

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

28 April, 2021
04
18/4767

SITE INFORMATION

RECEIVED	12 December, 2018
WARD	Tokyngham
PLANNING AREA	
LOCATION	Access Storage, First Way, Wembley, HA9 0JD
PROPOSAL	Demolition of the existing building and erection of five buildings comprising self-storage space (Use Class B8), office space (Use Class B1) and retail/commercial space (A1/A3), with residential units (Use Class C3) on the upper levels, new landscaping and public realm, ancillary servicing and plant, car and cycle parking, and associated works.
PLAN NO'S	See condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke</p> <p><u>When viewing this as a Hard Copy</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search typing "18/4767" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

1. That the Committee resolve to GRANT planning permission subject to:
 - A. Any direction by the London Mayor pursuant to the Mayor of London Order
 - B. Any direction by the Secretary of State pursuant to the Consultation Direction
 - C. The prior completion of a legal agreement to secure the following planning obligations:
 - (a) Payment of legal, planning negotiation and planning monitoring costs associated with preparing and monitoring the Section 106 agreement
 - (b) Notification of commencement 28 days prior to material start
 - (c) 10% affordable housing by unit (12.4% affordable housing by habitable room) on a nil grant basis broken down as 36 x 3-bedroom units at London Living Rent levels and 24 x 1-bedroom units at Discount Market Rent levels (including service charges where applicable and capped at Local Housing Allowance rates), subject to an appropriate Affordable Rent nominations agreement with the Council, securing 100% nomination rights for the Council.
 - (d) 540 units as Build-to-Rent housing subject to a covenant to retain the homes as such for a period of fifteen years, in addition to a clawback mechanism to secure any difference in the total value of the market rent units and their value on a for sale basis should the covenant be broken
 - (e) Appropriate two-stage pre- and post-implementation financial review mechanism to reassess scheme viability and actual values and costs prior to commencement and 6 months prior to practical completion (or such other time agreed by the Council), against the agreed land value and profit, to determine any development surplus. If surplus is secured, additional on-site affordable housing units to be provided (capped at 20% by habitable room), with 70% of these at LLR and 30% at a DMR.
 - (f) Appropriate pre-implementation financial review mechanism to re-assess scheme viability in the event of the scheme being forward funded, i.e. pre-sale of covenanted residential units to an investor prior to the commencement of the main construction contract. If a Forward Fund structure is agreed for disposal of 100 percent of the units by a third party investor on an arm's length basis the profit return will be reduced from 15 percent to 12.5 percent on GDV.
 - (g) Employment and Training obligations, comprised of:
 - (1) The submission of an 'Employment and Training Plan' (a document setting out how the obligations in section 106 agreement will be met and which includes information about the provision of training, skills and employment initiatives for Local Residents relating to the construction and operational phase of the development) to the Council for its approval prior to the material start of the development;
 - (2) a commitment to meet with Brent Works (the Council's job brokerage agency dedicated to assisting unemployed Residents into sustainable employment), or such relevant equivalent successor body (working with local partners including local colleges, the Job Centre Plus and third sector welfare providers to reduce current levels of unemployment within the borough) to identify the anticipated employment and training opportunities arising during the construction phase;
 - (a) a commitment to deliver the employment targets set out in the attached document;
 - (b) a commitment to attend regular progress meetings with the Council to review progress of the initiatives;
 - (c) specific commitments in respect to employment opportunities in relation to operational phases;
 - (d) a commitment to source at least 20% of all the materials used in major development schemes locally;
 - (e) where it is not possible to achieve employment targets in line with the attached document, a commitment to pay the financial contributions which are calculated as follows:
- (3) Shortfall against target numbers of jobs lasting a minimum of 26 weeks for an unemployed Local Resident x £4,400 (the average cost of supporting an unemployed Local Resident into sustained employment)
- (4) Shortfall against target number of apprenticeship starts x £5,000 (approx. cost of creating and supporting a Local Resident to complete a typical construction level 2 Apprenticeship elsewhere in the borough)

- (h) Safeguarding of the footway areas along the northern and eastern sides of the site as permissive pedestrian rights of way.
- (i) S38/S278 highway works under the Highways act 1980 to provide:
- widening and resurfacing of the footways of First Way to a minimum width of 3.5m and South Way to a minimum width of 5m fronting the site in modular paving and
 - to remove all existing crossovers to the site that would be rendered redundant, in general accordance with drawings to be approved
- (j) Parking permit restriction to be applied to all new residential units
- (k) Enhanced travel plan to be submitted, implemented and monitored including funding of subsidised membership of the Car Club for three years for all new residents.
- (l) Financial contribution towards improving local bus capacity, paid to TfL (£370,000)
- (m) Financial contribution towards a year-round local Controlled Parking Zone (£140,000)
- (n) Closure and secure locking of the gates onto South Way from four hours before the start of any event at Wembley Stadium until four hours after the end of such event.
- (o) Energy assessment (to include comfort cooling as proposed in the CIBSE TM59 and Overheating Checklist) and contribution towards carbon offsetting, at detailed design and post-completion stages
- (p) BREEAM 'Excellent' to be secured on all commercial elements of the development
- (q) Detailed submission of Television and Radio Reception Impact and underwriting of all mitigation required in addressing any interference
- (r) Indexation of contributions in line with inflation
- (s) Any other planning obligation(s) considered necessary by the Head of Planning.
2. That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:
1. Time Limit for commencement (3 years)
 2. Approved drawings/documents
 3. Phasing plan agreed
 4. A total of 600 residential units secured
 5. Use classes restriction
 6. A communal satellite/aerial to be provided so as to prevent multiple satellite dishes
 7. Removal of C4 permitted development rights for the flats
 8. Blue badge parking spaces and visitor cycle stands laid out prior to occupation
 9. Cycle stores and refuse stores to be laid out prior to occupation of each phase
 10. NRMM to be restricted
 11. FRA and Drainage strategy measures to be secured
 12. Water consumption to be limited in line with regulations
 13. Ecological mitigation measures to be secured
 14. EVCP to be secured
 15. All doors serving substations/ plant rooms not to open outwards onto highway
 16. Construction environmental method statement to be submitted
 17. Construction logistics plan to be submitted
 18. Land contamination and remediation report to be submitted

