

NON-KEY EXECUTIVE OFFICER REPORT

LONDON BOROUGH OF CAMDEN	WARDS: Kilburn
REPORT TITLE Kilburn Neighbourhood Plan 2023 - 2033 Decision Statement	DECISION REF NO: 260-25-IPO
REPORT OF Strategic Lead – Planning Policy and Implementation	
FOR SUBMISSION TO Interim Director of Economy, Regeneration and Investment	DATE SUBMITTED TO DECISION MAKER 23 October 2025
SUMMARY OF REPORT <p>The Kilburn Neighbourhood Plan 2023 – 2033, prepared by the Kilburn Neighbourhood Forum, was submitted to Camden and Brent Councils in January 2025. Following a statutory publicity period ('submission draft consultation'), the Plan proceeded to examination by an Independent Examiner. Under the legislation, the Councils are required to consider the recommendations of the Examiner and publish a response via a 'Decision Statement'. This report seeks approval of the Decision Statement on the Kilburn Neighbourhood Plan 2023 - 2033 and approval for the Plan to proceed to local referendum.</p> <p>The Neighbourhood Plan relates to a cross boundary area (with Camden and Brent Council) covering the Kilburn High Road and Kilburn wards in both boroughs.</p> <p>The Supporting Communities scheme of delegation authorises the Chief Planning Officer to make this decision. As that post is currently vacant, authority rests with the Interim Director of Economy, Regeneration and Investment to agree the Decision Statement, following consultation with the Cabinet Member for Planning and a Sustainable Camden. Subject to the approval of the Decision Statement by both boroughs, the Kilburn Neighbourhood Plan 2023-2033 will proceed to local referendum.</p> <p>Local Government Act 1972 – Access to Information No documents that require listing were used in the preparation of this report</p> <p>Contact Officer: Kate Goodman, Principal Planner - Planning Policy and Implementation; 5 Pancras Square, London, N1C 4AG; kate.goodman@camden.gov.uk; 020 7974 2295</p>	
RECOMMENDATIONS <p>That the Interim Director of Economy, Regeneration and Investment, following consultation with the Cabinet Member for Planning and a Sustainable Camden agrees:</p> <p>i. the Examiner's recommendations to make modifications to the Kilburn</p>	

Neighbourhood Plan as set out in the Decision Statement (set out in Appendix 1)

- ii. that the Plan, as modified in the 'Referendum version' (set out in Appendix 3), proceeds to a local referendum.

Signed:

A handwritten signature in dark ink, appearing to read 'B. O'Donnell', with a stylized flourish at the end.

Brian O'Donnell

Strategic Lead – Planning Policy and Implementation

Date: 23 October 2025

1. Purpose of the Report

- 1.1 This report seeks the approval of the Decision Statement on the Examiner's recommendations of the Independent Examiner who held an examination into the Kilburn Neighbourhood Plan, and for approval to proceed to a local referendum.
- 1.2 The independent examination of the Kilburn Neighbourhood Plan 2023 - 2033 has taken place and the Independent Examiner's report (attached as Appendix 1) was issued to Camden and Brent Councils on 30 September 2025. The Councils must now decide to whether to accept the Examiner's recommendations for modifications to the Plan. Prior to the Examination two public consultations on the Plan were held in accordance with Neighbourhood Planning Regulations 2012 (see section 6 below).
- 1.3 Under the Council's scheme of delegation, all matters not reserved to Members are delegated to the relevant Executive Director. Executive Directors can, in turn, authorise others within their directorate to exercise powers delegated to them. In line with the current 'Authorisation scheme' for the Supporting Communities Directorate, a 'Decision Statement' is to be agreed by the Chief Planning Officer, following consultation with the Cabinet Member (unless the Council does not accept the Examiner's recommendations, in which case it should be referred to the Cabinet Member for a Single Member Decision). As the post of Chief Planning Officer is currently vacant, this decision rests with the Interim Director of Economy, Regeneration and Investment. This report is intended to meet these requirements.

2. Proposals and Reasons

- 2.1 Neighbourhood Plans are statutory planning documents that can establish general planning policies for the development and use of land in a neighbourhood. Neighbourhood Plans must be prepared by a designated Neighbourhood Forum made up of members of the community, and once prepared, are subject to public consultation, independent examination and a referendum.
- 2.2 Camden and Brent Councils appointed Mr Derek Stebbing to carry out the independent examination of the Plan to assess whether it meets the various legal requirements and 'basic conditions' (as prescribed by paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990). The basic conditions are that a neighbourhood plan must:
 - Have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - Contribute to the achievement of sustainable development;
 - Be in general conformity with the strategic policies of the development plan for the area;
 - Be compatible with and not breach European Union (EU) obligations (under retained EU law); and
 - Meet prescribed conditions and comply with prescribed matters.

Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan - that the making of the Neighbourhood Development Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

- 2.3 The Examiner's role is to consider whether any changes or 'modifications' need to be made to the Plan to ensure it meets the basic conditions or legal requirements. If an examiner considers that substantial changes would be needed to a neighbourhood plan, it is likely they will recommend its rejection, in which case the plan would need to be amended and taken through further public consultation and engagement.
- 2.4 The Examiner's Report on the Kilburn Neighbourhood Plan has been published on the Council's website. The Examiner concludes that subject to modifications, the Plan meets the Basic Conditions and recommends that the Plan, once modified, proceeds to local referendum on the basis that it has met all the relevant legal requirements.
- 2.5 The Independent Examiner has reviewed the Kilburn Neighbourhood Plan taking into account the written representations received during the consultation on the 'submission draft' Plan from statutory bodies, local residents and other interested parties (see Section 6 of this report). These representations have been published on the Council's website. The Examiner decided not to hold a public hearing into the Plan.
- 2.6 The Councils submitted a joint representation to the Examiner, which incorporated comments from various Camden Council services. The majority of the comments relate to how the clarity and flexibility of the Plan could be improved. The Examiner accepted the substantial majority of the Councils' recommended changes.
- 2.7 The key findings / modifications suggested by the Examiner are as follows:
 - The plan should require developments in areas of Medium and High Risk of Surface Water Flooding to incorporate Sustainable Drainage Systems (SuDs) and other measures to mitigate water run off
 - Mobility hubs could be incorporated as part of wider public realm schemes
 - Greater clarity as to where the Design Code applies
 - Clarifying all developments will be car free
 - Clarifying the entertainment uses on Kilburn High Road do not include betting shops / bookmakers, adult gaming or casinos
 - Ensuring any new market stalls do not result in any detrimental impacts on residential amenity.
- 2.8 The draft 'Decision Statement' in Appendix 2 to this report sets out the Examiner's suggested changes to the Plan and the Council's response. It is considered that the recommended changes will enhance the Plan's effectiveness in decision making and should therefore be accepted in full.

Brent Council are separately preparing a 'Decision Statement'. Brent officers indicate that this will also recommend that the Examiner's modifications to the Plan are accepted in full.

- 2.9 The 'Referendum version' of the Plan, incorporating all modifications is set out as Appendix 3 to this report. Camden officers have worked with the Neighbourhood Forum and Brent Council in preparing this.
- 2.10 The Kilburn Neighbourhood Plan 2023-2033 will help enable the delivery of 'We Make Camden' ambitions particularly around ensuring that neighbourhoods in Camden are green, clean, vibrant, accessible and sustainable. The Plan contains objectives around other local priorities such as maintaining vibrant and healthy Kilburn High Road, promoting alternatives to motor vehicle traffic through public realm improvements, and seeking strong social connections.

3. Options

- 3.1 Under the Neighbourhood Planning Regulations, councils must make a decision about whether a neighbourhood plan meets the Basic Conditions and whether a referendum should be held within five weeks of receiving the Independent Examiner's report. Exceptions to this are where the council proposes to make a decision which differs from that of the Examiner or where additional time has been agreed between the Council and the Neighbourhood Forum.
- 3.2 The recommended modifications in the Examiner's report are not binding on the Council, which may choose to make a decision which differs from that recommended by the Examiner. Where the Council's proposed decision differs from that recommended by an Examiner, additional consultation must be undertaken. Under the Council's Constitution, the decision to do this would require the approval of the Cabinet Member for Planning and a Sustainable Camden through a Single Member Decision.
- 3.3 This report recommends accepting the Examiner's proposed modifications to the Plan in full, as set out above, and therefore further consultation would not be required. Officers are satisfied that the Plan, as modified in light of the Examiner's recommendations, meets the basic conditions and that all other statutory requirements have been met.

4. What the Key Impacts and Risks of the Intended Options Are and How They Will Be Addressed

- 4.1 The Neighbourhood Plan was prepared by the Kilburn Neighbourhood Forum, with the support and advice of officers from Camden and Brent Councils. This has helped to identify issues of conformity between the neighbourhood plan and the Council's adopted Local Plan and Draft New Local Plan from an early stage in the plan making process. The changes made throughout the plan making process and Examiner's recommendations for further changes to the Plan will help ensure the Neighbourhood Plan can be applied effectively in

decision making and support strategic policies for the borough set out in the adopted Camden Local Plan.

