations); DR5 – Green Belt policy to refer to exceptional circumstances in relation to de-designation; DR6 – delete prohibition of net loss of MOL; DR7 - gypsy and traveller accommodation policy to tie in with national policy; DR8 – encourage Boroughs to exceed their housing targets where possible; DR9 – increase parking standards in line with the Written Ministerial Statement (WMS) (March 2015); DR10 – change retail parking policies, having regard to town centre viability; and DR11 – ensure housing policy is consistent with the Housing Delivery Test.
15. The Secretary of State wrote to the Mayor on 10 December 2020 indicating that positive progress had been made following his earlier letter, although signalling two further Directions (relating to Green Belt and tall buildings). Other concerns expressed in the Secretary of State's letter related to a proactive stance in favour of home ownership / family housing; the removal of "layers of complexity"; and removing the imposition of rent controls.
16. The Council, in response to the Secretary of State's original 11 Directions and two subsequent Direction's provided a hearing statement⁶ and a note⁷ setting out what it considered to be the implications of these Directions for the submitted Plan before us. These helpfully filtered these implications into

⁶ B/HS01/1: LB Brent's Response to Matter 1 Hearing Statement (August 2020)

⁷ PHD_03: LB Brent Letter to Inspectors (dated 4 February 2021) regarding amendments to the Plan in accordance with the Secretary of State's Directions on the London Plan.

those considered most relevant for the examination of the Plan, with the key implications being the consistency with London Plan policies relating to industrial land on 'co-location' on SILs and also in relation to tall buildings.

17. Following the resolution of the above soundness concerns and Directions from the Secretary of State, the London Plan was published by the Mayor. We refer to that document as the London Plan in this report. Our assessment of compliance with this legal requirement is addressed throughout this report. We note the Greater London Authority's (GLA) confirmation that, in its view, the draft Brent Local Plan, with the proposed main modifications, is in general conformity with the published London Plan.⁸

Public Sector Equality Duty

18. Throughout the examination, we have had due regard to the equality impacts of the Brent Local Plan in accordance with the Public Sector Equality Duty contained in Section 149 of the Equality Act 2010. This, amongst other matters, sets out the need to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it.
19. There are, for example, specific policies in the Plan concerning specialist accommodation for the elderly (BH8), gypsies and travellers (BH9) and a range of other policies in the Plan which deal with delivering accessible and adaptable environments that should directly benefit those with protected characteristics. In this way the disadvantages that these groups may suffer would be minimised and their needs met in so far as they are different to those without a relevant protected characteristic. There is also no compelling evidence that the Plan as a whole would bear disproportionately or negatively on them or others within this category.
20. We have had due regard to the aims expressed in Section 149(1) of the Equality Act 2010. Our examination has included consideration of several matters including provisions to meet the needs of travellers, accessible and adaptable housing, inclusive design and accessible environments to meet the needs of others who may have protected characteristics.
21. Furthermore, we note the findings of the Council's Equalities Impact Assessment⁹ which was submitted with the Plan. That assessment concludes that whilst one Policy (BHC1), concerning Brent's heritage assets, may have a negative impact on the protected characteristics of age, disability and pregnancy / maternity in relation to accessibility to heritage assets, the extent of this is unknown. Notwithstanding this, based on the evidence, it is concluded that the Plan overall would not result in any significant negative effects on people with protected characteristics as most of its policies would result in neutral or positive impacts. Overall, following our assessment, we agree with this conclusion.

Assessment of Duty to Co-operate

⁸ MMR_37: Greater London Authority response to the Schedule of Proposed Modifications to the Draft Brent Local Plan (12 August 2021)

⁹ Core_Gen_04: LB Brent - Equalities Impact Assessment (October 2019) (updated February 2020)

22. Section 20(5)(c) of the 2004 Act requires that we consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
23. The Council's Duty to Co-operate Statement,¹⁰ as well as the evidence contained within the hearing statements, sets out the various steps the Council has undertaken to engage and co-operate with the GLA as strategic planning authority, neighbouring authorities, prescribed bodies and other public organisations at key stages in the preparation of the Plan.
24. This evidence explains in detail how the Council has worked with these bodies on strategic and cross boundary matters affecting the Borough including meeting housing and employment needs and the provision of transport, healthcare and other infrastructure. This has been achieved through regular meetings, the production of joint evidence, such as the West London Small Sites SHLAA, and the sharing of findings from relevant partners' emerging evidence base. This approach has, where appropriate, demonstrated the Council's commitment to addressing cross boundary issues and the strategic priorities facing the Borough.
25. Many of the strategic matters identified have involved extensive cooperation between the Council and the GLA. This has been summarised in the Council's Statement of Common Ground (SoCG) with the GLA¹¹ and includes discussion and resolution with regard to the findings of the London Industrial Demand Study for Brent; the identification of Policy BE2 Staples Corner SIL as being suitable for intensification and some co-location; the need for greater commitment of the Council to work with Old Oak and Park Royal Development Corporation (OPDC) and the GLA to try and meet industrial space demands; and requirement for development to consider the need for wider industrial uses, especially land for waste and transport uses within Policy BE2.
26. SoCGs on various strategic matters and key issues have also been prepared in conjunction with a number of key stakeholders in addition to the GLA and the OPDC. The SoCG with neighbouring London Boroughs¹² deals with matters and issues relating to housing, tall buildings, protected views, industrial land, town centres, transport, green infrastructure and sports facilities, district heating, health, waste and gypsies and travellers. Furthermore, the SoCG with Thames Water and Affinity Water¹³ deals specifically with strategic matters concerning the efficient use of water, water treatment and sewage and long term capacity and supply.
27. There is a SoCG with Transport for London (TfL)¹⁴ which concerns matters relating to the West London Orbital rail line, public and sustainable transport infrastructure, accessibility and capacity. A SoCG with the Canal and River Trust (CRT)¹⁵ deals with strategic matters relating to waterways as active transport routes, open space and biodiversity, heritage, freight, flooding,

¹⁰ Core_Gen_06: LB Brent - Duty to Co-operate Statement

¹¹ EB_SoCG_07: Statement of Common Ground between LB Brent and the GLA (October 2020)

¹² EB_SoCG_01: Statement of Common Ground between the London Boroughs and the GLA (April 2020)

¹³ EB_SoCG_05: Statement of Common Ground between the London Boroughs and Thames Water and Affinity Water (March 2020)

¹⁴ EB_SoCG_02: Statement of Common Ground between LB Brent and Transport for London (March 2020)

¹⁵ EB_SoCG_03: Statement of Common Ground between LB Brent and the Canal and River Trust (April 2020)

heating and cooling, boating and the Welsh Harp. The Council also has a SoCG with the Environment Agency (EA)¹⁶ which concerns work in relation to strategic flood risk assessment and the sequential and exceptions tests and also in relation to Policy BSUI3 Managing Flood Risk.

28. The evidence demonstrates that the Council has made considerable efforts to engage with all relevant organisations and prescribed bodies throughout the Plan’s preparation. It is clear to us that the Council has been diligent and thorough in its procedures and activities under the Duty to Co-operate (DtC). Overall, we are satisfied that where necessary, the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and therefore that the requirements of the DtC have been met.

Assessment of Other Aspects of Legal Compliance

29. Our examination of the legal compliance of the Plan is summarised below.
30. The Plan has been prepared in accordance with the Council’s Local Development Scheme.
31. Sustainability Appraisal (SA) has been carried out and forms part of the Integrated Impact Assessment (IIA). It has used a framework to appraise the policies of the Plan against a set of defined objectives which have been adequately justified. It has also suitably addressed reasonable alternatives. Overall, the assessment has found that there would be no significant negative sustainability impacts arising from the Plan and concludes that the Plan represents the most sustainable approach possible within the scope of spatial planning and the constraints faced within the Borough. We are satisfied that the approach to the SA is a robust one and that the necessary procedural and legal requirements have been met.
32. The Plan complies with the Habitats Regulations. The HRA is incorporated into the IIA and suitably sets out why an Appropriate Assessment is not necessary. The HRA concludes that the Plan is unlikely to lead to any significant adverse effects (either alone or in combination) on any European Sites. We find this to be a reasonable conclusion based on the robust evidence submitted and noting Natural England’s support of the HRA.
33. We are satisfied that the Plan includes policies designed to secure development and the use of land within Brent which contribute to the mitigation of, and adaptation to, climate change. Accordingly, we conclude that the Plan achieves this statutory objective.
34. Subject to our recommended modifications, the Plan is in general conformity with the spatial development strategy (the London Plan) and complies with all other relevant legal requirements, including the 2004 Act (as amended) and the 2012 Regulations.

Assessment of Soundness

¹⁶ EB_SoCG_06: Statement of Common Ground between LB Brent and the Environment Agency (September 2020)

Main Issues

35. Taking account of all representations, written evidence and the discussions that took place at the examination hearings, we have identified a number of main issues upon which the soundness of the Plan depends. This report deals with these under the following headings and with regard to the main matters of soundness. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan. Policies and designations which do not raise main issues and are considered to be sound have not been referred to in this report.

Issue 1 – Vision, Strategy and Objectives: Whether the Plan’s vision, strategy and objectives are positively prepared, justified, effective and in accordance with national policy and the London Plan

36. The Plan sets out its Development Vision of where the Council would like Brent to be at the end of the Plan period in 2041, stating its ambition to provide a future built for everyone. The vision reflects the Council’s strategic priorities within its Borough Plan and sets out how this will be achieved through a locally distinctive application of the Good Growth objectives identified in the London Plan. It acknowledges the role of the Local Plan in delivering the social, economic and environmental framework to meet the needs of those who live and work in the Borough during the lifetime of the Plan. Overall, the Council has reasonably sought to relate and apply the Good Growth objectives of the London Plan to the local circumstances of Brent. As such, we consider that the Development Vision presents a clear and positive statement for Brent from which the spatial objectives, growth strategy and policies within the rest of the Plan flow.
37. The Plan includes twenty-three strategic objectives which set the framework for the growth strategy and policies within it, providing guiding principles to deliver the defined development vision. These focus on several key areas including delivering homes to meet Brent’s needs, making the best use of land and growing a good economy. Whilst these objectives cover a wide range of matters, we note that a further objective relating to increased opportunities for leisure and recreation is required for the Plan to be consistent with national policy and therefore sound in that regard. This is rectified through **MM3** by the addition of an appropriate objective under the heading ‘Creating a healthy Borough’.
38. The Key Diagram set out in the Plan at Figure 6 identifies key areas of change and focus for development in the Borough and, on the basis of what has been submitted, it is consistent with the requirements set out in paragraph 23 of the NPPF. We acknowledge that there is always a compromise to be made between detail, simplicity and clarity when presenting a Key Diagram to illustrate a development vision and strategy. Notwithstanding this, we have identified necessary modifications to be made to the submitted Key Diagram for clarity and for the Plan to be effective and sound. These are presented in **MM4**.
39. Policy DMP1 provides a general development management policy for all new development proposals. It sets out how development will be acceptable provided it meets the defined criteria of the policy and, overall, we find this policy to be justified, effective and consistent with national policy. However,

a modification is necessary to criterion e of the policy and to remove any uncertainty as to the need for development to maintain and enhance sites of ecological importance. This modification is set out at **MM5**.

Issue 1 - Conclusion

40. For the reasons outlined above, and subject to the modifications we have identified, we conclude that the Plan's development vision is sound. The Plan's overall strategy and objectives have been positively prepared, are appropriately justified, effective and supported by reasoned evidence. Furthermore, they are in general conformity with the London Plan and consistent with national policy.

Issue 2 – Strategic Policies and Neighbourhood Plans: Whether the approach to Strategic Policies and Neighbourhood Plans is positively prepared, justified, effective and in accordance with national policy and the London Plan

Strategic Policies of the Plan

41. As stated in Paragraph 21 of the NPPF, local planning authorities should make explicit which policies are strategic policies within a Local Plan. The strategic policies as identified by the Council have been set out within Appendix 6 of the submitted Plan. However, there is little evidence either within the Plan or submitted in support of it to define why the identified policies are strategic or non-strategic.
42. Having assessed each policy, in terms of the soundness of the submitted Plan and consistency with national policy, we conclude that some policies have been incorrectly determined as being strategic. In light of this, a number of changes to Appendix 6 are necessary for soundness which are set out at **MM130**. Table 2 of the Appendix indicates how the policies of the Plan meet the Strategic Policy Criteria within paragraphs 20-23 of the NPPF. The table also identifies whether the policies are necessary to address any relevant cross-boundary issues and to plan for or allocate sites to deliver the strategic priorities of the area as set out in Paragraph 21 of the NPPF. Where a policy or a specified group of policies are considered to meet at least one of the six criteria identified, then they are considered to be a strategic policy of the Plan. Where a policy does not meet any of the criteria set out, it is considered to be a non-strategic policy.
43. **MM1** also sets out amendments to Chapter 2: Introduction of the submitted Plan which includes reference to its Appendix 6 and the assessment of Strategic and Non-Strategic Policies. This modification is necessary to clarify the Council's approach to making explicit the strategic and non-strategic policies within the Plan, as required by the NPPF. Chapter 3: Brent Characteristics outlines the key issues facing the Borough over the Plan period and highlights some of the key themes which are of relevance to the strategic policies of the Plan. **MM2** sets out modifications reflecting the evidence base provided to support the Council's approach to sports and leisure needs in the Plan and to provide clarity on the impacts of Ultra Low Emission Zones on air quality. This is necessary to provide greater clarity on the Plan's overall approach these matters.

The Plan and Neighbourhood Planning

44. The Plan considers neighbourhood planning in the Borough adequately and in accordance with Paragraph 30 of the NPPF. Four neighbourhood forums have been established within Brent and two Neighbourhood Plans (NP) have been made: Harlesden NP and Sudbury Town NP. These are identified and referenced within Section 5 of the Plan. Harlesden NP is identified in Policy BP5 criterion (g) and the role it places on providing policies for housing and mixed-use developments is recognised here.
45. Sudbury Town NP is also acknowledged in the Plan, along with a summary of the main issues it focuses on such as high streets, the designation of Local Green Spaces (LGS) and Vale Farm as a regional recreational facility. In terms of Vale Farm, the Plan acknowledges its status as a LGS. This is consistent with the Sudbury Town NPs Policy (VF1) indicating the area as a potential regional centre for sports excellence. As such, we conclude that the Plan introduces no policies that supersede or undermine the policies of the Sudbury Town NP. Furthermore, the Plan is positive and clear in supporting the NPs policies on Vale Farm.
46. Private residential rear gardens were included within the open space and LGS designations on the policies map. This is not consistent with the definition of these spaces within the Plan and accordingly, it will be for the Council to amend the policies map in relation to this matter.

Issue 2 - Conclusion

47. Subject to the modifications set out above, we find the Plan to be soundly based in terms of its strategic policies and the relevant neighbourhood plans. The approach adopted is positively prepared, justified, effective and in accordance with national policy and the London Plan.