19. Piling method statement to be submitted
20. Connection to future District heating Network to be submitted
21. Full details of landscaping strategy (including green roofs) to be submitted
22. All external materials (including samples) to be submitted
23. Details of Specific communal roof terraces to be submitted
24. Wheelchair Accessible Units to be secured
25. Car park management plan to be submitted
26. Delivery and Servicing Management plan to be submitted
27. Plant noise levels to be submitted before installation
28. Sound insulation measures to be submitted
29. Supplementary acoustic report to be submitted
30. Fire Safety Strategy to be submitted

Informatives

1. CIL liability
 2. Party wall information
 3. Building near boundary information
 4. Environment Agency permit
 5. London Living Wage
 6. Fire safety advisory note
 7. Guidance notes from Thames Water
 8. Any other informative(s) considered necessary by the Head of Planning
3. That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee
4. That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

SITE MAP

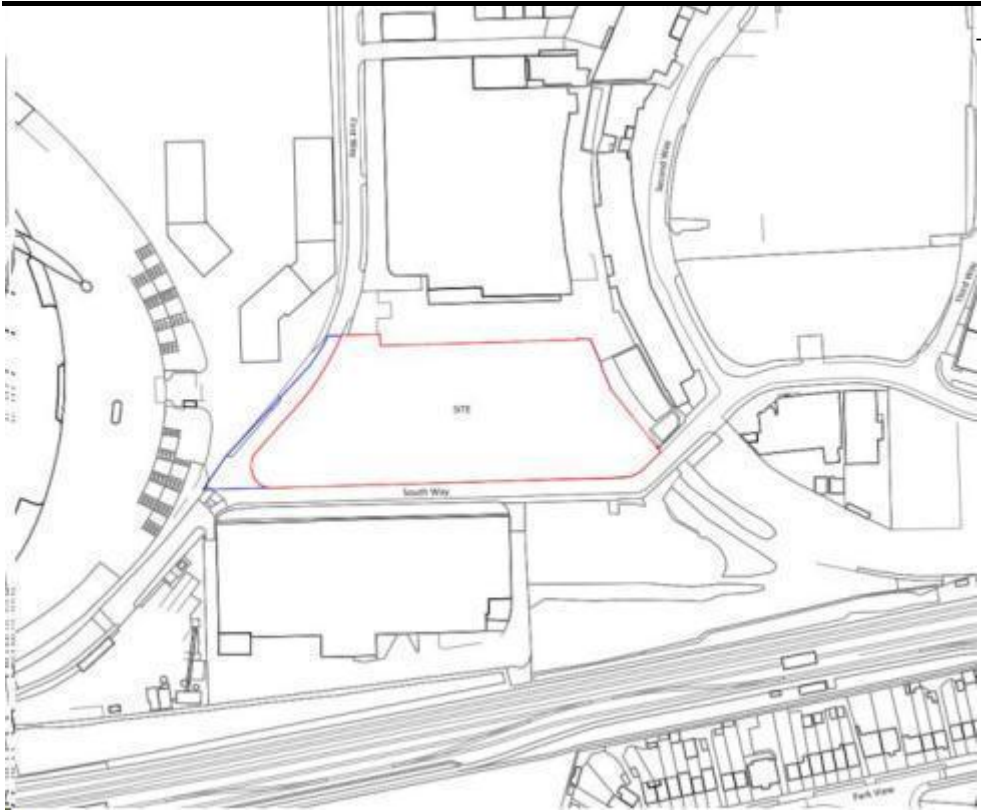


Brent

Planning Committee Map

Site address: Access Storage, First Way, Wembley, HA9 0JD

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This map is indicative only.

PROPOSAL IN DETAIL

The application proposes the mixed use re-development of the site, demolishing the existing three-storey industrial building and replacing it with five new blocks, ranging from 12-storeys to 24-storeys in height. The breakdown of existing and proposed floorspace (GIA) across the scheme is provided in the table below:

Floorspace (GIA) by use	Existing (sq.m)	Proposed (sq.m.)	Change (sq.m.)
Residential (Class C3)	0	56,512	+56,512
Storage/ distribution (Class B8)	15,900	7,267	-8,633
Office (Class E(g)(i) (formally B1(a))	0	1,242	+1,242
Retail E(a) (formally A1)	0	317	+317
Total	15,900	66,264	+50,364

A total of 600 Build to Rent residential flats would be provided within all five blocks, with a proposed mix of 39 x studios, 228 x 1-bed, 279 x 2-bed, and 54 x 3-bed units. 36 of the 3-bed homes would be provided at a London Living Rent, and 24 of the 1-bed homes provided at a Discount Market Rent, equating to 35% below market rent.

