

Local Plan Independent Examination

OPDC Response to Matter and Issue 14

Matter 14: Whether the plan's policies towards town centre uses and impacts are justified and consistent with national policy (derived from the thirtysecond, thirty-sixth and thirty-seventh Key Issues of table 5 of Key document 5 identified at Regulation 19(1) stage (LBBrent representations 2/TCC1/3 and 4)

Although I am content with the officers' response to this Matter set out in Appendices E and J to Key document 5, a Hearing session will be required if representors exercise their right to be heard.

OPDC response:

- 1.1. OPDC consider that Local Plan policies towards town centre uses and impacts are justified and consistent with national policy.
- 1.2. Policy TCC1 e) sets out that proposals should be supported by a Town Centre Uses Statement and an Impact Assessment in accordance with paragraph 26 NPPF where they provide over 5,000sqm of town centres uses within the Old Oak major town centre, and 2,500 sqm of town centre uses elsewhere. The rationale for the 5,000sqm threshold in the Old Oak major town centre is set out in the Retail and Leisure Needs Study (RLNS) (document SD53, Para 7.8.11). NPPF requirements for impact assessments set out in paragraph 26 apply to proposals for out of centre or edge of centre town centre uses which are not in accordance with an up-to-date Local Plan. Typically, where a centre has been identified in planning policy there is no requirement for an impact assessment to be undertaken. However, the RLNS identifies that as the Old Oak town centre has yet to be delivered it is appropriate to still require impact assessments. The study recommends a higher threshold of 5,000 sqm which will help guard against uncontrolled retail expansion while also being proportionate to the scale of recommended town centre uses floorspace in Old Oak.
- 1.3. The RLNS Study has assessed the broad impact of a quantitative provision of over 60,000sqm of A-class floorspace on the surrounding town centre hierarchy. This has shown that most impacts are likely to be positive as a consequence of the ability of surrounding centres to capture spend from the new population moving to the area. The study has shown that Harlesden Town Centre in particular is set to benefit from the expenditure arising from residents and workers in Old Oak. OPDC requires schemes meeting the thresholds outlined in TCC1 to contribute, where appropriate, to measures that will support the continuing vitality and viability of Harlesden District Centre to explore how these benefits can be appropriately captured. OPDC does not consider it appropriate to lower these thresholds based on the rationale for the 5,000sqm threshold set out in para 1.2.

- 1.4. The RLNS identifies that Harlesden Centre will undergo growth over the next 20 years, both as a result of background growth, and also as a result of expenditure from the OPDC area. Within OPDC's RLNS, estimates for floorspace provision within the OPDC area have been made on the basis of 80% retention of convenience expenditure and 20% retention of comparison expenditure, meaning there will be significant opportunities for Harlesden to capture this growth. Enhancements to Harlesden are therefore likely to be focussed more on opportunities to capture growth rather than to mitigate impacts, and there will be a need for flexibility to consider what measures may be required to mitigate any impacts. As such, OPDC does not consider it appropriate to fix what sort of measures will be required to support Harlesden. As per the statutory tests for section 106 obligations, any obligations must (amongst other tests) be necessary to make the development acceptable in planning terms. Only schemes considered to impact upon Harlesden Town Centre would be required to provide contributions, and not necessarily all schemes which exceed the thresholds set out earlier in the policy. OPDC will work positively with the London Borough of Brent to identify projects or initiatives for the enhancement of Harlesden Town Centre to inform appropriate contributions.
- 1.5. Paragraph 26 requires schemes over the threshold to submit an impact assessment. The OPDC will seek to agree with the applicant the scope, key impacts and level of detail that is required for each impact assessment. Where necessary this may include an assessment of the impact of the proposals cumulatively with other town centre use schemes. OPDC therefore considers the policy approach sound and consistent with the NPPF.
- 1.6. Following representations to the first Regulation 19 consultation, amendments were made to Policies TCC1 and TCC3 so that all strands relating to the location for and impacts of town centre uses are now covered within Policy TCC1. This included amendments relating to town centre uses within SIL to more closely align with the requirements of the London Plan Policy 2.17 (B) - that such uses should be small scale walk-to services such as small creches and cafes.