Issue 3 – Infrastructure Provision: Whether the Plan’s approach to infrastructure provision and viability, including the impact on flood risk, and strategic transport provides a suitable framework to deliver the level of growth anticipated over the Plan period

Infrastructure Provision and Viability

48. The Infrastructure Delivery Plan (IDP)¹⁷ represents the Plan’s evidence base in terms of testing the delivery of the necessary infrastructure required to support the planned level of growth as set out in the Plan up until 2041. This document was subsequently updated by the Council through its paper Brent’s Long Term Infrastructure Needs¹⁸ over the Plan period. The infrastructure requirements are set out in detail within the IDP which has been informed by the housing trajectory.
49. The IDP includes an assessment of all social infrastructure requirements during the Plan period, as well as open space, transport and utilities. To do this, the IDP groups the infrastructure requirements into three different phases. Phase 1, the first five years of the Plan period, is through until 2024. During this period, the IDP identifies infrastructure requirements associated with the level of housing growth proposed as well as funding sources and

¹⁷ EB_I_01: LB Brent Infrastructure Delivery Plan (October 2019)

¹⁸ PHA_09 and PHA_10

delivery agencies where possible. It also identifies the necessary social infrastructure in terms of education and healthcare provision for this initial five years. In order to do this, the IDP follows the 'Place' strategy adopted within the Plan by focusing on the seven identified places and identifies requirements accordingly.

50. For Phases 2 and 3 which represent the latter parts of the Plan period, the IDP sets out the background to education and healthcare provision and anticipated requirements, as well as the requirements for Special Educational Needs and Disabilities (SEND). Infrastructure requirements for these phases are less detailed particularly as a number of the more strategic sites are reliant upon masterplanning exercises to be undertaken. We acknowledge that for the longer term parts of the Plan period this represents a proportionate and realistic approach.
51. The overall spatial development strategy will require adequate infrastructure to make the provision effective. We accept that some of the infrastructure requirements necessary to support the site allocations proposed are yet to be identified and that the IDP is a live document. Given the long-term nature of a number of the site allocations, including detailed masterplanning requirements, this does not indicate a deficiency with the assessment supporting the planned level of growth. On the whole, the overall approach is justified and effective in order to support the level of planned growth across the Plan period.
52. **MM126** is required to introduce a requirement for the IDP to be reviewed annually and updated accordingly. This is necessary to ensure the approach is justified and effective.
53. The Local Plan Viability Assessment and subsequent update assesses the cumulative impacts of the Plans policy requirements on a number of development typologies to assess the viability and deliverability of development in association with the necessary infrastructure requirements during the Plan period. Notwithstanding the specific conclusions we have drawn within this report concerning both affordable workspace and the reprovision of industrial floorspace, the viability report in general demonstrates that the policies within the Plan do not undermine the deliverability of the Plan. The evidence considers the timing of delivery as well as funding requirements and presents a proportionate evidence base.

Flood Risk

54. During preparation of the Plan, the Council's original evidence concerning its flood risk assessment of land within Brent and its approach to sequential and exceptions testing was challenged by the EA. Concerns were expressed that the assessment work and testing was not consistent with national guidance. From our reading of the evidence, this is a view that we share. In effort to resolve the EA's concerns, the Council commissioned further work on its Strategic Flood Risk Assessment Level 2 (SFRA2) methodology and on the sequential and exception testing with involvement from the EA.

55. The updated SFRA2¹⁹ and the Council’s revised Sequential Test and Exceptions Test work²⁰ explain the process taken in site selection and provides sufficient justification that the Council has no reasonable alternative other than to allocate some sites and Intensification Corridors in areas of Flood Zone 2 and 3. Therefore, in line with national policy, this evidence update now provides reasonable justification for the allocation of sites within fluvial Flood Zone 3. Furthermore, the evidence shows that those site allocations in principle can, with mitigation, be developed safely without increasing flood risk.
56. The updated SFRA2 methodology and associated updated testing work has reasonably taken into account local circumstances. This was examined with particular regard to larger site allocations during the hearing sessions where sites including BCSA2, BCSA6, BSSA7, BEGA1 and BESA1 and Policy BSUI3 were considered and where flood mitigation measures were discussed. In acknowledging the specific challenges for Brent in accommodating enough sites to meet their housing target and taking account of the evidence provided, we note that the revised testing undertaken has been updated to reflect the findings and recommendations from the updated SFRA2. As a result, we accept the justification and conclusions drawn that the relevant allocated sites proposed pass the sequential and exception tests.
57. Overall, the steps taken are in accordance with the Planning Practice Guidance (PPG). The Council’s revised sequential and exception test evidence sets out more clearly the process undertaken at the earlier stages of the Plan and why alternative sites were not taken forward. Furthermore, the PPG²¹ provides guidance on making use of the sustainability appraisal for the sequential test, or as a free-standing document or as part of the strategic housing land or employment land availability assessments. As such, in our view, this provides sufficient flexibility in how local planning authorities can choose to apply the sequential test and, in turn, how it has been applied by the Council in this instance.
58. The additional work has resulted in agreement between the Council and the EA on these matters. This is reflected in the submitted SoCG²² and the EA’s Final Position Statement.²³ It has also identified a need for a number of modifications to the Plan which we find to be necessary to ensure that the approach is justified, consistent with the evidence and national policy. These are identified as **MM121** and **MM122** with regard to Policy BSUI3.

Strategic Transport

59. The London Plan and the Mayor of London’s Transport Strategy (MTS) set the broad framework for the Council’s approach to strategic transport matters across the borough. In particular, strategic modelling has been undertaken in relation to the impacts of the planned level of growth as identified in the London Plan. The Plan outlines the key sustainability measures set out including, amongst other things, the MTS target that 80% of all journeys will be undertaken by walking, cycling and public transport by

¹⁹ B/HS03/3a: Metis Consultants: Strategic Flood Risk Assessment Level 2 Update (August 2020)

²⁰ B/HS03/3c: Brent Flood Risk Sequential and Exception Test (September 2020)

²¹ Planning Policy Guidance: Paragraph 022 – ID: 7-022-20140306

²² EB_SoCG_06: Brent Statement of Common Ground: The Environment Agency (September 2020)

²³ HS02/3a: Environment Agency (EA) Matter 3 Final Position Statement (15 September 2020)

2041. It also identifies working towards improvements to the orbital links from east to west through the West London Orbital (WLO) rail link which presents an opportunity to utilise an existing freight line to improve orbital travel in Brent. This link would connect Hounslow in the west to Hendon and West Hampstead in the east. TfL support this approach and confirm that the level of growth can be accommodated within the Borough, provided that the sustainability measures outlined are put in place.

60. In the context of this background, Policy BT1 in the Plan outlines sustainable travel choices and confirms that the Council will prioritise active travel and sustainable travel over and above travel undertaken by private motor vehicles, in line with the MTS objectives outlined above. Policy BT1 sets a number of requirements in terms of active travel, sustainable travel and clean technology. **MM123** amends criteria c and k of the policy to provide greater clarity in relation to London Plan standards and bus priority measures which are necessary to ensure the policy is effective. Subject to this modification, Policy BT1 is sound. From the evidence presented, we are satisfied that the approach set out in the Plan to deliver strategic transport infrastructure which will support the growth requirements of Brent is justified, effective and consistent with national policy.
61. Policy BT2 covers parking and car free development. **MM124** amends the policy wording to confirm that car free development should be the starting point for all development proposals planned in areas well connected by public transport, with development elsewhere designed to provide the minimum necessary parking. This modification is necessary to ensure the policy is effective in its application. In addition, Policy BT3 relates to the provision of freight and servicing, as well as the protection of freight facilities. **MM125** provides additional development criteria in relation to existing sidings and sites adjacent to them, whilst also updating the policy wording in relation to freight consolidation. The modification includes a reference to sustainable last mile deliveries which accords with the sustainable transport objectives of the Borough. This is necessary to ensure the policy is precise and effective and, subject to this modification, the policy represents a sound approach in relation to freight provision and the protection of freight facilities.

Issue 3 - Conclusion

62. Subject to the modifications we have set out, the Plan's approach to flood risk, strategic transport, infrastructure provision and viability across the Plan period provides a suitable framework to deliver the level of growth anticipated over the Plan period.

Issue 4 – Housing Requirement, Strategy and Supply: Whether the Plan's approach to the spatial distribution of housing and its delivery of housing overall is justified and consistent with national policy and in general conformity with the London Plan

Housing Requirement

63. Policy BH1 of the submitted Plan sets out Brent's housing requirement as a minimum 27,482 homes in the period 2019/20–2028/29 and a minimum of 18,074 homes in the remainder of the Plan period 2029/30–2040/41. This

housing requirement figure is derived from the London Strategic Housing Land Availability Assessment 2017 (SHLAA).²⁴ This is the most recent assessment of capacity within the Borough for the delivery of new housing. It also conformed to the 10-year housing requirement set out in the emerging London Plan which at the time had not been through examination. This equates to a minimum overall requirement for 45,556 homes to be delivered in Brent over the Plan period.

64. The Brent Strategic Housing Market Assessment Update 2018 (SHMA)²⁵ assessed housing needs for Brent for the period 2016-2041. When commissioned, the SHMA was consistent with national guidance on needs assessments at that time and it identifies Brent's Objectively Assessed Housing Need (OAHN) for the period 2016-2041 as 48,000 new homes at 1,920 Dwellings per annum (dpa). When annualised and applied to the Plan period 2019-41, this identifies a total OAHN for Brent of 42,240 homes.
65. Whilst the SHMA provides background evidence of local housing need, its overall need numbers are now inconsistent with the London Plan annual housing requirement for Brent (for 2019-29) and the standard methodology on annual local housing needs. The Council recognises that the housing requirements are a product of at least initially meeting London Plan targets and then seeking to provide as much capacity as possible to meet the nationally defined method of meeting local needs.
66. Following publication of the Inspector Panel's report on the adopted London Plan, the London Plan's housing requirement for Brent has been revised to 23,250 new homes for the period 2019-29. To take account of the requirement for Brent in the ten-year period of the London Plan, **MM97** is necessary. This amends Policy BH1 to state that the housing target in Brent is to provide a minimum of 23,250 homes in the period 2019/20–2028/29 and a minimum of 46,018 homes over the Plan period, 2019–2041.
67. This modification is justified as the minimum housing requirements reflect the most up to date housing trajectory which sets out the projected capacity of identified site allocations across the plan period, aligns the requirements in the early years of the Plan period with those of the London Plan and reflects the guidance within the NPPG that local planning authorities should use the local housing need figure in the published spatial development strategy. Accordingly, the modification is required for the Plan to be in general conformity with the London Plan and the NPPF.

Gypsy and Traveller Accommodation

68. As part of the assessment of overall housing requirement in Brent, Policy BH9 of the submitted Plan sets out the approach to meeting identified need for Gypsy and Traveller accommodation in the Borough. The reasoned justification in the submitted Plan (paragraph 6.2.79) recognises the difference that the definitions applied to Gypsies and Travellers (in national policy and in the emerging London Plan) makes in the assessment of accommodation needs. It also highlights that the effect of these different definitions was considered as part of the West London Gypsy, Traveller and

²⁴ EB_H_11

²⁵ EB_H_01

Travelling Showpeople Accommodation Assessment 2018²⁶ upon which the Council has relied.

69. It is noted that there is an existing Gypsy and Traveller site within the Borough which has 31 pitches and is over-crowded. However, the residents do not meet the definition of Annex 1 of the Planning Policy for Traveller Sites (PPTS). Nonetheless, the Council still has a duty to meet their needs which should be assessed as part of a general need assessment. In this regard, we note that the Council is undertaking audit work to assess the existing site and the suitability and flexibility of its provision to meet existing needs.
70. Policy BH9 states that Brent's identified need will be assessed in light of the latest study that is consistent with the most up to date national or adopted London Plan definition. It is indicated in the submitted Plan that against the draft London Plan definition, Brent had an identified need for an additional 90 pitches. This was recognised as being significantly higher than the more restrictive national definition within the PPTS where the assessment sets out a need in Brent as being zero additional plots and pitches.
71. The London Plan Policy H14 has been amended and is now silent on the definition that should be used to identify need. Notwithstanding this, the reasoned justification for London Plan Policy H14 states that the Mayor of London will lead on a London-wide Gypsy and Traveller Accommodation Assessment and, until findings of the new assessment are available, Boroughs should continue to plan to meet the need for Gypsy and Traveller pitches in accordance with the requirements of Policy H14. As a result, the Council has applied the national definition within the PPTS and the assessment set out in the West London Gypsy, Traveller and Travelling Showpeople Accommodation Assessment 2018. Accordingly, there is an identified need for zero additional plots and pitches in Brent.
72. In light of published London Plan Policy H14, modifications to Policy BH9 are necessary, as identified by **MM105**, to ensure that the policy can be effective in managing existing provision and in meeting any future need in Brent identified through further Gypsy and Traveller Accommodation Assessments. The modifications are also required to provide consistency with the London Plan and national policy and guidance. Subject to these modifications being made, the approach presented by Policy BH9 is sound.

Housing Strategy

73. The Council's housing development strategy is set out in Section 6.2 of the submitted Plan. It is driven by relevant London Plan policies in terms of PTAL ratings, Growth Areas and designated Town Centres and builds on the Council's existing strategy whereby the Plan seeks further development capacity in existing identified locations whilst adding other areas which are considered as deliverable.
74. From what has been submitted, we note particularly the constrained and scarce nature of developable land within the Borough. We also note that the multi-centred spatial approach through Growth Areas and Intensification

²⁶ EB_H_04

Corridors seeks to allow sites to be of a sufficient size for new character areas to be created, for higher density development and a more holistic, efficient use of land and key infrastructure to be realised. In our assessment, this strategy will facilitate and maximise the possibility of achieving these objectives.

75. In addition, the Plan's housing strategy intends to support development in several differing locations within the Borough, particularly with regard to windfall development, to provide additional homes. Due to the scale of the Growth Areas in the Plan, the potential for such additional development is significant. However, as a result of the limited small sites evidence to support the potential for the amount of development capacity in these areas, we note the Council's cautious approach in the Plan to determining housing delivery capacity in such locations.
76. Taking the above into account, we find the Council's approach to be an appropriate strategy. It is evident that reasonable alternatives to the Council's chosen strategy have been explored and rejected. The justification for not pursuing these alternatives has been set out in the Council's evidence, such as environmental constraints and issues of accessibility, including public transport, in certain locations across the Borough. Given such development constraints, in this regard we find the spatial development strategy for housing identified in the Plan to be reasonable, appropriate, justified and effective based on the Borough's assessed constrained capacity to deliver housing development.
77. In light of this, it is reasonable and justified that the minimum housing figure (46,018) for the Plan period (2019-2041), as identified in the amended Policy BH1 set out in **MM97**, is set as a capacity-based target derived from the deliverable constrained capacity of developable sites within the Borough. Whilst it may be possible to deliver more capacity through an alternative strategy, we accept that a balance must be struck between the needs of different land uses and to deliver sustainable development. In our assessment, the Council's approach achieves this.
78. The Plan considers priority areas for development within Policy BH2. The policy is intended to ensure that residential development does not displace non-residential uses, even where such other uses remain viable and are occupied. From our assessment, this policy is necessary to protect the vitality and viability of local communities, town centres and in terms of place-making. Furthermore, the policy provides flexibility in its application when considering residential development in such circumstances. Nonetheless, we do find it necessary for modifications to be made to Policy BH2. These are for consistency with the London Plan in terms of a greater development emphasis on locations with higher levels of public transport accessibility (PTAL) and for clarity on the status of existing permissions within Policy BH2 **MM98**.
79. In addition, **MM99** provides a modification of Policy BH3: 'Build to Rent' which relates to the provision of such development as defined in London Plan Policy H11. This is necessary to provide clarity and consistency with the strategic development strategy.

80. We have taken account of all relevant matters including the policies of the London Plan. In doing so, we are satisfied subject to the modifications outlined, the spatial development strategy for housing and the approach to identifying the minimum housing target for Brent have been positively prepared, are justified and is consistent with national policy and in general conformity with the London Plan.