The application also proposes the re-provision of 6,851 sqm of self-storage floorspace over ground, first and second floors, and provision of 1,242 sqm of office floorspace in the form of small office spaces across the ground floor. The remaining commercial floorspace comprises a 317 sqm retail unit/ cycle café on the ground floor of Building A, located on the corner of First Way and South Way.

The scheme would involve the creation of a new landscaped podium centrally within the scheme at third floor level, with further communal terraces for occupiers use created at roof level of blocks A, B, D and E. A total of 60 residential parking spaces are proposed at basement level, with 42 of these as Blue Badge parking spaces, and further commercial parking spaces at ground floor level.

EXISTING

The application site is approximately 0.94 hectares (ha) in area, and is located to the immediate east of Wembley Stadium and is bordered by the B4557 South Way to the south and First Way to the west. The site currently comprises a large, three storey brick building, used for storage (Class B8/ E(g)) and measuring approximately 15,900 sqm.

The site is located within a strategically important location for development and growth both locally and regionally, located within an Opportunity Area, and the Wembley Growth Area and Strategic Cultural Area. It forms part of site allocation W28 within the Wembley Area Action Plan (WAAP), which is identified as appropriate for leisure, tourism, cultural and office uses and has an indicative capacity of 1,500 residential units.

The site currently has a PTAL rating of 2, which represents a low level of accessibility defined by TFL, although it is understood that the site's PTAL rating will likely increase to 3 as a result of the wider transport improvements delivered through the Quintain Masterplan. The nearest bus stop to the site is located on South Way which provides access to routes 92 and 206 westbound, whilst the closest eastbound bus stop is located on Fifth Way. These services provide access to Ealing and Kilburn. The nearest rail station is Wembley Stadium, located on South Way, some 750 metres west of the site.

The site is not situated within a conservation area and there are no listed buildings within the site. The nearest listed buildings are the Grade II listed Wembley Stadium to the immediate north and west, and the Empire Pool and Brent Town Hall.

AMENDMENTS SINCE SUBMISSION

Revisions to the scheme were received in July 2020 following feedback received from officers within the Council and the GLA. The nature of the revisions meant that a re-consultation exercise was undertaken (as outlined above). A summary of the revisions are outlined below:

- Addition of two storeys on all blocks except on the tallest element of Block A1, resulting in additional office space adjacent to Core E and the addition of three-bedroom family units in Blocks B, D and E, increasing the overall number of proposed homes from 555 to 600
- New energy strategy with the use of air source heat pumps
- Southern building line along South Way set back by between 1-2m from edge of site to enable highways improvements to incorporate two-way working along South Way
- New internal residential amenity space on the third floor of Block B
- Re-location of main residential lobby lift
- Independent cycle entrance and cycle lift relocation to create easier access for cyclists
- Improvements on internal spaces such as residential lobby and first floor amenity area between Blocks A and E
- Introduction of refuse chutes to all residential blocks
- Basement layout alterations including additional cycle parking spaces and wheelchair accessible parking spaces.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Objections have been received regarding some of these matters. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application.

1. **Objections from adjoining neighbours and interested groups:** 251 properties were consulted on the proposal. In response, two letters of objection were received, and comments were received on behalf of the Football Association. The grounds for objection are summarised as impacts of the proposals on the levels of daylight and sunlight and levels of overlooking to adjoining properties in Park View. These issues are addressed in more detail within relevant sections of the report.
2. **Principle of mixed-use redevelopment of the site:** The re-development of the site accords with its designation within the Wembley Growth Area and both currently adopted and emerging site allocations within the Local Plan. The re-provision of 7,267 sqm of industrial floorspace is considered acceptable given the site is a non-designated industrial site, rather than being a designated LSIS or SIL. The scheme would deliver 600 Build to Rent homes on the site, which is supported by London Plan policy BH13 and Local Plan policy BH3. The development would also enable the widening of South Way to incorporate a two-way highway network, as well as much improved cycle and pedestrian access, which is a key objective of the WAAP.
3. **Affordable Housing:** The scheme would provide a total of 60 affordable units, of which 36 would be 3-bed homes at a London Living Rent, and 24 would be 1-bed homes at a Discount Market Rent. Although this is below both the threshold target for the fast track route, it has been demonstrated by a financial viability appraisal to exceed the maximum amount of affordable housing which can viably be provided on site and is weighted towards LLR in line with London Plan adopted policy requirements. It is also subject to a late stage review mechanism to be secured within the Section 106 Agreement.
4. **Design, layout and height:** The proposed buildings would range from 12 to 24 storeys high, which is considered to be in keeping with the heights of buildings in the surrounding Wembley Park Masterplan area, while ensuring that strategic views of the Wembley Stadium Arch would be preserved. The scale and massing of the development has been designed as to reflect the transition in scale from the Stadium to the west, to the low-rise industrial areas to the east. The building utilises good architecture with quality detailing and materials in order to maximise the site's potential whilst regulating its height to respect surrounding development.
5. **Quality of the resulting residential accommodation:** The residential accommodation proposed is of sufficiently high quality, meeting the particular needs and requirements of future occupiers. The flats would have good outlook and light. The amount of external private/communal space is below the policy targets as set out in DMP19, but would include private balconies for all of the homes and high quality external communal terraces which would significantly improve the enjoyment of the site for future occupiers. This is considered acceptable for a high density scheme, and the amount of external amenity space is considered to be sufficient to meet the needs of the proposed occupiers.