- 4.2 A Strategic Environmental Assessment (SEA) screening opinion was carried out as part of the preparation of the Neighbourhood Plan. The Council was satisfied that the Plan's draft policies were unlikely to give rise to significant effects and an SEA was not required. A Habitats Regulations Assessment (HRA) was not considered necessary as the HRA Screening Assessment for both the adopted Camden and Brent Local Plans concluded it was not necessary to undertake Habitats Regulations Appropriate Assessments. The Examiner agreed with this.
- 4.3 Council officers also prepared an Equalities Impact Assessment (EqIA) of the Neighbourhood Plan, which identified no negative equalities outcomes of the revised Plan's policies.
- 4.4 The Examiner's recommended modifications and the Council's response are not considered to produce significant changes to the overall policy and strategy of the Neighbourhood Plan and therefore an SEA is not required. It is also considered that the proposed modifications do not raise any substantial issues in relation to habitats.
- 4.6 Accepting the Examiner's recommendations is not considered to raise any significant risks / impacts as the Neighbourhood Plan has been developed in the way outlined above, with support from officers from the two boroughs and an examination of the Plan by the Independent Examiner.

5. Timetable for Implementation and Next Steps

- 5.1 Subject to approval, the Decision Statement will be published on the Council's website, made available for inspection at 5 Pancras Square Library and Kilburn Library and will be brought to the attention of interested parties, including those who live and work in the area.
- 5.2 The Examiner's report confirms that the referendum area should be the same as the neighbourhood area designated by the Councils. (The neighbourhood area is shown in Figure 1 of the Neighbourhood Plan, which is attached as Appendix 3) The Councils are responsible for organising the referendum and a referendum date is currently being programmed.
- 5.3 An 'information statement' about the referendum will need to be published to signal the start of the referendum process alongside the 'Referendum version' of the Neighbourhood Plan. The referendum date has to be at least 28 clear working days after the information statement and Plan have been published.
- 5.4 In order for the Neighbourhood Plan to pass the referendum more than 50% of the votes cast must support the Plan. If the Plan passes the referendum the Councils must 'make' (that is, adopt) the Plan and it becomes part of the statutory development plan for the area and its policies where relevant used

in determining planning applications in the area, alongside other planning policies.

6. Consultation/Engagement

- 6.1 Consultation on the Plan has been undertaken in accordance with the statutory requirements. The Neighbourhood Forum prepared a 'Consultation Statement' which they submitted alongside the draft Plan. This explains who was consulted and the methods used by the Forum to draw the emerging Plan to the attention of people living and working or with an interest in the area. The Forum led consultation on an initial full draft plan in early 2024 (to meet the requirements under Regulation 14 of the 2012 Regulations).
- 6.2 Following the Plan's submission to the Council, the Council undertook a six week publicity period ('submission draft' consultation) from 29 May to 11 July 2025 in line with statutory requirements (Regulation 16 of the 2012 Regulations). The Council notified all contacts on its planning policy database and publicised the consultation through the local press (Camden New Journal and Kilburn Times) and displayed site notices in the neighbourhood area providing information about the consultation.
- 6.3 The Cabinet Member for Planning and a Sustainable Camden was notified regarding the findings of the Examiner's report and provided with a draft of this report. The Cabinet Member has indicated his agreement to the changes being made to the Neighbourhood Plan.

7. Legal Comments of the Borough Solicitor

- 7.1 Legal comments have been incorporated into this report.

8. Comments of the Director of Finance

- 8.1 Following independent examination of the Kilburn Neighbourhood Plan, this report seeks approval of the Examiner's recommended modifications to the Plan and approval for the Plan to proceed to local referendum.
- 8.2 The costs of preparing and examining the Plan and local referendum are funded by the Ministry of Housing, Communities and Local Government. As this plan covers areas in both LB Camden and LB Brent the boroughs have agreed to split the funding. The relevant Camden cost centre is the Planning Policy cost centre.

9. Environmental Implications

- 9.1 The vision of Kilburn Neighbourhood Plan 2023-2033 includes "highly visible street improvements", improved drainage and a programme of street greening instigated along the High Road and extending into green corridors'.

- 9.2 Policies in the Neighbourhood Plan contribute towards the achievement of sustainable development (one of the Basic Conditions tested at examination). The revised Plan incorporates a development policy which sets out the expectations around the High Road public realm including supporting biodiversity and helping deliver rain gardens to help manage surface water run off.

10. Appendices

Appendix 1 – Examiner's Report on the Kilburn Neighbourhood Development Plan 2023-2033

Appendix 2 - Decision Statement: Kilburn Neighbourhood Plan 2023-2033

Appendix 3 - Referendum version of Kilburn neighbourhood Plan 2023 - 2033