Housing Supply

81. During the examination of the Plan, the Council's housing trajectory in the submitted Plan has been updated to reflect the latest circumstances with regard to the delivery of site allocations and other sources of housing supply. Therefore, the latest updated housing trajectory (PHA_23) has provided the basis for the necessary modifications to the submitted Plan.
82. Appendix 3 of the submitted Plan sets out a housing delivery trajectory that is now out of date. **MM129** amends the content of the Appendix to provide greater clarity on the housing requirement targets for Brent during the Plan period and also provides an update of the trajectory, as at January 2021 (PHA_23), to reflect estimated housing delivery to meet those targets based on up-to-date knowledge of sites. **MM129** is necessary for clarity and in terms of making the Plan justified and effective and therefore sound.
83. The housing trajectory dated August 2020²⁷, identifies the expected supply of housing for the Plan period from a range of sources including completions, commitments, windfalls and site allocations.
84. The August 2020 trajectory, along with other housing evidence, identified a sufficient supply to deliver 27,932 new homes during the first 10 years of the Plan period (2019/20–2028/29). This supply meets the 10-year requirement of a minimum of 27,482 based on the housing requirement as set out in Policy BH1 of the submitted Plan. Moreover, this supply exceeds the more recently revised 10-year requirement of 23,250 dwellings set by the London Plan.
85. Since the August 2020 housing trajectory was published, the updated trajectory evidence²⁸ taken from the most recent Annual Monitoring Report 2019/20, shows that 2,158 dwellings were completed in Brent during 2019/20. Whilst this figure is below the annualised target of 2,325 units set in the London Plan, the evidence demonstrates an overall upward trend in annual net completions in Brent since 2017/18. The latest trajectory identifies that 29,218 dwellings will be delivered during 2019-2029 (2,922 dwellings per annum). Based on this context and the evidence before us, the updated trajectory is considered to be reasonable and justified in terms of meeting, and exceeding, the revised 10-year housing requirement of 23,250 dwellings set by the London Plan and as now reflected in the proposed modification to Policy BH1 set out at **MM97**.
86. We conclude later within this report under Issue 10 that the 'Places' strategy and the site allocations and growth policies as modified within the Plan will deliver at least 40,185 dwellings during the Plan period. This makes up a

²⁷ EB_H_10: LB Brent Updated Housing Trajectory (August 2020)

²⁸ PHA_23: Housing Trajectory extract from LB Brent - Annual Monitoring Report 2019/20 (January 2021)

significant contribution to overall housing supply and will be supplemented by small sites and windfall development.

87. For years 11 to 15 of the Plan (2029/30–2033/34) the housing supply identified in the updated trajectory (PHA_23) comprises a mix of site allocations and windfall sites. This equates to 10,131 dwellings for that five year period. The Plan has clearly defined broad locations for further development in Policies BH1 and BH2. These are identified as Intensification Corridors and Growth Areas consisting of policies BCGA1 (Wembley Growth Area), BNGA1 (Burnt Oak/Colindale Growth Area), BSGA1 (Church End Growth Area), BSEGA1 (South Kilburn Growth Area), BSWGGA1 (Alperton Growth Area) and site allocations BEGA1 Neasden Stations' Growth Area, BEGA2 (Staples Corner Growth Area) and BNWGA1 (Northwick Park Growth Area). These areas provide flexibility within the Plan for a potential increase in future housing supply.
88. Some indication of capacity on sites within these Growth Areas identified to deliver housing in the later years of the Plan period is identified in the housing trajectory. This is supported by the details set out for the larger site allocations in the Plan. Having considered the evidence and assessments made in the context of the circumstances and constraints identified, we find that the assumptions made with regard to site capacity are reasonable and justified. They are based on the known constraints to development, knowledge of the particular circumstances of sites and the most likely delivery outcomes using the experience of previous delivery in the Borough with regard to different types of development.
89. We note that no specific capacity-based assessment for housing delivery within Brent beyond 2029 has been carried out. This, in our view, is a reasonable approach given the uncertainty involved in identifying the specific quantum of development so far into the future. We also find there to be a reasonable prospect that through the sites identified and the reasoned assumptions made regarding windfall delivery, the anticipated housing supply set out in the latest housing trajectory is likely to come forward within the timescale envisaged.
90. Furthermore, having assessed the relevant policies, we consider it reasonable and justified for the Plan to anticipate that an element of additional development will come forward in these broad locations that is difficult to specifically quantify or account for at this early stage of the Plan period. This may relate to potential larger scale developments, increased density and tall building developments which we consider later under Issue 10 in this report. Moreover, we have considered the constrained nature and limited amount of land available for development within the Borough in terms of seeking a sufficient land supply to meet housing needs.
91. Accordingly, for these reasons, we conclude that the approach to identifying these broad locations for development in the Plan and potential development capacity is reasonable, justified and consistent with national planning policy.

Small Sites and Windfalls

92. The submitted Plan states that 2,805 dwellings (20% of overall housing delivery up to 2029 – 280 per year) is expected to come forward on small

sites - that is to say sites that are smaller in area than site allocations in the Plan. As stated above, these sites have also been considered as windfall sites. The submitted Plan, through the March 2020 Housing Trajectory,²⁹ identifies that for the period 2029-2041, a windfall supply of 5,219 dwellings (435 dwellings per annum) is assumed. Following the publication of the London Plan on 2 March 2021, the Brent ten-year target for dwellings on small sites is now confirmed as a minimum of 4,330 dwellings for the period 2019–2029 (433 dwellings per year) and 9,526 dwellings across the whole Plan period.

93. The evidence³⁰ demonstrates that between 2008 and 2015, the average number of dwellings completed on small sites annually in Brent was 258 dwellings. In addition, the West London SHLAA 2018³¹ identifies that a minimum target of 373 dwellings per year on small sites for Brent is a more realistic and reasonable assessment. Furthermore, the Council's latest housing trajectory update (PHA_23) identifies that around 16% of all completions (360 dwellings) for 2019/20 within the Borough resulted from development on small sites, generally defined as less than 0.25 hectares in size in the London Plan.
94. Taking account of this and noting the Council's approach to housing supply in the Plan, it is reasonable to assume that the capacity on small non-allocated sites, particularly in Growth Areas and Intensification Corridors, could increase during the Plan period. This is due, in part, to policy relating to tall building developments in certain, appropriate locations. As such, it is likely that the capacity and delivery of housing on smaller sites could increase during the Plan period and contribute more to meeting the targets set out in the London Plan.
95. With regard to windfall sites, these are expected to come forward throughout the Plan period. In the latest trajectory (PHA_23), an annual windfall allowance range of between 315 dwellings (in 2020/21) and 433 dwellings indicated in each of the last three years of the Plan period (2038-2041) is identified. This is based, in part, on historic windfall delivery rates and identified small site developments occurring during the earlier years of the Plan period.
96. Within the latest trajectory, most years have specific sites which are categorised as small sites. For example, BSESA29 Willesden Telephone Exchange has a capacity of 20 dwellings identified over four years with 5 dwellings delivered each year. As it is a small site, for each year of delivery the Council has removed the anticipated number of dwellings from each year's small sites allowance (433 dwellings). In that case, Site BSESA29 is the only small site identified for supply in 2034-35. Therefore, the windfall allowance for that year is indicated in the trajectory as 428 dwellings (-5 dwellings below the annualised 433 target). This approach is explained in the Council's note on Small Site Delivery Assumptions in the Brent Local

²⁹ EB_H_06: LB Brent: Submission Stage Housing Trajectory (March 2020)

³⁰ EB_H_11: Greater London Authority: Strategic Housing Land Availability Assessment 2017

³¹ EB_H_07: Troy Planning & Design: West London SHLAA 2018 Non-Technical Summary; EB_H_08: Part B, Report 1; and EB_H_09: Part B, Annex

Plan.³² This example therefore assists in explaining the perceived variance in annual windfalls identified in the housing trajectory.

97. In this way, we note that across the whole Plan period, 613 dwellings from identified small sites have been subtracted from the London Plan's overall small sites capacity target of 9,526 dwellings for Brent. As a result, in total the trajectory identifies that there will be 8,913 further windfall dwellings delivered throughout the whole Plan period (annualised as 405 dwellings). Understandably, the number of windfall dwellings identified annually in the trajectory generally increases as the Plan period progresses due to the increasing uncertainty of future developments. However, this assessment identifies windfalls and small site development yields providing about 19% of the total housing supply across the Plan period.
98. Whilst the Council's assessment of the windfall allowance (which includes small site developments) is somewhat unconventional, upon examination we find it to be reasonable and robust. This assessment broadly aligns with the London Plan target for such development in Brent. As such, we are satisfied that the identified level of windfall development will continue to reliably come forward throughout the Plan period and will make a meaningful contribution to housing supply. The inclusion of an annual windfall allowance in the range identified in the latest trajectory, equating to around 19% of total housing supply for the first ten years of the Plan, is reasonable and justified. However, it remains a challenging but achievable target for Brent.
99. To take account of the London Plan and its relevant policies regarding small sites and small housing developments, paragraph 6.2.15 of the submitted Plan requires modification as set out in **MM96**. This is necessary for the Plan to demonstrate consistency with the London Plan and reflects the Council's approach to the London Plan methodology. Policy BH4 of the submitted Plan and its reasoned justification also requires modification as stated in **MM100**. These changes to the policy and its justification are necessary to provide clarity in the Plan and consistency with the London Plan, including the removal of its Policy H2A.
100. The Plan has identified sufficient land capacity within Brent for housing development to meet the London Plan housing target of 23,250 dwellings in the first 10 years of the Plan period. Furthermore, we find that the approach set out in the Plan makes provision for an adequate and appropriate supply of developable and deliverable housing land to meet the identified housing requirement for Brent for that period. This is set out and assessed under Issue 10 of this report where we consider the Plan's 'Places' strategy and identified site allocations. Therefore, subject to the identified modifications we conclude that the approach to overall housing supply across the Plan period set out in the Plan is justified, effective, consistent with national policy and in general conformity with the London Plan.

Other Housing Supply

101. With regard to other sources of housing supply, the examination has considered the reoccupation of vacant units and self-build units. From what has been submitted during the examination, we note that the Council has

³² PHA_13

historically included a figure for the reoccupation of vacant units in its monitoring framework. This was included in the Council's housing returns to the Government to support its residential monitoring and the new homes bonus. However, this type of capacity source is not identified in the Housing Delivery Test assessments which are based on housing flow reconciliations data. As a result, it is recommended that the Council removes this source of capacity from the housing trajectory.

102. In relation to self-build units, the Council has no specific policy in the Plan. The evidence relating to such units indicates demand for plots is relatively limited in Brent. Due to the nature of the plots sought, it is our view that Policy BH4 in the Plan provides the most appropriate approach for the needs of self-builders to be met. Moreover, and as the Council states, it is likely that such policies in both the London Plan and the Brent Local Plan will increase the supply of suitable sites for self-build units within the Borough. The Council holds a register of brownfield sites which informs self-builders and provides a source of potential appropriate sites. Accordingly, we conclude that self-build units are adequately provided for in the Plan without the need for a specific policy.

Five Year Housing Land Supply

103. The NPPF requires the Council to demonstrate a five-year supply of deliverable housing land on adoption of the Plan. Accordingly, we anticipate that subject to the acceptance of the findings of our Report by the Council, an adoption date for the Plan could reasonably be April 2022. During the examination, the Council updated its five-year housing land supply evidence (PHA_23) which provides for the five-year period 2022/23–2026/27. This indicates a supply of 13,477 homes for this period (2,695 per annum). When compared to the five-year housing requirement of 11,625 dwellings (5 x 2,325 per annum) set out in the adopted London Plan, this supply provides a buffer of more than 15%.
104. We note that the Council has met the latest prescribed Housing Delivery Test measures, achieving 107% of its housing target for 2018/19 and 120% of the Borough's housing target for 2019/20.³³ Brent also has no recent history of a persistent under delivery of housing. As such, the identified five-year supply of 13,477 dwellings meets the London Plan housing requirement plus the 5% buffer (11,625 + 581 = 12,206 dwellings) required by the NPPF.
105. The identified five-year housing land supply includes a significant proportion of sites with planning permission. The remainder of the supply comprises windfall sites and site allocations identified in the Plan. These site allocations have been examined under Issue 10 of this report. The robust evidence put to us indicates that these sites have a realistic prospect of delivery within the five-year period. Accordingly, we are satisfied that a five-year supply of deliverable housing land on adoption of the Plan has been demonstrated.

Issue 4 – Conclusion

106. Overall, subject to the modifications being made as discussed above, we conclude that the Plan's approach to meeting its housing requirements, the

³³ Ministry of Housing, Communities and Local Government – Housing Delivery Test Published Measurements by Local Authority – 2018/19 and 2019/20

spatial strategy and distribution of housing and its supply overall to meet targets is justified, consistent with national policy and in general conformity with the London Plan.

Issue 5 – Housing Policies and Other Housing Needs: Whether the Plan contains justified and effective policies to help ensure that the housing needs of different groups in the community can be met throughout the Plan period

Affordable Housing

107. The submitted Plan at paragraph 6.2.6 identifies that of the annual requirement for 1,920 dwellings relating to Brent’s housing needs across the Plan period, 46% is for affordable homes. However, in terms of the modified annual housing requirement for the Plan, for the period 2019-2029, the affordable housing requirement (884 dwellings per annum) is 38% of the annual requirement of 2,325 dwellings. For the period 2029-2041, the affordable housing requirement of 884 dwellings per annum is 63% of the modified capacity-based annual requirement of 1400 dwellings. As a result, for the Plan period, as modified, the annual affordable housing requirement is about 46% of the overall capacity-based housing requirement.
108. In order to clarify the amount of affordable housing need per annum in the Plan (884 dwellings), as determined by the Brent SHMA, a modification to paragraph 6.2.6, as set out within **MM96**, is required. This modification is necessary for the soundness of the Plan with regard to the justification of the affordable housing target set in Policy BH5.
109. Policy BH5 identifies that the strategic affordable housing target across the Plan period to 2041 is 50% of all new homes. The approach taken to identify this target is based on the evidence provided by the Brent Strategic Housing Market Assessment (SHMA) Update 2018.³⁴ This document sets out an approach that is consistent with best practice guidance related to identifying the needs of particular groups. In addition, the evidence base also includes the London Plan SHMA 2017³⁵ and its Addendum³⁶ which have been subject to examination where the 50% strategic affordable homes target that it supports in the adopted London Plan has been accepted.
110. The policies in the Plan support, and are consistent with, the relevant strategic policies set out in the London Plan. The affordable housing target of 50% set out in Policy BH5 is consistent with London Plan Policy H4 and reflects the affordable housing needs of the Borough as set out in the evidence submitted to the examination, including a summary of anticipated affordable housing delivery between 2019/20–2023/24.³⁷
111. The London Plan policy identifies a number of mechanisms at a wider London level which will be sought to achieve the strategic target. The Council makes clear that it does not expect to deliver affordable housing through planning obligations alone. Instead, it will pursue several means, including through its own affordable homes build programme. As a challenging strategic target, it

³⁴ EB_H_01

³⁵ EB_H_02

³⁶ EB_H_03

³⁷ PHA_14 and H_15

is evident that the Council places great importance on delivering new affordable homes within Brent and we note the Council's commitment within its Borough Plan³⁸ to deliver 5,000 such homes over 5 years (2018-2023).