6. **Mix of units:** The proposal includes 9% of three bedroom units (13.9% by habitable room) which is below the target of 25% (by unit) as set out in CP21 and emerging policy BH6. However, having regard to the impact of family housing on scheme viability and the different unit mix profile for Build to Rent homes, this is considered acceptable.
7. **Neighbouring amenity:** There would be a loss of light to some windows of surrounding buildings, but the impact is considered to be acceptable given the urban context of the site. The overall impact of the development is considered acceptable, particularly in view of the wider regenerative benefits of the scheme and the Council's strategic objectives.
8. **Highways and transportation:** The proposals have been revised to ensure that land to the south of the site is secured to enable South Way to be widened to incorporate two-way traffic (as well as improved pedestrian links and two-way cycle lanes), which is a significant benefit to the Wembley Park area. All other highways considerations are acceptable, subject to a financial contribution of £140,000 will be secured to enable the Council towards extending CPZ's into the area is proposed with the removal of rights for residents within the development to apply for parking permits. To encourage sustainable travel patterns, the scheme will be 'car-free' with the exception of blue badge parking spaces. A financial contribution (£370,000) for bus service enhancements in the area, as required by TfL, will also be secured.
9. **Environmental impact, sustainability and energy:** The measures outlined by the applicant achieve the required improvement on carbon savings within London Plan policy, and subject to appropriate conditions, the scheme would not have any detrimental impacts in terms of air quality, land contamination, noise and dust from construction, and noise disturbance to future residential occupiers.

RELEVANT SITE HISTORY

Permission was granted in April 1987 (ref. 87/0386) for the change of use of the building to storage. This consent was restricted so that the building could not be sub-divided (condition 4) and that the office floorspace be ancillary to the main storage use (condition 6).

Permission was granted in December 1993 (ref. 93/1549) for the continued use of the Site for 'self-storage' (Ref: 93/1549).

CONSULTATIONS

Public Consultation:

Original submission: January 2019

A total of 251 addresses within Park View, First Way, Grove Way, Fourth Way, South Way, Carey Way, Second Way, Monks Park, Great Central Way, Victoria Avenue and St Michaels Avenue were consulted on the application. The Wembley Stadium Residents' Advisory Committee were also notified of the application.

A Site Notice was displayed 11/01/2019

A Press Notice was published 28/12/2018

Two responses were received as a result of this initial consultation, objecting to the application on the following grounds:

Grounds of objection	Officer response
Proposals would result in undue noise and air pollution for adjoining residents	See paragraphs 144-151 of the main report below for consideration of these issues.
Proposals would result in loss of light and overlooking	See paragraphs 66-82 below
Increased congestion from this type of development	See highways section of report (paragraphs 105-143) below
Impact on local property values	Impacts on property values is not a material planning consideration.

Re-consultation: July-August 2020

The same addresses and local amenity groups were re-consulted following the receipt of revised drawings and associated documents on 15/07/2020.

Site notice displayed on 27/07/2020
Advertised in local press on 23/07/2020

No further responses were received as a result of this second round of consultation.

Statutory/ External Consultees

Greater London Authority including Transport for London comments (Stage 1 response):

The GLA has commented on a number of strategic issues raised by the original scheme (prior to amendments being made), which are summarised as follows:

Principle of development: The proposed residential-led, mixed-use redevelopment of this site in the Wembley Opportunity Area, including employment floorspace, is supported in principle, subject to a significantly improved affordable housing offer.

Affordable housing: This Build to Rent scheme provides 11% affordable housing by habitable room, all of which would be DMR, capped at 80% of the market rent. This offer is wholly unacceptable and does not accord with the 50% industrial land threshold for the Fast Track Route. The provision of affordable homes should be significantly increased and deeper DMR discounts must be delivered. GLA officers will robustly interrogate the applicant's viability assessment to ensure the maximum level of affordable housing is delivered. All units must be held in a 15-year covenant, with an appropriate clawback mechanism. Affordability thresholds and early/late stage viability reviews must be secured within any S106.

Urban design & residential quality: The residential floorplans should be revised to reduce the number of single-aspect north-facing units, in line with the Mayor's SPG

Transport: A contribution of £370,000 towards local bus services should be secured. A construction logistics plan, delivery and servicing plan, car parking management plan and travel plan must be secured through the Section 106 agreement and/or conditions.

Issues relating to sustainable development must also be addressed.