112. Policy BH5 in the submitted Plan does not go beyond policies set out in the London Plan. This includes the threshold approach in London Plan Policy H5 which, in some cases, allows development to proceed with just 35% affordable dwellings or, if the threshold cannot be achieved, the maximum viably possible, subject to supporting viability evidence.
113. The Plan actively seeks to address an identified and challenging need. In terms of deliverability, the affordable housing threshold within Policy BH5 has been tested through the typologies used within the viability assessments of the Brent SHMA Update³⁹ and the West London SHMA.⁴⁰ These build on the viability evidence within London Plan SHMA 2017, which has been subject to examination, and concluded that, on the whole, the 50% level of affordable housing sought by Policy BH5 would be achievable. In our view this provides robust evidence to support the Council's policy target.
114. The Council has considered a number of factors, including overall development viability, limited public subsidies and public finance. As a result, it is acknowledged that publicly funded build programmes such as that currently being undertaken by the Council and the future availability of such funding will influence the medium and long-term delivery of affordable homes. Having considered the evidence supporting Policy BH5 we find that the policy provides sufficient flexibility in terms of the mechanisms with which to assess the viability and deliverability of proposals. However, the reasoned justification of Policy BH5 requires modification to clarify where financial contributions in lieu of on-site affordable housing occurs. This takes the form of a new paragraph following paragraph 6.2.49 of the submitted Plan and is set out in **MM102**. It is necessary in order to provide clarity and precision and to make the Plan effective and therefore sound.
115. We now turn to concerns regarding Policy BH5 seeking 100% of Build to Rent properties to be offered at the London Living Rent (LLR) level. We acknowledge that limiting LLR to, for example, 30% of Build to Rent properties may provide for a wider range of affordable housing needs (cheaper and more expensive) and the provision of more dwellings at social rent or London affordable rent levels. We also note the arguments made that this would better meet identified needs.
116. However, the level of subsidy needed by the development is likely to require intermediate rents to rise well above the LLR to be in accordance with the fast-track approach set out in the adopted London Plan. From the evidence before us, the needs assessment provided in support of the Council's approach indicates that an even smaller proportion of this type of affordable housing is required. As a result, it is likely that this type of accommodation would be rented to those who technically do not need subsidised rent.

³⁸ Core_Gen_12: LB Brent Borough Plan (2019-2023)

³⁹ EB_H_01: Brent Strategic Housing Market Assessment Update 2018

⁴⁰ EB_H_02 and EB_H_03: West London Strategic Housing Market Assessment (October 2018) and Addendum (November 2018)

117. The argument that the LLR provides greater flexibility than this other more expensive 'affordability' is a compelling one. From what has been submitted, it appears that LLR rents are low enough to be below London Housing Allowance rates and therefore can be accessed by those on housing benefits. The LLR also meets the Mayor of London's intention to encourage better access to potential home ownership through those tenants who are not on benefits and are better able to save a deposit. On balance, it is therefore considered that the approach set out in Policy BH5 of the Plan is appropriate and justified.
118. Nonetheless, in order to provide clarity on its alignment with the London Plan Policy H5 threshold approach to applications and also to clarify the reference to equivalent or lower rents to LLR, there are some modifications to Policy BH5 required, as set out through **MM101**. Subject to this, we conclude that Policy BH5 of the Plan is positively prepared, reasonable, justified and in general conformity with the London Plan.

Housing size mix

119. Policy BH6 of the Plan relates to housing size mix. Figure 33 of the submitted Plan, which forms part of the reasoned justification for the policy, sets out the needs identified for the Borough in the Brent SHMA. However, in terms of delivery, we note there has been a preponderance for one and two bedroomed apartments in Brent in recent years. Therefore, to better meet the needs identified in the Brent SHMA and Figure 33, the Council has set out in policy a minimum requirement of 25% of all new development units to be family sized homes (3 bedrooms or more). The Council's intention is to create mixed and balanced communities across the Borough and Policy BH6 forms a key part of the strategy to deliver this.
120. Furthermore, although focused solely on major developments, we note that the Council has had an existing similar policy in place for a number of years. It is also noted that delivery of family homes through this existing policy has been at, or close to, the minimum 25% requirement. Where this has not been achieved, it has usually been related to a negotiation on affordable housing provision and the need for a viability assessment. In light of this, we find that Policy BH6 has sufficient flexibility in its exceptions criteria to consider proposals not only relating to needs, but also viability and the ability for such units to be accommodated within suitable developments. As such, at a minimum 25% requirement for family sized units, we conclude that Policy BH6 sets a reasonable balance in supporting mixed communities in terms of housing size mix.
121. In terms of conformity, we conclude that Policy BH6 is consistent with Policy H10 of the London Plan which indicates support for Boroughs to seek family sized accommodation to meet needs. Accordingly, we find Policy BH6 to be reasonable, justified and effective.

Houses in Multiple Occupation

122. Policy BH7 sets out at criterion (e) that an over-concentration of houses in multiple occupation (HMOs) in an area is defined as no more than 4 of 11 adjacent properties. We note the justification and reasoning for the Council's threshold levels in the policy. In response to concerns raised about the

definition and the effectiveness of the policy's practical application with regard to this, the Council produced an explanatory note.⁴¹ The note sets out a slightly modified and clearer approach to assessing the most appropriate concentration of HMO properties and their impact in a local area. The assessment of over-concentration now considers whether three or more of the ten nearest properties which surround the proposed development are HMOs.

123. This results in a proposed change to criterion (e) of Policy BH7 in the submitted Plan, identified within **MM103** in the attached Schedule of main modifications. This modification is necessary to provide clarity on the Council's position on HMOs as well as for the justification and effectiveness of the Policy. Furthermore, modification to criterion (d) of Policy BH7 (**MM103**) is also identified to strengthen the Plan's acknowledgement of the role of, and need for, purpose-built student accommodation in the wider London area and not just within Brent. This change is necessary to provide clarity on the issue and to ensure the effectiveness of the policy.

Specialist Older Persons Housing

124. Policy BH8 of the Plan sets an annual target of 230 units for specialist older persons housing to be delivered within Brent in defined circumstances set out in criteria (a) and (b) of the policy. We note that the 230 dwellings number is set out in Table 4.3 'Annual Benchmarks for specialist affordable housing 2017-2029' of the London Plan in relation to Policy H13. The benchmark for Brent was taken from the GLAs Older Persons Housing Needs Assessment Report 2017. However, no specific number for a range of types of accommodation is identified in the main body of that report.
125. Notwithstanding this, the Brent SHMA (EB_H_01) identified a need of 176 dwellings per year for the period 2016-2041 with a range of tenure proportionately identified. The Council has set out how it is continually reviewing how the needs of older and vulnerable residents in terms of supported housing are met. We note that there is an emphasis on improving health outcomes for vulnerable groups and limiting people moving to residential care who do not wish to do so where possible and appropriate. We also note that a significant amount of accommodation has recently been built, or is planned to be built, through a capital programme which began in 2017. A significant amount of land has been provided by the Council and its partners to support that programme and deliver such accommodation.
126. The Council has demonstrated that it is adhering to London Plan Policy H13 in a proactive, positive manner and is working collaboratively with providers to identify sites on an on-going basis and deliver affordable, specialist schemes. Nonetheless, the allocation of specific, long-term sites is difficult due to the uncertainty of public sector funding. As a result, the Council has identified that the best form of encouraging supply is to have a policy in the Plan that focuses on priority areas of development such as Growth Areas.
127. Outside of Growth Areas, Policy BH8 sets a threshold of developments of 500 dwellings or more for the inclusion of specialist older persons housing. The Council believes this provides the critical mass for a variety of housing types

⁴¹ PHA_16: LB Brent: Houses in Multiple Occupation – Policy BH7 Note (January 2021)

and tenures over a number of years in the Plan period. The delivery of this will, however, be dependent on viability evidence and financial feasibility.

128. Providing the Council, a developer and a registered provider engage early enough, we find the size threshold set out in Policy BH8 to be sufficient to allow the potential for such specialist housing to be considered and, where appropriate, incorporated into an overall development, subject to viability. However, Policy BH8 does not specify what proportion of these larger developments outside of Growth Areas should be identified for specialist older persons accommodation. Therefore, we find it necessary to amend Policy BH8 through **MM104** in order to provide a more consistent approach with the London Plan and to reflect criterion (a) of Policy BH8 as submitted.
129. In terms of the annual target of 230 units for such specialist older persons accommodation, having considered the most up to date evidence available, we conclude that taking the figure provided in the London Plan is a justified and reasonable approach to adopt in the Brent Local Plan. Moreover, to reinforce the policy's consistency and general conformity with the London Plan, a further amendment to the opening paragraph of submitted Policy BH8 is required. This also forms part of **MM104**. Subject to the identified modifications to the policy and reasoned justification, we consider the approach identified through Policy BH8 to be sound.

Residential Amenity Space

130. Policy BH13 of the submitted Plan relates to amenity space. Concerns about the effectiveness and justification of the policy were raised in terms of the quantum of amenity space to be provided and the definition of what is considered to be family-sized housing. In order to provide greater clarity with regard to such requirements in new development proposals and the justification for them in the policy, we conclude that modification to the submitted policy, as set out in **MM106**, is necessary. This modification is also required to reflect the higher density form of residential development which is anticipated in Brent during the Plan period and will therefore make the policy effective and justified.

Issue 5 – Conclusion

131. In conclusion, subject to the modifications outlined, we conclude that the Plan with regard to matters concerning housing policies and other housing needs, is positively prepared, justified and effective and is consistent with national policy. The modified Plan contains sound policies to ensure that the housing needs of different groups in the Borough can appropriately be met throughout the Plan period.

Issue 6 – Employment, Protection of Existing Employment Sites and Intensification: Whether the plan presents a positively prepared, justified and effective approach to economic growth and the protection of existing employment sites

Approach to Employment Floorspace over the Plan Period

132. The evidence base to support the Plan indicates that the employment need over the Plan period is for an additional 0.6ha of commercial and industrial B

use class employment floorspace. This is based on the West London Employment Land Review.⁴² This evidence is at odds with the London Industrial Land Demand Study which was undertaken to support the London Plan and concluded that Brent should provide 46.9ha of additional industrial land. However, this evidence does not provide an accurate picture for Brent for a number of reasons as set out within the West London Employment Land Review report. Primarily, the report does not differentiate its target between the parts of Brent located within the Old Oak and Park Royal Development Corporation. It includes the entire Park Royal Strategic Industrial Location.

133. Recognising the large degree of divergence between the evidence and following the hearing sessions, we requested an updated SoCG between the Council and the GLA to address this matter. We note that the GLA consider the policy approach adopted to positively seek to encourage the provision of additional employment floorspace, coupled with the policies outlined below in relation to the protection of existing employment land demonstrates an approach which is in conformity with the London Plan. We also note that the Brent Industrial Land Audit 2019 notes that there is capacity on existing employment sites to deliver significantly more industrial floorspace. The policy approach to the protection, intensification and co-location within existing employment locations supports this overall approach. It allows for different business needs to be met, including allowing flexibility to adapt to changing economic circumstances as cited within the NPPF. Overall, we are also of the view that the approach adopted is sound and justified.
134. London Plan Policy E3 states that Boroughs, through their development plans, should consider detailed affordable workspace policies in light of local evidence of need and viability. This is addressed through Policy BE1 which seeks to provide economic growth and employment opportunities for all. The policy seeks to secure a minimum of 10% of the total floorspace within major developments exceeding 3000sqm to be allocated for affordable workspace. As drafted, the policy would be applicable to all floorspace over the 3000sqm threshold.
135. The Council have outlined how this approach has been tested through research and viability testing. However, the evidence supporting the Regulation 19 consultation only focused on employment floorspace not any form of floorspace which is how the policy, without modification, would be applied. The viability updates⁴³ considered the application of this 10% on all floorspace as envisaged by Policy BE1 as drafted. The results indicated that this policy requirement would have an adverse impact on viability, to the extent that the deliverability of the policy requirement would be questionable. Whilst we acknowledge that the locations stipulated by Policy BE1 would in the round focus on industrial or low value areas, the viability evidence confirmed that the application of the 10% threshold to all floorspace would not be viable in a majority of cases.
136. Accordingly, in view of the above considerations, we recommend **MM107** which would ensure that the 10% affordable workspace applies to the developments involving 3000sqm of employment floorspace only. The

⁴² EB_E_11

⁴³ B/HS06/6a: Viability Addendum to Matter 6 – BE1 Affordable Workspace

modification also introduces a degree of flexibility to this requirement allowing for, in exceptional circumstances, off site provision or a financial contribution in lieu of on-site provision. This wording presents a balanced and proportionate approach in relation to this issue. The policy wording is also updated by the modification to provide greater clarity in relation to the changes to the UCO and also moves a requirement for the floorspace to be protected by condition/legal agreement from the reasoned justification which is necessary in order to ensure the policy to be effective.

137. Policy BE2 allocates both strategic industrial locations (SIL) and locally significant industrial sites (LSIS) throughout the Borough. It defines the locations of both the SIL and LSIS within the Borough, and dependent upon the location, identifies the policy approach adopted.
138. Detailed representations were received in connection with the existing Ikea store at Wembley. The inclusion of this site and the neighbouring Tesco foodstore as part of the Wembley SIL is not justified by the evidence base. The site is in established retail and office use. It makes no contribution to the existing or future industrial capacity of this part of Brent. The policy wording at BE2 seeks to protect these sites for solely industrial uses and any loss or reduction in floorspace will be resisted. Despite the Council's observations that the site is in a logical SIL, the application of the policy to the existing uses taking place is not a justified approach. As a result, as currently drafted, the Plan is not justified or positively prepared in relation to this SIL designation. In a similar manner, the boundary of the Northfields East SIL requires amendment to reflect a recent planning approval for residential development on the site.
139. It will be for the Council to amend the policies map in relation to these required changes to SIL designations. We have reviewed the detailed representations received concerning amendments to other SIL boundaries. Notwithstanding the conclusions we have reached in relation to the above boundaries, we are content that the remaining boundaries for the SIL and LSIS designations are justified by the Council's evidence base and present a sound approach.
140. **MM108** provides for a number of changes to Policy BE2. In the first instance, the modification provides for additional policy wording to reflect the fact that the Borough is committed to exceeding the industrial floorspace need within the Plan period. The modification also amends the policy wording to refer to industrial floorspace instead of employment floorspace, including the addition of waste, utilities and transport infrastructure which is necessary for the policy to be effective. The modification also includes references to Policy E4 of the London Plan to ensure that the approach adopted is consistent with the London Plan terminology. The modification also updates the reference to the Northfields SIL which now correctly refers to Land East and West of the Grand Union Canal.
141. The final employment policy is Policy BE3 which relates to local employment sites located outside of SIL and LSIS designations. The policy provides a criteria-based approach to the release of these sites for non-employment uses. **MM109** amends the policy in relation to criterion (b) to take account of the changes to the UCO. In light of representations made to the main modifications consultation, we have also introduced a new criterion (c) to the

policy to acknowledge that development of local employment sites for non-employment uses may also be appropriate where the site is allocated for development within the Plan. The modification also amends the reasoned justification for consistency with the policy wording and to reflect the changes to the UCO.

Issue 6 – Conclusion

142. In conclusion, and subject to the modifications we have mentioned, the Plan's strategy for economic growth and the protection of existing employment sites is positively prepared, justified, effective and consistent with both the London Plan and national policy.

Issue 7 – Town Centre and Retail: Whether the approach to town centres and retail development is justified, in general conformity with the London Plan and consistent with national policy. Are the Plans policies based on a robust evidence base and are they justified and effective?

Meeting Retail Needs over the Plan Period

143. The retail and leisure needs over the Plan period are set out within the Council's evidence base document.⁴⁴ It identifies future retail and commercial leisure needs across the Borough during the Plan period. These requirements are then identified across the 'Places' section of the Plan by applying defined floorspace requirements to the individual 'Places' chapter. The methodology adopted by this evidence accords with the overall approach endorsed within the NPPF and has been informed by, amongst other things, the Brent Town Centre Health checks study, a household telephone survey on shopping patterns and the London Plan.
144. Although there are no Metropolitan Centres within Brent, the Borough as a whole provides for a diverse range of shopping needs with a mixture of major, district, local centres as well as neighbourhood parades. Figure 34 identifies the town centre hierarchy and **MM111** updates this figure to accurately reflect the town centre hierarchy in accordance with the London Plan. The major centres of Kilburn and Wembley provide the primary focus and serve the widest catchment areas. The evidence base reflects the strong spend at local specialist food and non-food shops across the hierarchy of centres within the Borough, in particular Kingsbury, Harlesden, Ealing Road and Wembley for convenience goods.
145. As a result, the policies of the Plan should be framed to support and sustain these existing shopping patterns. In particular, there is a focus on supporting these existing centres through the policy approach adopted and in light of the evidence base, this is an approach which we recognise and support in accordance with the objectives of the NPPF.
146. Policy BE4 sets out the policy framework for supporting strong centres. **MM110** is necessary to update the uses referred to and ensure the policy reflects the most recent changes to the UCO. For the same reason, it is also necessary to remove the percentage threshold levels for the former class

⁴⁴ EB_E_01-07: Retail and Leisure Needs Assessment, 2018

A1/A2 uses. The policy wording is also updated through the modification to ensure that the cross references to the secondary frontages and the policies map is included, this will ensure the policy is effective in its application.

147. Policy BE5 addresses protecting retail in town centres, through criteria setting out when betting shops, adult gaming centres and pawnbrokers will be permitted. The policy presents a proportionate approach to the provision of these uses, and **MM112** is necessary in order to update the uses in light of the changes to the UCO. In relation to Shisha cafes, the evidence presented on this issue was inadequate and following our request, the Council provided an update in the form of PHA_19. This evidence provides an up-to-date position on the existing picture and accordingly the approach adopted to the location of any new Shisha café is both proportionate and justified.
148. Policy BE6 deals with neighbourhood parades and isolated shop units and, subject to **MM113** provides a criteria-based approach to any proposals for the loss of retail, commercial, business and service uses. Again, this is an approach which is in accordance with the NPPF and the promotion of sustainable communities. Finally, **MM114** adds a new paragraph of reasoned justification in relation to Policy BE9 concerning visitor accommodation and attractions. The text provides clarity in relation to the application of the policy criteria in terms of future hotel provision and the supply of new sites for housing.
149. In addition to the above retail and town centre policies, Policy BHC4 addresses Brent's night time economy. The policy recognises that Wembley is a centre of National/International importance in terms of the night time economy and that the centres of Kilburn, Cricklewood and Wembley Park are of more than local importance. As a result, the policy aims to support the night time economy and, in particular, the centres outlined above which will be the priority locations for such uses. **MM117** amends the policy wording to provide a greater emphasis within the policy to the London Plan town centre hierarchy and to ensure that proposals accord with the principles of inclusivity and accessibility. Subject to this modification which is necessary to provide greater clarity, the policy is sound.
150. Public houses are addressed by Policy BHC5. The Plan recognises that public houses are acknowledged to provide social infrastructure in accordance with the NPPF. **MM118** amends the first paragraph of the policy to ensure that the policy wording is reflective of the important role that public houses can play in terms of the Borough's character and role as a community asset. Criterion (a) is also reworded in light of the changes to the UCO. Subject to this modification, the policy approach to public houses in Brent is justified.

Issue 7 - Conclusion

151. In conclusion, subject to the modifications set out above, the Plan's policies and overall approach in relation to retail development and town centres are positively prepared, justified, effective and consistent with national policy.

Issue 8 – Tall Buildings and Intensification Corridors: Does Policy BD2 present an effective policy for tall buildings? Is the approach,

including the identification of intensification corridors sound and does it accord with both national policy as well as the London Plan?

Tall Buildings

152. The London Plan identifies at Policy D9, amongst other things, a basis for the policy approach to tall buildings. It identifies that development plans should set their own definition for tall buildings, define what is considered to be a tall building for specific localities and ensure that such localities are identified on the policies map. It also states that the locations and appropriate building heights should be identified on maps in development plans. It sets out a stepped approach to the assessment of suitable locations through defined criteria.
153. The evidence base which supports the policy approach set out at Policy BD2 of the submitted Plan includes the Tall Buildings Strategy 2020.⁴⁵ The Strategy outlines an assessment of suitable locations based on an assessment of the identified growth areas, existing building heights and townscape considerations such as protected views as well as areas with high public transport accessibility. The assessment also includes an overview of existing tall building clusters, such as Wembley Park, Wembley Central, Alperton, South Kilburn and notes that smaller clusters are evident at Northwick Park and Stonebridge Park.
154. This approach is broadly reflective of the approach advocated by the London Plan, although the level of sieve analysis undertaken is not as detailed as that envisaged by the London Plan. Nonetheless, despite these shortcomings, the assessment identifies areas with the greatest potential to accommodate tall buildings, taking into account site constraints and the implications of tall buildings on the area concerned. The evidence base is considered to be sufficiently robust to direct development towards suitable locations which can accommodate tall buildings. Overall, the approach adopted does, in our view, present a proportionate approach towards guiding the policy towards the location of new tall buildings within Brent.
155. As submitted, Policy BD2 included a criteria-based approach to the assessment of tall buildings outside of the defined areas. However, since the London Plan was adopted, this is an approach which would be contrary to the London Plan and as a consequence, modifications to the policy are necessary. The Council produced additional evidence on this matter as requested by the Inspectors following the hearing sessions.⁴⁶ In order to ensure the policy is in general conformity with the London Plan, a main modification, as set out at **MM94**, is necessary to delete the criteria for assessing tall buildings outside of defined areas, delete the references to intensification corridors, town centres and site allocations, and amend the reasoned justification in line with these policy changes.
156. In light of this change, an update to the policies map is necessary to extend the existing tall building zones of Stonebridge Park and Wembley Central. At Stonebridge Park, the extension to the zone is adjacent to site allocation BSSA7. At Wembley Central, the extension to the zone includes an additional

⁴⁵ EB_D_01

⁴⁶ PHA_22: BD2 and Tall Buildings Strategy Update Note (June 2021)

area north of Duke’s Way. In relation to both of these extensions, the updated evidence base presents a reasoned and evidence-based approach to these modifications which are necessary for soundness. The addition of appropriate building heights within these zones is also necessary for conformity with the London Plan. The policies map will need to be changed to ensure Policy BD2 is effectively implemented. It will be for the Council to amend the policies map in relation to these tall building zones.

157. The Council also put forward a new tall building zone to be allocated at Kilburn Square which would include the existing tower and land adjacent around Kilburn Square. We have noted the Council’s evidence in relation to this new zone, primarily focusing on the height of the existing tower on the estate well as the sites PTAL rating at 6a. We have also considered the detailed representations made during the main modification’s consultation in relation to this new tall buildings zone, particularly regarding the proposed size of the zone and its location adjacent to the Brondesbury Road Conservation Area. We are mindful of the fact that in light of the London Plan policy, the Council are no longer afforded the degree of flexibility previously envisaged in terms of the application of Policy BD2. Nevertheless, the creation of a new tall buildings zone at Kilburn Square would be contrary to the evidence base presented to this local plan examination, namely the Tall Buildings Strategy. It is not a location identified or considered as part of this evidence and accordingly we are unable to recommend its allocation as a tall buildings zone.
158. Amendments are required to the policies map to delete the reference to core, pinnacle and edge zones. This additional categorisation on the policies map is neither justified by the evidence base, reflective of the policy approach set out at Policy BD2 or supported by the London Plan. It will be for the Council to amend the policies map accordingly.
159. Based on this evidence, and subject to **MM94** which is necessary to ensure that the policy wording is justified and effective, Policy BD2 provides a clear definition of what constitutes a tall building, as well as setting out that tall buildings will be directed towards tall buildings zones. The policy presents a tiered approach, recognising that intensification corridors and town centres outside conservation areas and areas of distinctive residential character may well accommodate buildings of up to 15 metres above ground level, with opportunities to go higher at strategic points in town centres.

Intensification Corridors

160. The Intensification Corridors referred to within Policy BD2 constitute main roads where public transport accessibility is at PTAL level 3 or above and where the width of the street indicated by the distances between properties provides scope to increase building heights, as set out at paragraph 6.1.17 of the Plan. As referenced above, these areas are considered appropriate for increased height and therefore allow for a greater density of development and **MM131** introduces a glossary entry for the Intensification Corridors, confirming that higher density development/buildings around 5 storeys are likely to be appropriate.
161. The boundaries to the Intensification Corridors are shown on the policies map. Following the hearing sessions, we required that the Council produce

additional evidence⁴⁷ on this issue and in particular revisited the designations in the submitted Plan in light of the definition provided by the Council. This additional evidence provides further justification for the methodology and criteria used to select the Intensification Corridors as designated. It provides a detailed explanation of the development criteria and relevant constraints, whilst recognising the historical development pattern of Brent and the role that this plays in influencing townscape development.

162. As a result, we conclude that the Intensification Corridors are a justified part of the development plan and are supported by sufficiently robust evidence. It will be for the Council to amend the boundaries on the policies map accordingly.

Issue 8 - Conclusion

163. Subject to the main modifications identified, Policy BD2 concerning tall buildings is justified and effective. The approach to both tall buildings and the Intensification Corridors presents a sound approach which accords with both the London Plan and the Framework.

Issue 9 – Social, Green and Sustainable Infrastructure: Whether the Plan provides an appropriate strategy for the delivery of social, green and sustainable infrastructure and whether that strategy is positively prepared, justified, effective and consistent with national policy and the London Plan

Social Infrastructure

164. The Council has not produced a Social Infrastructure Needs Assessment, as set out by Policy S1 of the London Plan. Notwithstanding this, there is no requirement in national policy or guidance for such an assessment to be a single document. Instead, the Plan relies upon an accumulation of several assessments taken together to inform Brent’s social infrastructure needs.
165. The evidence presented to support the submitted Plan consists of documents covering matters including education, health and leisure. We note that some of the evidence is of some age, such as the Cemeteries Strategy 2013.⁴⁸ Nonetheless, the assessments within these documents are sufficiently robust to inform the social infrastructure needs of the Borough and support the development proposed in the Plan. These specific social infrastructure needs are set out in the Infrastructure Delivery Plan (IDP).⁴⁹
166. The policy framework by which social infrastructure provision will be achieved is outlined in Policy BSI1. The policy supports the provision of new social infrastructure requirements, as well as measures to safeguard existing social infrastructure and community facilities. Where new infrastructure requirements are identified in accordance with the Growth Areas, these are outlined within individual site allocations. Policy BSI1 sets out an approach that is consistent with Policy S1 of the London Plan which seeks to ensure that the need for new infrastructure is informed by a needs

⁴⁷ PHA_12: Intensification Corridors Local Plan Background Report, January 2021

⁴⁸ EB_SI_07

⁴⁹ EB_I_01

assessment. Furthermore, the policy seeks to protect and maintain existing infrastructure within the Borough.

167. Part 2 of the policy provides criteria to support new and enhanced delivery to ensure the provision of purpose-built community facilities in locations where they are needed and to promote the best use of land. We note that this is also reflected in site allocations and Growth Area policies which specifically state that the delivery of social infrastructure is informed through the Council's needs assessment.
168. From the evidence, we find that Policy BSI1 provides sufficient flexibility to respond to different community uses and needs in appropriate locations. Furthermore, we are satisfied that the policy is justified, effective and is in general conformity with the London Plan and consistent with national policy.

Green Infrastructure and Natural Environment

169. With regard to blue infrastructure, Policy BGI1 seeks to ensure that development enhances water quality and biodiversity in accordance with the objectives of the Water Framework Directive and Thames River Basin Management Plan. As such, we find the policy to be in line with the London Plan where it states that a co-ordinated approach is required to protect and enhance the water environment.
170. In relation to green infrastructure, Policy BGI1 is based on robust evidence that is reasonable and justified. It is also in general conformity with Policies G1 and G5 of the London Plan. However, as submitted, the policy identifies that major development outside of Growth Areas would be expected to provide 0.81m² of public open space per resident. Taking into account the evidence, including specifically the Open Space, Sports and Recreation Study 2019 (OSSRS),⁵⁰ it has been shown that there is an over-provision of open space compared to the national FIT⁵¹ (Fields in Trust) standard.
171. As a result, the standard set out within the submitted policy has been removed and the policy amended accordingly, as set out in **MM119**, to only reflect the need in wards with a deficiency based on accessibility/proximity that are not within Growth Areas. The modification also clarifies that major residential development outside of Growth Areas will contribute to current and future needs. In light of the circumstances, this seems reasonable. As such, we consider the changes within **MM119** to be necessary for providing clarity and to avoid repetition in the Plan as the need for the provision of public open space has been set out in all Growth Area policies.
172. The boundary of the Green Space designation at Vale Farm had been incorrectly indicated on the policies map. The boundary had been drawn to include residential back gardens which is not consistent with the open space definition. The area defined does not meet the definition as identified by the Plan. The Council has confirmed this drafting error. Therefore, the

⁵⁰ EB_GI_02

⁵¹ National Playing Fields Association (NPFSA) (Fields in Trust): National Benchmark Guidelines (2015)

boundary will need to be amended on the policies map and it will be for the Council to do so accordingly.

173. Policy BGI2 deals with trees and woodland and recognises the importance of planting, retaining and replacing trees, consistent with London Plan Policies S4 and G7 and the Mayor of London's target of increasing tree canopy cover in London by 10% by 2050. However, in order to make the policy clear and effective, a modification to part b of the policy is required as set out in **MM120**. The modification is necessary to provide clarity on the policy requirement and to make the policy effective through the clarification. Subject to this modification, we find this policy to be reasonable, justified and in general conformity with the London Plan.

Sustainable Infrastructure

174. Policy BSUI1, as submitted, meets the requirements of the NPPF and national guidance and is informed by the London Plan evidence base and guidelines applied at the local level. We are satisfied that the policy is justified and effective in terms of supporting increased efficiency in sustainable energy provision and is also challenging in terms of enabling development to mitigate and adapt to climate change. The policy is consistent with the NPPF and in general conformity with the London Plan and we therefore find it meets the tests of soundness.
175. Policy BSUI2 relates to air quality and, in tandem with the Council's Air Quality Action Plan, it is considered reasonable, justified and consistent with the NPPF based on the evidence provided and it is also in general conformity with London Plan Policy SI1. The policy sets the policy framework for how air quality standards and targets are to be met through an Air Quality Impact Assessment. As a result, we find the Policy to be consistent with this approach and therefore sound.
176. Policy BSUI3 deals with managing flood risk. The evidence and methodology supporting the Council's approach to development in flood risk areas was challenged by the Environment Agency (EA) during the plan-making process. As a result, further evidence has been undertaken and provided relating to the Council's sequential and exceptions test work. Where outcomes in terms of location and the capacity of site allocations for proposed development have remained largely unchanged, the revised methodology has now clarified the approach.
177. We have had due regard to this further work and as a result we are satisfied with the approach taken and revisions made to remedy the issues raised. It is also noted that the concerns of the EA have been addressed. Therefore, subject to the modifications to Policy BSUI3 set out in **MM121** and its reasoned justification set out in **MM122**, we find Policy BSUI3 to be reasonable, justified and effective.
178. The amendments set out in the above modifications are required to provide clarity on when a flood risk assessment will be required and to support a positive policy approach to encouraging development relating to positive impacts on flood storage and environmental quality. With the modifications

made, Policy BSUI3 is also found to be consistent with national policy and in general conformity with the London Plan.