Officer comments: *These issues are all addressed in more detail within relevant sections of the main report below...*

The Football Association

Comments were received on behalf of the FA from both Steer (letter dated 10th Jan 2019) and Lichfields (letter dated 8th March 2019). The issues raised within both letters are summarised in the table below:

Grounds of objection/ comment	Officer response
Pedestrian/public transport accessibility	Further amendments have been made to the design including improvements to the site's relationship to First Way in order to facilitate the expansion of the footpath and the creation of a two-way cycle lane, thereby increasing pedestrian accessibility and circulation. See highways section of report for full details.
Proposals need to ensure two-way operation along South Way can be created.	Amendments have been made to the scheme to facilitate proposed changes to the layout of First Way. See highways section of report for full details.
Office doors shouldn't be allowed to open onto South Way	Proposals have been revised to remove many of the office doors and consolidate entrance arrangements so there are fewer doors opening directly on to South Way. However some still required to provide an active frontage and increase permeability of site, and therefore on

	balance the revised position is considered acceptable.
Proposed Trees on South Way would restrict pedestrian flows to/ from Stadium	The revised proposals have removed all trees on South Way
Closure of road and active management of construction sites/ traffic around the Stadium on event days required.	Conditions have been attached requiring the submission of a Construction Management Plan and Logistics Plan, to cover these issues on event days, as well as the requirement for a Delivery and Servicing Plan which also covers event days.
Proposed height and massing at 24 storeys would be taller than the arrangement set out in the WAAP.	The proposed height and scale of the development is considered acceptable and the reasons behind this are set out in paragraphs 45-57 of the main report.
Proximity of tallest block to Stadium raises security risks, particularly due to the potential trajectory into the Stadium bowl from highest apartments.	The revised proposals have been reviewed by the Secure by Design officer and Metropolitan Police's Counter Terrorism team, who have confirmed that any concerns of views into the Stadium have been resolved.
Construction during European Football Championships	Euro 2020 has been delayed due to COVID-19 and matches are still due to be held at Wembley Stadium during June and July 2021. However given this is only two months away, the proposed development would not impact on events during this period.

Thames Water

No objection subject to conditions requiring a piling method statement to be submitted given the location of the development within 15 metres of a strategic sewer.

Additionally, informatives are recommended relating to measures undertaken to minimise groundwater discharges into the public sewer.

Internal consultation

Local Lead Flood Authority

No objections. The site falls within the Flood Zone 1 and the risks of flooding in this area is very low and there are no historical records of flooding in this area. The proposed development includes permeable paving and storage tank. The proposed discharge rate will be restricted to 10 l/s with two separate outfalls (5 l/s each) with flow control device, which will improve the flood risks in this area.

Final confirmation is required from Thames Water that they have adequate capacity in their drainage network, as indicated in their Strategy.

Environmental Health

Environmental health supports the application subject to a number of conditions relating to internal noise levels, construction noise and dust and air quality impact, and contaminated land. See detailed considerations section of report for further comments on these issues.

Statement of Community Involvement

A Statement of Community Involvement has been submitted with the application, setting out the public consultation and level of engagement undertaken before submission of the proposals, as required through the Localism Act (2011).

The main consultation exercise involved an evening exhibition for businesses located in the immediate vicinity of the site (largely within the Wembley Stadium Industrial Estate) on Tuesday 11th July at the Hilton Hotel London Wembley, which was also attended by the Football Association. A further exhibition for residents was held on Thursday 13th July at the site itself. Some 120 letters were distributed to businesses and some 450 to local residents advertising these events. Individual email invitations to the exhibition were sent out to the three local ward councillors.

There were 28 visitors to the exhibition held for businesses, while the residents' exhibition attracted 3 people. The team noted feedback from all visitors to both exhibitions. A total of 8 responses was received from these events (6 from businesses and 2 from residents). Feedback received was generally positive to the principle of the redevelopment of the site. Some concerns were raised around the height and scale of the development, noise and dust impacts, and how the development may impact upon local business holders and pedestrian movement on stadium event days.

These consultation events are considered appropriate to the scale of the development and reflect the recommended level of pre-application engagement set out in Brent's Statement of Community Involvement.

POLICY CONSIDERATIONS

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of this application should be in accordance with the development plan unless material considerations indicate otherwise.

The development plan is comprised of the London Plan 2021, Brent Core Strategy 2010, Brent Development Management Policies 2016 and the Wembley Area Action Plan 2015.

Key policies include:

Regional

London Plan 2021

Relevant policies include:

D3: Optimising site capacity through the design-led approach
D4: Delivering good design
D6: Housing quality and standards
D8: Public realm
D9: Tall buildings
D10: Basement development
D11: Safety, security and resilience to emergency
D12: Fire safety
H1: Increasing housing supply
H4: Delivering affordable housing
H5: Threshold approach to applications
H6: Affordable housing tenure
H7: Monitoring of affordable housing
H10: Housing size mix
H13: Build to rent
HC1: Heritage conservation and growth
HC3: Strategic and Local Views
G1: Green infrastructure
G4: Open space
G5: Urban greening
G6: Biodiversity and access to nature
T2: Healthy Streets
T4: Assessing and mitigating transport impacts
T5: Cycling
T6: Car parking
T7: Deliveries, servicing and construction
T9: Funding transport infrastructure through planning

Local

Brent Core Strategy (2010)

CP 1 - Spatial Development Strategy
CP 2 - Population and Housing Growth
CP 5 - Placemaking
CP 6 - Design and Density in Place Shaping
CP 7 - Wembley Growth Area
CP 15 - Infrastructure to Support Development

CP 19 - Brent Strategic Climate Change Mitigation and Adaptation Measures
CP 21 - A Balanced Housing Stock

Brent Development Management Policies (2016)

DMP 1 - General Development Management Policy
DMP 7 - Brent's Heritage Assets
DMP 8 - Open Space
DMP 9 - Waterside Development
DMP 9b - On Site Water Management and Surface Water Attenuation
DMP 12 - Parking
DMP 13 - Movement of Goods and Materials
DMP 14 – Employment Sites
DMP 15 - Affordable Housing
DMP 18 - Dwelling Size and Residential Outbuildings
DMP 19 - Residential Amenity Space

Wembley Area Action Plan (2015)

WEM 1 – Urban Form
WEM 2 – Gateways to Wembley
WEM 3 – Public Realm
WEM 5 – Tall Buildings
WEM 6 – Protection of Stadium Views
WEM 8 – Securing Design Quality
WEM 10 – Low cost Business start-up Space
WEM 14 – Car Parking Strategy
WEM 15 – Car Parking Standards
WEM 16 – Walking and Cycling
WEM 18 – Housing Mix
WEM 19 – Family Housing
WEM 24 – New Retail Development
WEM 25 – Strategy Cultural Area
WEM 30 – Decentralised Energy
WEM 32 – Urban Greening
WEM 33 – Flood Risk
WEM 34 – Open Space Provision
WEM 35 – Open Space Improvements
WEM 38 – Play Provision
Site W 28 – First Way

All of these documents are adopted and therefore carry significant weight in the assessment of any planning application.

The Council is at a significant stage in reviewing its Local Plan. The draft Brent Local Plan was subject to examination in public during September and October 2020. The planning Inspectors requested some additional information alongside a consolidated schedule of modifications (to reflect discussions during the examination hearings). This information was submitted to the Inspectors on 15 January. It is estimated that a final Inspectors report will be issued in June 2021, subject to further modifications, with adoption of the final Plan not likely until late Summer 2021.

Therefore, having regard to the tests set out in paragraph 48 of the NPPF it is considered by officers that greater weight can now be applied to policies contained within the draft Brent Local Plan. Relevant draft policies include:

General:

DMP1 – Development Management General Policy

Place:

BP1 – Central
BCGA1 – Wembley Growth Area
BCSA9 – First Way

Design:

BD1 – Leading the way in good design

BD2 – Tall buildings in Brent
BD3 – Basement Development

Housing:

BH1 – Increasing Housing Supply
BH2 – Priority Areas for Additional Housing Provision within Brent
BH3 – Build to Rent
BH5 – Affordable Housing
BH6 – Housing Size Mix
BH13 – Residential Amenity Space

Economy and Town Centres:

BE1 – Economic Growth and Employment Opportunities for All
BE3 – Local Employment Sites and Work-Live

Heritage and Culture:

BHC1 – Brent's Heritage Assets
BHC2 – National Stadium Wembley

Green Infrastructure and Natural Environment:

BGI1 – Green and Blue Infrastructure in Brent
BGI2 – Trees and Woodland

Sustainable Infrastructure:

BSUI1 – Creating a Resilient and Efficient Brent
BSUI2 – Air Quality
BSUI4 – On-site Water Management and Surface Water Attenuation

Transport:

BT1 – Sustainable Travel Choice
BT2 – Parking and Car Free Development
BT3 – Freight and Servicing, Provision and Protection of Freight Facilities
BT4 – Forming an Access on to a Road

The following are also relevant material considerations:

The National Planning Policy Framework (revised 2019)
Mayor of London's Affordable Housing and Viability SPG 2017
Mayor of London's Housing SPG 2016
SPD1 Brent Design Guide 2018
Basements SPD 2017

DETAILED CONSIDERATIONS

Principle of development

Residential-led redevelopment and loss of industrial floorspace

1. Policy 3.3 of the London Plan and Policy GG2 of the London Plan both identify the optimisation of land, including the development of brownfield sites, as a key part of the strategy for delivering additional homes in London. This is supported within policy CP2 of Brent's Core Strategy 2010, which requires the provision of at least 22,000 additional homes to be delivered between 2007 and 2026. Furthermore, the London Plan includes a minimum annual monitoring target for Brent at 2,325 additional homes per year between 2019/20-2028/29, as set out in Policy H1 of the London Plan recognising the increasing demand for delivery of new homes across London. Emerging local plan policy BH1 reflects this target.
2. Within local policy, Brent Policy CP8 sets out a target of at least 11,500 new homes being delivered in the Wembley Growth Area between 2010 and 2026, however since the Core Strategy was adopted in 2010, this target has been significantly increased to more than 15,000 homes across the same growth area within the emerging Local Plan (policy BP1). Whilst the development meets the requirements of Core Strategy policy CP2 in principle, the need for housing has increased significantly since the adoption of this policy in 2010 and these increasing targets necessitate the need for a greater delivery of homes within

Brent than is anticipated in adopted policy.

3. The 600 residential homes are proposed as Build to Rent units and, given the site's location within the Wembley Growth Area, this is supported by draft Policy BH3 of the Local Plan. This states that 'to encourage increased housing delivery, within each Growth Areas (excluding South Kilburn) or development sites of 500 dwellings or more, the provision of Build to Rent properties will be expected unless this would:
- a) be shown to undermine the overall site's timely development; or
 - b) would undermine viability to such an extent that it significantly undermines affordable housing delivery.

To qualify as BTR, a scheme must meet the criteria within London Plan Policy H13, including the following: be comprised of over 50 units; held in a covenant for at least 15 years; be subject to a clawback mechanism, in the event of the covenant being broken; under a unified management; and tenancies of three or more years must be made available. These requirements would be secured within a Section 106 Agreement.