179. Policy BSUI4 is intended to inform the management of surface water, water demand and supply and its impact in drainage capacity. We note that the policy sets out relevant sustainable measures that are consistent with Building Regulations Part G2, the London Plan and the NPPF. The policy is informed by robust evidence including the Brent Surface Water Management Plan & Long Term Action Plan and the West London SFRA.
180. We note that the policy addresses both major and minor developments in line with relevant regional and national guidance and iterates the importance of effective mitigation and management of on-site water management through the use of planning conditions. Moreover, the policy is reasonable and effective in that it provides sufficient flexibility to allow developers to justify where greenfield run-off rates cannot be achieved. Similarly, for minor developments, the policy positively allows for a feasible approach to adapting sustainable drainage measures. The policy is also considered to be effective as it states that where proposals do not demonstrate that development will be safe for its lifetime and reduce flood risk overall, they are to be refused. In light of the above, Policy BSUI4 is justified, effective, consistent with national policy and in general conformity with the London Plan.

Issue 9 - Conclusion

181. For the reasons we have stated, and subject to the modifications identified, we consider the Plan's strategy for the delivery of social, green and sustainable infrastructure to be reasonable, appropriate and robust. The overall strategy and related policies on these matters have been positively prepared, are justified, effective and supported by reasoned and clear evidence. The approach is in conformity with the London Plan, consistent with the NPPF and is therefore sound.

Issue 10 – Site Allocations: Does the 'Places' strategy identified provide a robust strategy for the site allocations? Are the policy criteria clear, precise and are the sites deliverable?

Introduction

182. As outlined above, the 'Places' strategy divides the Borough into seven key areas. Within these areas, the strategy outlines their key characteristics, as well as setting out a number of key challenges and opportunities which are specific to that particular 'Place'. The Plan also sets out key factors affecting the 'Place', for example in the context of employment, residential development and heritage and design. Overall, each of these parts of the Plan provide context and an appropriate starting point for the site allocations to follow.
183. Each of the site allocations follow set criteria, outlining the site area on an inset map and then providing specific detail in terms of matters such as delivery timeframe, design principles, planning considerations and infrastructure requirements. We do not propose to address all of the site allocations within this report. In addition, where there are matters which

are relevant to more than one site allocation this has been noted accordingly. In general terms, the drafting of the site-specific allocations is somewhat imprecise and as a result, we have requested that the Council aim to make the policy wording more precise. Accordingly, a number of the modifications we have identified have sought to achieve this through the deletion of excessive text.

Site Allocation Policies

5.1 Central Place

184. Central Place includes parts of Wembley town centre as well as Wembley Park town centre. The area is well connected to the rest of Brent including Wembley Park and Wembley Stadium stations. It is a strategic hub for retail, office and public sector facilities.
185. Each Place area includes an introduction to the Place, covering key themes such as character and culture, transport, town centres, employment and education as well as identifying a vision for the place along with text which highlights the key challenges and opportunities facing the Place. In the context of the Central Place, **MM6** amends the reference from employment to industrial floorspace to ensure that the Plan is consistent with the London Plan.
186. Policy BP1 provides the overall context for the Central Place. The policy outlines a number of key delivery objectives identified for the Central Place, including a minimum delivery of 13,700 additional homes across the Plan period. **MM7** is necessary to ensure the policy wording is precise and effective. It modifies the policy wording as outlined above in relation to housing delivery, clarifies the appropriate location of tall buildings within the Tall Buildings Zone, clarifies the requirements in relation to retail and foodstore provision and includes the minimum delivery of 13,700 homes in the period to 2041. **MM7** also addresses a number of changes to the reasoned justification to ensure it is consistent with the policy wording.
187. The Wembley Growth Area (WGA) is covered by Policy BCGA1. **MM8** amends the open space requirements so that they are consistent with Policy BGI1. For consistency, the Wembley Opportunity Area should also be identified with a boundary consistent with the Wembley Growth Area. It will be for the Council to amend the policies map accordingly.
188. Site allocation BCSA1 comprises an existing Asda foodstore and Kwik Fit. It is allocated for a residential-led mixed-use scheme. **MM9** covers a number of amendments to the policy wording in relation to, amongst other things, the timeframe for delivery, PTAL rating and the site description. Other amendments to the policy wording are necessary to ensure that it is precise and therefore effective. Furthermore, the modification also reflects the most up-to-date requirements of Thames Water in terms of the local water network capacity. Subject to these changes, the allocation is sound.

189. Site BCSA2 is the Stadium Retail Park and Fountain Studios. This site will deliver a significant amount of residential, commercial and educational uses in the latter part of the Plan period. **MM10** is necessary to ensure that the policy wording is justified and effective, as well as to accurately reflect the correct flood zone of the site, thereby ensuring that the development is consistent with the recommendations of the SFRA. Furthermore, the modification also reflects the most up-to-date requirements of Thames Water in terms of the local water network capacity. Subject to these changes, the allocation is sound.
190. BCSA3 is a linear site located on a residential street and comprises a mixture of two-storey detached and semi-detached properties. The site is wholly located within the Wembley Opportunity Area (WOA) and part of the site falls within the Wembley Park Town Centre boundary. As above, **MM11** is necessary to ensure that any development is consistent with the recommendations of the SFRA. It also amends the policy text so that it accurately reflects the WOA, deletes text in relation to infrastructure requirements and reflects planning considerations to ensure that the policy is precise and effective. Furthermore, the modification also reflects the most up-to-date requirements of Thames Water in terms of the local water network capacity. Subject to these changes, the allocation is sound.
191. BCSA4 comprises the Fifth Way/Euro Car Parts site. There is clear evidence that the site is available and will contribute towards the Council's five-year housing land supply position by providing a residential-led mixed-use development. **MM12** amends the site boundary to remove the waste site as shown on the inset map as this no longer forms part of the site allocation. It will be for the Council to amend the policies map accordingly.
192. **MM12** also amends the site description, timeframe for delivery and a number of the planning policy considerations to ensure that the policy wording is accurate and precise. Furthermore, the modification also reflects the most up-to-date requirements of Thames Water in terms of the local water network capacity. Subject to these changes, the allocation is sound.
193. The Olympic Office Centre is covered by site allocation BCSA5. It is anticipated that this site will accommodate the relocation of the College of North West London which is allocated as site BCSA11. As a result, while an indication of residential numbers is identified within the policy framework, no residential development numbers are included for the purposes of the housing trajectory. **MM13** amends the policy wording of BCSA5 so it reflects the changes brought about by the UCO, amends the references to the WOA and ensures the policy wording is precise so as to be effective in its application. As with several other allocations in the Central Place, the modification reflects the most up-to-date requirements of Thames Water in terms of the local water network capacity. Subject to these changes, the allocation is sound.
194. The existing College at BCSA11 is then allocated for residential-led mixed-use development. **MM19** updates the policy text to reflect the re-provision of the College. It also updates the policy wording, so it is effective and reflects the requirements of Thames Water in terms of the local water network capacity. Subject to this modification, the policy is sound.

195. A significant component of the five-year housing land supply is envisaged to be delivered from site allocation BCSA6 Watkin Road which is currently under construction. **MM14** amends the policy wording in terms of introducing a reference to the Brent SFRA, correctly referencing that the site is located within the WOA and ensures the policy wording is precise so as to be effective in its application. The modification also amends the site boundary as shown on the inset map to ensure the site is deliverable. It will be for the Council to amend the policies map accordingly. As with a number of the other allocations in the Central Place, the modification also reflects the most up-to-date requirements of Thames Water in terms of the local water network capacity. Subject to these changes, the allocation is sound.
196. BCSA7, as submitted, comprises two separate sites at Wembley Park Station (North and South). As drafted, the policy is neither justified nor effective as each site has separate planning and design criteria. Therefore, to address this, the site has been separated into two separate site allocations, as identified in **MM15**, which reflects the position that BCSA7 now only relates to Wembley Park Station (South). The north site would be referred to under site allocation BCSA20 which is covered by **MM22**, summarised below, and BCSA7 would refer only to the car parking and office facilities associated with Wembley Park Station. It will be for the Council to amend the policies map accordingly.
197. **MM15** also updates the policy text to reflect the adjusted sites, amending the allocated uses to ensure that it correctly references the existing TfL ancillary accommodation, site capacity and accurately reflects the timeframe for delivery. We have also updated the wording of the planning history section in light of representations made at the main modification's consultation as well as the text in relation to the trees along the boundary on Brook Avenue for clarity. This modification is necessary for the policy to be justified and effective. As such, subject to its implementation, the approach adopted to Wembley Park Station (South) is sound.
198. As outlined above, Wembley Park Station (North) is presented as a separate site allocation covered by BCSA20, as set out in **MM22**. The new allocation notes the site currently comprises a disused railway siding and that it is within the WOA and WGA. The design principles reflect the site's identification as a wildlife corridor and that new buildings should mediate between the taller buildings on Matthews Close and the character of existing buildings on Forty Avenue. The new BCSA20 allocation also notes the Thames Water infrastructure requirements. It will be for the Council to amend the policies map in light of this new allocation. The policy presents a justified and effective allocation.
199. Site BCSA8 represents the Former Wembley Retail Park. It is allocated as a large mixed-use residential-led scheme to deliver over 2000 dwellings. **MM16** amends the policy to reflect the changes necessary as a result of the published London Plan. It also provides additional text to the design principles section, outlining that building heights should respond to the surrounding development coming forward as part of the Wembley Park redevelopment. The modification also reflects the most up-to-date requirements of Thames Water in terms of the local water network capacity. Subject to these changes, the allocation is sound.

200. BCSA9 provides for a further residential-led mixed-use development of approximately 1200 dwellings, of which approximately 400 would contribute to the Council's five-year supply. The development is currently under construction. **MM17** is necessary to amend the site boundary, update the policy wording to ensure it is precise and effective, and accurately reflect that the site is located within the Tall Buildings Zone. As with other allocations, the modification also reflects the most up-to-date requirements of Thames Water in terms of the local water network capacity. Subject to these changes, the allocation is sound. The site boundary also needs to be changed to add in the deleted waste site from BCSA4 above. It will be for the Council to amend the policies map accordingly.
201. Site BCSA10 York House is allocated for a 3-form entry primary school. **MM18** amends the policy wording to ensure it is precise and effective, including referencing the nursery provision anticipated at the site. The modification also reflects the most up-to-date requirements of Thames Water in terms of the local water network capacity. Subject to these changes, the allocation is sound.
202. BCSA12 is Land to the South of South Way. It is an existing industrial site with an element of nightclub use and is allocated for residential-led mixed-use redevelopment, incorporating industrial use. **MM20** amends the policy wording to ensure it is precise and effective in relation to tall buildings, biodiversity, noise attenuation and replacement industrial floorspace. The modification also reflects the most up-to-date requirements of Thames Water in terms of the local water network capacity. Subject to these changes, the allocation is sound.
203. Other site allocations (BCSA13-BCSA19) within the Central Place are covered by Figure 10 of the Plan. **MM21** updates the allocated uses and the policy wording of BCSA 15, BCSA16 and BCSA18 to reflect the changes to the UCO. It also deletes Policy BCSA17 in its entirety as this is no longer justified by the evidence base. It will be for the Council to amend the policies map accordingly. Subject to this modification, the sites listed under Figure 10 present a sound approach.
204. Subject to the modifications outlined, the approach to site allocations within the Central Place is a sound.

5.2 East Place

205. The East Place also starts with identifying a number of key themes across the Place. **MM23** introduces a section in relation to challenges and opportunities which is necessary for consistency with how other Place areas are treated within the Borough. The modification has been amended to include a reference to active travel which is now highlighted as an opportunity and accords with the sustainable transport objectives of the Borough.
206. This Place comprises Neasden Town Centre, Staples Corner Growth Area and a number of primarily residential areas. Policy BP2 sets the overall context for the Place noting, amongst other things, that tall buildings will be appropriate within the defined Growth Areas. **MM24** includes a number of

updates to Policy BP2. These include modifications to the minimum housing number figures and the retail floorspace figures and additional text to accurately reflect social infrastructure requirements. These are necessary to ensure the policy wording is sufficiently precise and effective.

207. In the context of the site allocations for the East Place, the two principal Growth Areas are the Neasden Stations' Growth Area and the Staples Corner Growth Area. Collectively, these sites will play an important role in the long-term housing delivery for the Borough but will also, given their size and location, deliver important strategic regeneration benefits in the east of the Borough. **MM25** amends the reasoned justification at paragraphs 5.2.16 - 5.2.18 inclusive by adding additional text in relation to the likely parties to be involved with the masterplanning exercise and delivery of the masterplan as well as providing greater clarity in relation to the intensification of industrial uses.
208. **MM26** introduces a new policy for the Neasden Stations' Growth Area in the form of Policy BEGA1A. This is necessary to ensure the Plan is consistent with how Growth Areas are referenced throughout the Plan. The area focuses on the potential new WLO station as well as the existing Neasden Underground station. It will aim to deliver approximately 2000 new dwellings as well as associated industrial and commercial floorspace. Given the scale of development and likely delivery timeframe, as well as the number of landowners, site occupiers and likely impact of the proposals on local residents, the reasoned justification reflects the fact that the area will be subject to a comprehensive masterplan approach. It will be for the Council to amend the policies map accordingly to reflect the Neasden Stations' Growth Area policy boundary.
209. A further Growth Area policy is introduced by **MM27** for the Staples Corner Growth Area in the form of Policy BEGA2A. Again, this is necessary so that a consistent approach to Growth Areas is applied throughout the Plan. The Staples Corner Growth Area includes strategic industrial land (SIL) and will aim to deliver approximately 2200 new homes, as well as associated commercial and industrial floorspace. The reasoned justification notes the strategic location of this site relative to the Brent Cross Opportunity Area which is located on the other side of the Edgware Road within the London Borough of Barnet.
210. Having defined the Growth Areas within the East Place, four detailed site allocations comprise the allocations for this Place. BEGA1 defines the Neasden Stations' Growth Area. **MM28** amends the site boundary so it covers the area as one complete allocation rather than individual pockets of development. This is necessary in order to reflect the masterplanning approach envisaged across the site as a whole and as reflected by the policy wording. It will be for the Council to amend the policies map accordingly. In addition, **MM28** updates the essential infrastructure requirements to be delivered at the site, provides an indicative capacity of housing numbers and updates the policy wording in relation to the LSIS part of the site and how this should relate to the comprehensive masterplan for the site as a whole. Whilst the Council have suggested additional wording following the main modifications consultation to reference contributions which maybe sought for the new WLO station, we are content

that wording as currently drafted is sound in terms of the infrastructure requirements in relation to this site allocation.