4. Policy DMP14 provides protection for employment sites, setting out specific criteria for their release, and seeks to limit the loss of industrial land to approximately 11.5ha within the plan period. However, this excess capacity was subsequently met and if all consents / proposals were implemented, the resultant loss of industrial land would exceed the policy target before the end of the plan period and any further loss of industrial floorspace would reduce Brent's industrial land supply and would be inconsistent with Policy DMP14. The London Plan also identifies that across London loss of employment sites has been far greater than expected, and proposes that across London as a whole there should be no further losses.

5. Draft Policy E7(c) sets out an approach on non-designated industrial sites to support mixed use or residential development where it has been allocated in an adopted local Development Plan Document for residential or mixed use development.

6. The site forms part of a wider allocated site by the Council for mixed use development in both the adopted 2015 Wembley Area Action Plan (Site W28, with an indicative capacity of 1500 residential units) and site allocation BCSA9 in the emerging Local Plan (with a slightly reduced indicative capacity of 1262 residential units over a 10+ year period). The re-development of the Cannon Trading Estate, to the north of the site and part of the same wider site allocation, is already well under way following permission granted in June 2018 for the provision of office floorspace, educational use and student accommodation (planning ref. 17/3797).

7. Brent's emerging site specific allocation suggests an appropriate focus for the site being on the delivery of homes and industrial floor space. The site allocation brief states: "Prior to its Wembley Area Action Plan allocation, the site was formerly Strategic Industrial Land. It still contains numerous occupied industrial premises. Notwithstanding the acceptability of residential on site, Brent's status as a 'provide capacity' borough in the London Plan means that maximum re-provision of industrial uses at ground floor level should be undertaken as part of development."

8. The applicants are proposing a replacement self-storage facility of 7,267 sqm GIA (Class B8) use located over on the ground, first and second floors, as well as a further 1,242 sqm GIA of office floorspace (Class E(g)(i) which would be located at ground floor level, and a 317 sqm GIA 'cycle café' which would be located on the corner of South Way and First Way. This represents approximately 46% of the existing industrial floorspace being re-provided. Despite the loss in overall floorspace, officers acknowledge that the objectives of the emerging Local Plan and the site allocation within the WAAP would still be met, since these support residential-led development with industrial floorspace at ground floor level. The site is now a non-designated industrial site, and any further industrial floorspace provision would have an impact on the 600 homes proposed across the scheme, which represents half of the overall number of homes desired within the wider site allocation.

9. The GLA also supports the approach to replacement industrial floorspace provision on this site. They refer to the fact that the site was subject from SIL release as part of the Wembley Area Action Plan approval process, and that the wider site allocation identifies the site for mixed use development, including offices, hotels, amenity/open space, student accommodation and residential, and would be in accordance with London Plan Policy E7.

10. While officers have explored the ability of the site to deliver more industrial floorspace during an extensive pre-application process, doing so would greatly restrict the number of residential homes delivered, which at 600 contributes significantly to the indicative numbers which are set out in draft policy BCSA9, including a number of affordable units. Importantly, the scheme also delivers key strategic benefits including enabling the Council to undertake the highway works necessary to incorporate two-way access along this

stretch of First Way.

11. Draft Policy BE1 seeks 10% of total floorspace within major developments exceeding 3,000sqm to be affordable workspace in a number of growth areas including Wembley. The GLA have also commented on the potential for the proposed office space to be offered to SMEs on a flexible basis with affordable or low-cost rents, in line with London Plan Policies E1, E2 and E3.

12. However, this policy only has limited weight at present as substantive objections were received to it through the Local Plan consultation process, and the provision of affordable workspace needs to be balanced against other planning benefits of the scheme, and inclusion of affordable workspace would further impact on viability. Complying with this emerging policy requirement would reduce the amount of affordable housing that could be delivered (this issue is discussed in more detail below).

Provision of office floorspace

13. Whilst the site is located outside a designated town centre, the site allocation within the WAAP supports a mix of uses within the site allocation including office accommodation. The office accommodation would be divided into small units that could be used for SMEs. Located on the ground floor, they provide a good level of animation and activity on the ground floor. It is considered that the provision of office space would not undermine the delivery of homes within the site, given that these are located at ground floor level fronting two busy roads. A condition would be attached restricting the use of the office floorspace to Class E(g)(i).

Provision of cycle café/ retail unit

14. Policy CP16 of the Council's Core Strategy sets out a sequential approach to new retail development. Policy DMP2 stipulates that units larger than 500sqm should not be supported outside of town centres unless demonstrated as acceptable by an accompanying Retail Impact Assessment.

15. At 317 sqm GIA, the proposed cafe/ retail use would be modest in size and would add some active frontage on the corner of First Way and South Way at ground floor level. Its limited size means that it would not have an adverse impact on the vitality and viability of the Wembley Town Centre. The addition of this unit therefore acceptable in land use terms, subject to a condition attached restricting its use to Class E(a) or E(b).

Affordable housing and unit mix

16. The London Plan affordable housing policy (Policies H4, H5 and H6) sets out the Mayor's commitment to delivering 'genuinely affordable' housing and that the following split of affordable housing provision is applied to development proposals: a minimum of 30% low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent or London Affordable Rent); a minimum of 30% intermediate products; 40% to be determined by the borough based on identified need.