211. Furthermore, the modification amends the policy wording and acknowledges that the location is suitable for tall buildings as reflected by the Tall Buildings Zone. The modification has been amended to include a reference to active travel measures which accords with the sustainable transport objectives of the Borough. All of these changes are necessary to ensure that the policy wording is precise and effective in terms of its application.
212. Policy BEGA2 encompasses the Staples Corner Growth Area. This site is allocated for a large-scale mixed-use scheme to be developed through a masterplan approach. **MM29** updates the infrastructure requirements necessary for the redevelopment of the site, updates the policy wording in relation to changes to the Use Classes Order and updates how impacts on the SSSI and flood risk will be assessed. The modification also updates policy wording to ensure the scope for car free developments are supported and provides general modifications to make the policy wording more precise and effective. Subject to this modification, the policy presents a sound and effective approach to the long-term development of this important Growth Area.
213. The three remaining site allocations within the East Place are BESA1: Coombe Road, BESA2: Cricklewood Bus Depot, Edgware Road and BESA3: 5 Blackbird Hill. BESA1 will contribute to the Council's five-year housing land supply. **MM30** updates the policy wording of policy BESA1 in light of the changes to the UCO and introduces wording to reflect the recommendations of the SFRA. Further wording seeking to ensure a replacement of the fast-food outlet on the site is also provided. This modification is necessary to ensure the policy wording is effective in its application.
214. The Cricklewood Bus Depot site (BESA2) seeks to provide a mixed-use development to accommodate the replacement or relocation of the existing bus depot facility. **MM31** adds wording to the policy to reflect the position that a relocation of the bus depot facility would be appropriate, amends the policy wording in the interests of precision, adds wording to update the policy requirements in relation to flood risk and updates the references to industrial floorspace in place of employment floorspace to reflect the London Plan. Overall, subject to the modifications outlined, the policy presents a robust and effective approach.
215. **MM32** provides a modification to allocation BESA3 in order to reflect the changes to the UCO and to update the capacity figures which is necessary for soundness.
216. Subject to the modifications outlined, the approach to site allocations within the East Place is a sound.

5.3 North Place

217. North Place is largely suburban in character, includes two conservation areas and the Borough's only Metropolitan Park in the form of Fryent

Country Park. It is predominately residential in character. However, it does include two allocated employment locations in the form of LSIS, Colindale and Honeypot Lane (East and West).

218. Policy BP3 sets the overall context for the North Place and covers matters such as character and design, town centres, employment and skills as well as transport. **MM33** updates the policy to specify the minimum amount of additional homes to be delivered here during the Plan period as well as updating the retail floorspace envisaged. The modification also updates the policy text to reflect the latest changes to the UCO. Additional text is also necessary to reflect how social infrastructure requirements will be secured. All of these changes are required to make the policy more precise and effective in its application.
219. Outside of Policy BP3, the Growth Area policy is covered by Policy BNGA1: Burnt Oak/Colindale Growth Area. This policy reflects the fact that this Growth Area will deliver a mixed-use regeneration scheme including masterplanning to encompass the existing LSIS. **MM34** provides modifications to the policy to ensure the wording is consistent with the London Plan and updates the references to the open space provision so that the wording is consistent with the evidence base. It will be for the Council to amend the policies map accordingly to identify the Burnt Oak Colindale Opportunity Area with a boundary consistent with the Burnt Oak Colindale Growth Area. Subject to this modification, the policy presents a sound approach for this Growth Area.
220. The remaining detailed site allocation policies for the North Place are set out within Policies BNSA1-BNSA4 inclusive. Policy BNSA1 covers Capitol Way Valley which comprises a mix of existing uses including LSIS, an Asda foodstore and a number of mixed residential and retail developments. The site has planning permission and it is envisaged that the site will contribute towards the Council's five-year housing supply. **MM35** covers a number of modifications for the policy wording which include updates to the housing delivery figures reference to the site being within a Growth Area and Tall Buildings Zone and amendments to the existing site description for precision. The modification also removes text in relation to the planning history of the site which is not necessary and updates to the text in connection with the masterplanning approach, plot ratios and the potential for the use of CPO powers are deemed necessary. These changes are required so that the policy is precisely worded and consistent with the London Plan.
221. Site allocation BNSA2 is a further retail site comprising the Colindale Retail Park, multi-storey car park and Southon House. This site is located within the boundary of the Burnt Oak and Colindale Growth Area, and it is envisaged that the site will be redeveloped to accommodate a mixed-use development involving residential, retail and replacement industrial and office/affordable workspace. **MM36** includes a number of changes to the description of the site to ensure the policy reflects the most up-to-date uses, updates the PTAL ratings, correctly references the site being within a tall buildings zone and Growth Area and provides additional text in relation to the existing Local Employment Sites and the replacement of existing industrial floorspace in line with Policy E7 of the London Plan. Subject to

this modification, the policy is suitably worded and presents a sound approach.

222. Site BNSA3 is referenced as 'Queensbury LSIS and Morrisons'. However, it will be renamed 'Honeypot Lane LSIS and Morrisons' with associated text updates to the allocated uses section to ensure consistency in the naming of the LSIS throughout the Plan. This is addressed through **MM37**. In addition, **MM37** provides a number of changes to the policy text including updates to the housing figures, as the site now forms part of the Council's five-year housing land supply, and additional references to the existing rail station and rail infrastructure. We are satisfied that there is clear evidence to demonstrate that 194 homes will be completed on the site within this 5 year period. The modification also amends text in relation to the Morrison's foodstore and its retention on the site, provides additional text in relation to the existing LSIS and the replacement of existing industrial floorspace in line with London Plan Policy E7. Further updates to the text in connection with the masterplanning approach, plot ratios and the potential for the use of CPO powers are also deemed necessary. Subject to this modification, the policy is suitably worded and presents a sound approach.
223. The former Mecca Bingo site on Burnt Oak Broadway is covered by site allocation BNSA4. **MM38** provides additional text in relation to the significance of the existing Grade II listed structure, updates the references to the PTAL rating, deletes text within the planning history which is unnecessary and references Thames Water in connection with infrastructure phasing requirements. Subject to this modification, the policy presents a sound approach.
224. Figure 17 provides a list of other site allocations within the North Place. **MM39** amends BNSA8 to ensure the policy reflects the requirements of the latest SFRA which is necessary to ensure that the policy is consistent with the evidence base. Subject to this modification, the site allocations listed under Figure 17 are sound.
225. Subject to the modifications outlined, the approach to site allocations within the North Place is sound.

5.4 North West Place

226. The North West Place is characterised by suburban residential areas and includes major social infrastructure in the form of the Northwick Park Hospital and the Harrow Campus of the University of Westminster. The area includes 3 conservation areas, Northwick Park MOL and a SIL.
227. Policy BP4 sets the overall context for the North West Place and **MM40** seeks to update the homes to be delivered at part (d) of the policy in order to ensure that the number of homes is consistent with the evidence base identified for the Place. In addition, the modification updates the retail capacity figures to ensure these are consistent with the evidence base, the policy text to reflect the changes to the UCO and introduces additional wording to ensure social infrastructure requirements are adequately addressed through the policy. Subject to this modification, the policy presents a sound strategic approach to the North West Place as a whole.

228. The site allocation for Northwick Park is covered by Policy BNWGA1. This site encompasses both the University of Westminster Harrow Campus with associated student accommodation, Northwick Park Hospital and associated car parking and underground station. **MM42** provides a number of updates to the policy in terms of housing delivery numbers and timeframe and new policy wording to reflect how the impacts of development on the SINC should be addressed. The text regarding building heights has also been updated in light of representations made during the main modification's consultation. The modification also deletes text which is excessive and unnecessarily descriptive within the policy wording and provides additional text to make the policy more effective, ensures that the issue of step free access is adequately covered as well as additional text regarding the existing building stock.
229. Northwick Park Growth Area is defined by a new policy at BNWGA1A. The Growth Area policy is set out through **MM41**. The modification is necessary to ensure that there is a consistent approach to Growth Areas throughout the Plan. The policy and reasoned justification acknowledge the strategic scale of development proposed. In addition, the relevant planning history section has been updated to reflect the most up-to-date position. The modification has been amended to include a reference to active travel and multi modal trips which accords with the sustainable transport objectives of the Borough. Subject to this modification, the policy presents a robust framework for the assessment of development proposals on this major strategic site within the Borough.
230. BNWSA1 covers Kenton Road Sainsbury's and adjoining land. The site would contribute about 150 dwellings from Year 5 onwards of the Plan period. **MM43** includes a number of changes to the policy wording. Given the central location of the site relative to Kenton Town Centre, it is appropriate that any car parking should be publicly available and designed to serve the wider town centre. Additional text also reflects the location close to existing rail infrastructure. Existing policy text has been deleted which is imprecise.
231. Subject to the modifications outlined, the approach to site allocations within the North West Place is sound.

5.5 South Place

232. The South Place forms the boundary with the Old Oak and Park Royal Opportunity Area. It includes both Harlesden Town Centre as well as the smaller neighbourhood centre of Church End. **MM44** updates the opportunities section to update the references to the redevelopment of the Argenta House/Wembley Point and Unisys/Bridge Park sites. This is necessary to ensure the Plan is effective.
233. Policy BP5 sets the overall context for the South Place. Subject to **MM45**, the policy outlines how the Place will deliver a minimum of 4900 additional homes through the Plan period, with Church End Growth Area providing over 1300 new homes. **MM45** also updates the retail floorspace envisaged to be delivered towards Harlesden and Church End centres, provides additional references to acknowledge the creation of Creative Clusters in accordance with London Plan policy, updates text to reflect social

infrastructure requirements as well as a multi-use community centre and a primary health care centre. **MM46** amends the reasoned justification at paragraph 5.5.21 to ensure it is consistent with Policy BP5 in terms of the references to health care provision as a result of the planned growth within the South Place.

234. Policy BSGA1 provides for the Church End Growth Area. **MM47** is necessary so that, amongst other things, the policy is consistent with Policy BP5 above in terms of the infrastructure requirements, number of homes to be delivered and updating the reference to industrial floorspace.
235. There are seven key site allocations within the South Place. BSSA1 covers the Asiatic Carpets site which envisages its redevelopment for mixed-use residential, employment and supporting community facilities. **MM48** is necessary for clarity and to make the policy more precise, update the housing delivery timeframe and PTAL rating, amend the text in relation to the industrial floorspace on the site so that it is reflective of the London Plan and confirm that CPO powers will be used if deemed necessary. The requirement for a masterplan to be approved is also justified as a proportionate approach to secure a comprehensive scheme. Subject to this amendment, the approach identified is sound.
236. BSSA2 covers the B&M Home Store and Cobbold Industrial Estate. The site is a LSIS, and as a result any comprehensive redevelopment of the site should be subject to a masterplan approach. **MM49** includes additional wording relating to a minimum plot ratio of 0.65 or the existing industrial floorspace whichever is the greater. Furthermore, additional text setting out how non-industrial floorspace will be addressed as part of any masterplan process is necessary for clarity and to ensure the policy is effective. The modification also includes for wording relating to car free development, in accordance with Policy BT2, and additional text in relation to the urban design and landscaping considerations along Cobbold Road as well as an update to the infrastructure requirements section and additional wording regarding sustainable drainage are also necessary for clarity.
237. Church End Local Centre is covered by allocation BSSA3. The site comprises the northern section of the local centre, which currently comprises community and commercial uses with residential above. The planning considerations section reflects the fact that planning permission has already been granted for a scheme comprising residential, commercial uses and a new market. Nevertheless, in order to provide greater clarity, **MM50** adds additional wording to ensure the market provision is implemented in accordance with Policy BE8. The timeframe for delivery is updated to reflect the latest housing trajectory. Furthermore, in order to ensure the policy is effective, the wording of the modification has been amended to reflect the most up-to-date requirements of Thames Water in terms of the local water network capacity, update to the PTAL rating, the requirement for a flood risk assessment and amendments to the social infrastructure requirements and design considerations which are necessary for the policy to be effective. Subject to these changes, the allocation is sound.
238. BSSA4 covers Chapmans and the Sapcote Industrial Estate. In common with site BSSA2 above, the site is a LSIS. Any comprehensive redevelopment of the site should be subject to a masterplan approach to

- ensure that land use considerations are appropriately addressed. **MM51** includes additional wording relating to a minimum plot ratio of 0.65 or the existing industrial floorspace whichever is the greater. Furthermore, additional text setting out how non-industrial floorspace will be addressed as part of any masterplan process and also updates to the justification section are necessary for clarity and to ensure the policy is effective. The modification also includes wording relating to car free development, in accordance with Policy BT2, additional text relating to urban design considerations and an update to the infrastructure requirements section.
239. The existing Willesden Bus Depot is covered by site allocation BSSA5 which includes the long-term vacant Crown Public House. **MM52** provides additional text in relation to the reprovision of the bus garage as part of any redevelopment, as well as an acknowledgment that the site forms a local employment site. The PTAL text is also updated as well as the design principles section, additional wording to reflect the most up-to-date requirements of Thames Water in terms of the local water network capacity. The modification, when taken as a whole, is necessary for clarity and to ensure that the policy is effective in its application.
240. BSSA6 is a site which is contributing to the Council's 5 year housing land supply and includes Argenta House and Wembley Point. The Wembley Point building has prior approval for conversion to residential use. **MM53** updates the timeframe for delivery for consistency with the housing trajectory, the PTAL text is also updated as well as the design principles section.
241. Additional wording has been added to state that any future flood modelling work which seeks to justify a revision to the functional floodplain boundary will need to be agreed with the Environment Agency. Notwithstanding the representations which suggest that amendment catchment models have changed this position, the Environment Agency confirmed in their response to the main modifications consultation that they were supportive of the modification as proposed. The modification is effective as drafted. When taken as a whole, the modification is necessary for clarity and to ensure that the policy is effective in its application.
242. The last detailed site allocation within the South Place is BSSA7, Bridge Park and the Unisys Building. **MM54** updates the timeframe for delivery, the PTAL text and the design principles and infrastructure requirements section. Additional wording has been added to ensure that any development is consistent with the recommendations of the Brent Strategic Flood Risk Assessment Level 2. The modification, when taken as a whole, is necessary for clarity and to ensure that the policy is effective in its application.
243. The remaining site allocations within the South Place are covered comprehensively by Figure 24 relating to sites BSSA8 - BSSA19 inclusive. **MM55** is necessary to amend the wording in relation to BSSA8 and BSSA9 to ensure it is consistent with the London Plan and Policy BE3 of this Plan. The modifications also update the housing capacity at BSSA13 to reflect the most up-to-date position which is necessary for the policy to be effective.
244. Subject to the modifications outlined, the approach to site allocations within the South Place is sound.

5.6 South East Place

245. The South East Place includes the wards of Brondesbury Park, Kilburn, Mapesbury, Queen's Park as well as part of Kensal Green and Willesden Green. Comprising largely residential neighbourhoods, the area benefits from a number of designated centres including Kilburn Town Centre.
246. Policy BP6 sets the overall place vision for the South East. It identifies the levels of growth envisaged by the Plan in this area over the Plan period. **MM56** is necessary to ensure the 'Homes' section accurately reflects the growth planned here until 2041 in terms of both residential development as well as planned retail growth to 2028. The modification also adds additional text to ensure that the social infrastructure requirements necessary to support this level of planned growth are acknowledged as well as a specific reference to the promotion of the Gaumont State cinema building for cultural and community use and updating references to the creative clusters. Subject to this modification, Policy BP6 sets a sound approach to development within the South East Place.
247. The South Kilburn Growth Area is defined by Policy BSEGA1. **MM57** is necessary to ensure the policy accurately reflects the level of growth proposed over the Plan period, detailing that the area will deliver 2100 new homes (net additional 800 homes taking into account demolitions).
248. BSESA1 covers the site known as Austen (1-167 Austen House, Cambridge Road) which is located within the South Kilburn Growth Area. **MM58** provides for a number of policy changes which are necessary for the policy to be effective. These include updating the timeframe for delivery, PTAL rating, planning considerations, justification, design considerations and infrastructure requirements specific to the wastewater capacity within this area. Subject to this modification, the policy approach is sound.
249. In close proximity to the above allocation are BSESA2: Blake and BSESA3: Carlton House and BSESA7: Dickens. These sites comprise residential accommodation with some community space within BSESA3 and are allocated for mixed tenure housing development. **MM59, MM60** and **MM64** update a number of the site criteria for clarity and to ensure that the policies are effective in their application.
250. Two existing school sites are included under the South Place and a further site provides for a new school. Carlton Infant School is allocated under Policy BSESA4. The site will become available for mixed tenure housing development following the move of the existing school to a new site and **MM61** updates the policy wording to accurately reflect this, as well as updating the timeframe for delivery, PTAL rating, planning considerations, justification, design considerations and infrastructure requirements specific to the wastewater capacity within this area. Subject to this modification, the policy approach is sound.
251. The second school site is BSESA9: Kilburn Park Junior School which is allocated for open space provision following the relocation of the existing school. **MM66** covers a number of changes to the policy wording in terms of the PTAL rating, timeframe, justification and planning considerations which are necessary for clarity and for the policy to be effective. BSESA12:

Wordsworth, Masefield and Part of South Kilburn Open Space is allocated for a new 3 form entry school building to incorporate the existing Kilburn Park Junior and Carlton Vale Infants Schools, plus nursery, community space and residential use. **MM69** incorporates amendments to the policy text which are necessary for consistency with other policies in the Plan and to ensure the site allocation is effective.

252. Two further neighbouring residential sites are allocated at BSESA5: Craik and BSESA6: Crone & Zangwill. Both sites are located within the South Kilburn Growth Area and seek to permit redevelopment for mixed tenure residential development with the potential for ground floor commercial units. **MM62** and **MM63** amend the policy wording in the case of both allocations to cover matters such as the timescale for delivery, PTAL rating, planning considerations and design principles as well as the justification for the allocation concerned. In addition, in the case of **MM63**, additional wording is also included regarding wastewater network capacity and water supply. Subject to these modifications, the policies are sound and justified.
253. BSESA8 is an allocation at Hereford House and Exeter Court. The site is allocated for mixed tenure housing development and new open space. **MM65** covers a number of changes to the policy wording in terms of the PTAL rating, timeframe, justification, design principles and planning considerations which are necessary for clarity and for the policy to be effective.
254. BSESA10 is an allocation at Neville and Winterley's. The site is allocated for mixed tenure housing development. **MM67** covers a number of changes to the policy wording in terms of the PTAL rating and address, timeframe, justification, design principles and planning considerations which are necessary for clarity and for the policy to be effective. Additional wording is also included regarding wastewater network capacity and water supply. Subject to this modification, the policy is sound and justified.
255. The existing Old Granville Open Space is covered by allocation BSESA11 which allocated the site for mixed tenure housing development and new open space. A number of the criteria have been amended for clarity, consistency with other policies in the Plan and effectiveness under **MM68**. Subject to this modification, the policy is sound and justified.
256. Site allocation BSESA13 allocates John Ratcliffe House for mixed tenure housing. A number of the criteria have been amended for clarity, consistency with other policies in the plan and effectiveness under **MM70**. In a similar manner, BSESA14 comprising William Dunbar House and William Saville House, is allocated for mixed tenure housing to include commercial/town centre uses at the ground/mezzanine floor. Subject to the modification set out in **MM71**, the policy is also sound and justified.
257. Two community use sites are included within the South Place. The first is at the UK Albanian Muslim Community and Cultural Centre which is covered by BSESA15. Redevelopment is envisaged to include community use with either commercial or residential use. **MM72** reflects this wording as well as updating a number of the policy criteria. Subject to **MM72**, the approach is sound. The second site is at BSESA16: The OK Club. **MM73** updates the policy criteria, and includes a reference to waste-water upgrades and water

supply capacity which may also require an upgrade. Subject to the modification, the policy is sound and justified.

258. BSESA17 addresses Cricklewood Broadway Retail Park, which currently comprises two large superstore format retailers and is allocated for residential and commercial land uses. **MM74** amends the policy wording for clarity and effectiveness, in particular the planning considerations, design principles and justification. The policy text acknowledges that the site presents a large-scale opportunity with potential to include high density elements. Subject to the modification, the policy is sound and justified.
259. 245-289 Cricklewood Broadway comprises commercial units and warehouse and vehicle repair garage. It is covered by site allocation BSESA18 and is allocated for residential/commercial uses and forms part of the Cricklewood town centre secondary shopping frontage. For clarity and effectiveness, a number of the policy criteria are amended through **MM75** including a cross reference to Policy BE3 of the Plan. Incorporating the modification, as recommended, the approach is sound.
260. As referenced within Policy BP6, the Gaumont State Cinema benefits from its own site allocation at BSESA19 and is allocated for leisure, community and cultural uses. **MM76** updates the description of the existing site to include reference to Grade II* listing status, updates the planning considerations to highlight the role and function that the building could have in terms of the night time economy and amends the design considerations and justification for effectiveness. Neither BSESA20 Kilburn Square nor BSESA21 Willesden Green Sainsbury's and Garages included inset maps. These are necessary for effectiveness and consistency with the remainder of the Plan. Accordingly, **MM77** and **MM78** provide the respective inset maps whilst also incorporating a number of changes to the policy text which are necessary for clarity and effectiveness. Subject to these modifications, the policy allocations are sound.
261. Figure 27 lists the remainder of the site allocations for the South East Place covered by BSESA22-BSESA35 inclusive. **MM79** includes a number of changes to parts of these policies for clarity and effectiveness. In light of representations received at the main modifications stage, we have also amended the existing use at BSESA35. Subject to this modification, the approach to the sites listed at Figure 27 is sound.
262. Subject to the modifications outlined, the approach to site allocations within the South East Place is sound.

5.7 South West Place

263. The South West Place includes the wards of Alperton, Sudbury and Wembley Central. The Sudbury Town Neighbourhood Plan (NP) applies to Sudbury and the Plan acknowledges a number of the planning considerations relevant to this NP area. **MM81** amends the reasoned justification at paragraph 5.7.25 to ensure that the text accurately reflects the context of the NP in relation to the Vale Farm site as a regional centre for sporting excellence.

264. Policy BP7 sets out the overall place strategy for the South West Place and identifies relevant planning considerations under various headings including Character, Heritage and Design, Town Centres, Homes, Employment and Skills, Transport, Community and Cultural Facilities and Open Space and Biodiversity. **MM80** amends the wording in relation to a number of criteria contained within the Character, Heritage and Design section. This is necessary to ensure the wording is consistent with the Retail and Leisure Needs Study as well as Policies BD2 and BE2 of the Plan.
265. The principal focus for growth within the South West place is the Alperton Growth Area outlined under Policy BSWGA1. The policy sets out how the focus will be on an extensive area of mixed-use residential-led regeneration located principally along the Grand Union Canal and will continue between Alperton and Stonebridge Park stations. **MM82** is necessary to update the housing figures for consistency with the housing trajectory, whilst also updating the references to social infrastructure within the IDP to ensure that they accurately reflect what is envisaged for the Alperton Growth Area.
266. There are 10 principal site allocations within the South West Place and these are outlined below.
267. Alperton Industrial Sites are allocated as site BSWSA1 for mixed use schemes to include co-locating residential units with existing industrial and commercial units. **MM83** updates the indicative capacity of this site to 1850 which is necessary to reflect the latest evidence on the expected timing and quantity of development. The modification also updates the timeframe for delivery and planning considerations to provide greater clarity on a number of matters including how the development of non-industrial uses here can be achieved and providing a specific reference to rail and bus infrastructure and social infrastructure requirements in terms of the existing moorings along the southern stretch of the canal. Furthermore, additional text to address the waste-water network and capacity is also provided. Subject to the modification outlined, the allocation presents a sound approach.
268. The Sainsburys foodstore at Alperton is allocated under BSWSA2. The allocation outlines that the site should be redeveloped to either maintain or replace the existing foodstore with associated residential on the remainder of the site. **MM84** amends the timeframe for delivery, the PTAL rating, updates the planning considerations to provide clarity and effectiveness and also provides additional text in relation to necessary infrastructure requirements. Subject to the modification, the allocation is sound.
269. BSWSA3 is Atlip Road, an existing commercial / employment site, is allocated for a mixed-use residential-led scheme. The site will contribute towards the Council's 5 year housing land supply and **MM85** updates the capacity and delivery timeframe to ensure consistency with the housing trajectory. It also updates the planning considerations and infrastructure requirements section of the allocation for clarity and effectiveness, including reference to the location of the site within a tall buildings zone which has been updated to ensure consistency with the London Plan. Taking account of the modification proposed, the allocation is sound.
270. Two existing industrial site allocations are at BSWSA4: Sunleigh Road and BSWSA5: Abbey Industrial Estate. In the case of Sunleigh Road, the

allocation acknowledges that any redevelopment proposals should take account of the site's canal side setting. **MM86** amends the timeframe for delivery, site description and planning considerations, noting that the site is located within a tall buildings zone where tall buildings are appropriate. A number of amendments to the infrastructure requirements are necessary to ensure the policy is effective. In particular, the modification refers to a publicly accessible route for walking/cycling along the northern edge of the canal as part of a wider continuous route running through neighbouring development sites. This is necessary to ensure the policy is effective.

271. **MM87** applies to BSWSA5, noting the site is within a location appropriate for tall buildings. The modification also updates the site description, planning considerations, design principles and infrastructure requirements. This modification is necessary to ensure the policy is precise and effective. Subject to the modification, the allocation is sound.
272. BSWSA6 covers a site at Beresford Avenue. The site is allocated for mixed-use residential-led development, incorporating industrial uses. **MM88** updates the capacity, allocated uses, site description and planning considerations, noting that the site is located within a tall buildings zone where tall buildings are appropriate, design principles and infrastructure requirements. This modification is necessary to ensure the policy is precise and effective. Subject to the modification, the allocation is sound.
273. BSWSA7 covers a site allocation at Northfields. The site is allocated for a mixed-use residential-led scheme and, subject to **MM89**, has an indicative capacity of 3350 dwellings over the Plan period. A significant proportion of the site is under construction and the modification updates a number of the development criteria applicable to the site. The modification is necessary to ensure the policy is precise and effective and with it the allocation is sound.
274. BSWSA8 allocates a site at Wembley High Road for mixed-use residential-led development incorporating main town centre uses and an increase in employment floorspace. **MM90** is necessary for clarity and to ensure the wording of the site allocation is effective. It updates a number of the criteria used within the site allocation and subject to the modification proposed, the allocation is sound.
275. BSWSA9 comprises the former Copland School which is allocated for a residential-led mixed-use scheme. **MM91** is necessary for clarity and to ensure the wording of the site allocation is effective. It updates a number of the criteria used within the site allocation and subject to the modification proposed, the allocation is sound.
276. BSWSA10 is a site allocation at Elm Road. It is allocated for mixed-use town centre development incorporating residential, hotel and supporting community facilities. **MM92** is necessary for clarity and to ensure the wording of the site allocation is effective. It updates a number of the criteria used within the site allocation including the site name, timeframe for delivery, planning considerations design principles and infrastructure requirements. Subject to the modification proposed, the allocation is sound.
277. Figure 31 outlines the remaining site allocations within the South West Place. These are listed under sites BSWSA11-BSWSA17 inclusive. **MM93**

includes a number of changes to parts of these policies for clarity and effectiveness. Subject to this modification, the approach to the sites listed at Figure 27 is sound.

278. Subject to the modifications outlined, the approach to site allocations within the South West Place is sound.

Issue 10 – Conclusion

279. On the basis of the evidence, we can conclude that in relation to Issue 10, subject to the main modifications which we have outlined above, the Plan is justified and effective in terms of the Places strategy and site allocations identified, both in relation to national policy and also the London Plan.

Issue 11 - Delivery and Monitoring: Whether the Plan sets out a clear framework for the monitoring and implementation of the policies within the Plan and how the effectiveness of the Plan and its policies will be measured and assessed.

280. The Council has indicated that the existing format of the Council's Annual Monitoring Reports (AMRs) is to be amended to reflect the targets identified within the Local Plan. As such, the implementation, assessment and effectiveness of the Plan's policies is to be monitored and measured through these yearly reports. From this, the Council will be able to determine whether any actions are needed to support better outcomes, including those that may result in changes or updates to current policy which would have to be through an update to the Plan.
281. In order to provide greater clarity to monitoring arrangements and performance measures for policies and infrastructure delivery in the Plan and for soundness reasons, it is necessary for modifications to be made within the Delivery and Monitoring section of the submitted Plan. These are set out as **MM126** and **MM127**. The modifications are required to provide clarification as to the relevant targets identified and a stronger link between specific policies and performance measures. Furthermore, the modifications identified are necessary to make the Plan and its policies effective, consistent with national policy and in conformity with the London Plan.

Issue 11 - Conclusion

282. From the evidence put to us in this examination regarding delivery and monitoring, we conclude that subject to the modifications identified, the Plan sets out a clear framework for the monitoring and implementation of the policies within it and how the effectiveness of the Plan and its policies will be measured and assessed. In this regard, we conclude that the Plan and its policies are justified, effective and consistent with national policy.

Other Soundness Matters

283. Policy BHC1 addresses Brent's Heritage Assets. The policy outlines the approach to the assessment of proposals effecting heritage assets and the reasoned justification provides both a detailed explanation of the policy as well as setting out its justification. **MM115** provides an additional criterion within the policy in relation to proposals for, or affecting, heritage assets,

outlining that proposals should seek to avoid harm in the first instance. Substantial harm or loss should be exceptional, especially where the asset is of high significance. Any proposals for harm to, or loss of, a heritage asset should require clear and convincing justification and can be outweighed by material planning considerations in the form of public benefits but only if these are sufficiently powerful. This wording is broadly consistent with the NPPF. **MM116** amends the reasoned justification to add greater clarity. Subject to these modifications, the policy approach is sound.

284. Policy BD3 addresses basement development and provides a criteria-based approach to the assessment of relevant proposals. **MM95** provides an additional criterion (g) which requires that the existing property must be protected from sewer flooding by a suitable pumped device. This is required to provide clarity to the policy and subject to it, the policy is sound.
285. Appendix 1 of the submitted Plan sets out a Table indicating the status of existing Brent Local Plan policies within the Brent Core Strategy adopted in 2010; Site Specific Allocations adopted in 2011; the Wembley Area Action Plan adopted in 2015; and Development Management Policies adopted in 2016. The Council has confirmed that Appendix 1 had been included in the submitted Plan in error as the information within it is redundant. **MM128** removes Appendix 1 from the Plan which is necessary to provide clarity.
286. **MM132** and **MM133** relate to the amendment and addition of terms to the Glossary of the Plan respectively. **MM132** sets out an amendment to the Glossary definition of Locally Significant Industrial Sites (LSIS) which is necessary for consistency with the London Plan and precision in terms of providing clarity in referring to the Brent Local Plan rather than the Core Strategy. **MM133** adds the term 'makerspace' to the Glossary which is referred to in Policy BE3 of the Plan. The modification is required to provide clarity and precision as to the definition of the term within the Plan and therefore make it effective.

Overall Conclusion and Recommendation

287. The Plan has a number of deficiencies in respect of soundness and legal compliance for the reasons we have set out above which means that we recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues we have identified.
288. The Council has requested that we recommend main modifications to make the Plan sound, legally compliant and capable of adoption. We conclude that, with the recommended main modifications set out in the Appendix to this report, the Brent Local Plan 2019-2041 has met the duty to cooperate, satisfies the requirements of Section 20(5)(a) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework 2021.

C Masters and Andrew McCormack

Inspectors

This report is accompanied by an Appendix containing the Schedule of Main Modifications.