17. Brent's adopted local Policies CP2 and DMP15 set out the requirements for major applications in respect of affordable housing provision, and stipulate that schemes should provide 50% of homes as affordable, with 70% of those affordable homes being social or affordable rented housing and 30% of those affordable homes being intermediate housing (such as for shared ownership or intermediate rent). The policy also allows for a reduction in affordable housing obligations on economic viability grounds where it can be robustly demonstrated that such a provision of affordable housing would undermine the deliverability of the scheme. The policy requires schemes to deliver the maximum reasonable proportion of Affordable Housing (i.e. the most that the scheme can viably deliver, up to the target). As such, it does not require all schemes to deliver 50% Affordable Housing.

18. The definition within DMP15 allows for affordable rented housing (defined as housing which is rented at least 20% below the market value) to be an acceptable form of low cost rented housing, which is consistent with the NPPF definition of affordable housing.

19. Brent's emerging Local Plan policy (BH5) is similar to DMP15 in the adopted plan, but sets a strategic target of 50% affordable housing while supporting the Mayor of London's Threshold Approach to applications (Policy H5), with schemes not viability tested at application stage if they deliver at least 35% (or 50% on public sector land / industrial land, where there is a net loss in industrial capacity) and propose a policy-compliant tenure split. Brent draft Policy BH5 sets a target of 70% of those affordable homes being for social rent or London Affordable Rent and the remaining 30% being for intermediate products. This split

marries up with the London Plan Policy H6 by design, with Brent having considered that the 40% based on borough need should fall within the low cost rented homes category, bringing Brent's target split across both emerging policies as 70% for low cost rented homes (Social rent or London Affordable Rent) and 30% for intermediate products.

20. Brent's draft Local Plan has yet to be examined fully by the Planning Inspectorate and as such the adopted Policy DMP15 would carry considerably more weight than the emerging policy at present. A summary of the policy position is set out below:

Policy context	Status	% Affordable Housing required	Tenure split		
Existing adopted policy	Adopted	Maximum reasonable proportion	70% Affordable Rent (to 80 % Market)	30% Intermediate	
London Plan	Adopted	Maximum reasonable proportion	30% Social / London Affordable Rent	30% Intermediate	40% determined by borough
Emerging Local Plan	Limited weight	Maximum reasonable proportion	70% Social / London Affordable Rent	30% Intermediate	

Affordable housing policy in the consideration of Build to Rent Schemes

21. In the case of Build to Rent schemes, London Plan policy H11 sets out that the affordable housing offer can be solely Discounted Market Rent (DMR) at a genuinely affordable rent, preferably at London Living Rent. DMR homes must be secured in perpetuity. In order to qualify for the fast track route as set out in policy H5 (in this case 50% affordable housing as it is located on an industrial site) and thus not required to be viability tested, the scheme would need to deliver at least 30% of the affordable homes at London Living Rent levels, with the remainder to be provided at a range of genuinely affordable discounts below market rent based on local need to be agreed with the borough. LLR levels are capped at a third of the average local household income, calculated at ward level and adjusted for the number of bedrooms in each home. To ensure that family-sized LLR homes are affordable, the rent for a 3-bedroom home is set at 10% above the 2-bedroom rent.

22. Policy CP2 sets a target of 50% of new housing in Brent being affordable and 25% being family sized dwellings (3bed or more), reinforced in policy WEM19 of the WAAP. However, Policy WEM22 allows for some flexibility on housing unit size mix in the case of Private Rented Sector (also known as Built to Rent) accommodation, subject to a reasonable proportion of the PRS accommodation being made available at or below Local Housing Allowance levels. Emerging Brent policy BH 5 specifies that all of the Affordable Housing should be provided at London Living Rent levels for Build to Rent schemes. However, this does not have full weight as yet.

Affordable housing offer

23. An initial offer of 11% of affordable units (on a habitable room basis) at a DMR (80% of market rent) was made based on a 555-unit scheme. Based on the conclusions of the review of the FVA initially submitted, officers considered that the level of discount is not genuinely affordable to many sectors of the population and that this offer did not reflect the priority need in Brent. Further discussions with the applicant have taken place with a view to securing a different mix of affordable products weighted towards more heavily discounted rent levels such as London Living Rent (LLR).

24. The applicants have revised their offer so that 12.4% of the development would be provided as affordable housing when measured by habitable room (10% by unit), with the overall number of homes on the scheme increasing to 600. This is comprised of 36 three-bedroom homes at a London Living Rent (75% of the affordable housing proposed, by habitable room), and 24 one-bed homes at a discounted market rent, which would be provided at 35% below market levels. The tenure split is therefore in line with London Plan requirements which seeks a minimum of 30% of the affordable homes to be provided as LLR. The affordable units would be located within Blocks B, D and E, and would be tenure blind in terms of access arrangements and provision of communal amenity space and facilities. The table below sets out a breakdown of these units by size and tenure:

	London Living Rent	Discount Market Rent	Market	Total
Studio	0	0	39	39 (6.5%)
1-bed	0	24	204	228 (38%)
2-bed	0	0	279	279 (46.5%)
3-bed	36	0	18	54 (9%)
TOTAL	36 (6% by unit, 9 by HR)	24 (4% by unit, 3 % by HR)	540 (90% by unit, 88 % by HR)	600 (100%)

25. The applicants' revised FVA (reflecting the increase in the overall number of homes to 600) has been reviewed independently for the Council. The applicants' FVA concluded that the scheme was significantly in deficit, delivering a RLV approximately £54m below the BLV, based on a wholly market scheme. The Council appointed its own viability consultants to review the appraisal on its behalf where the Council's consultants (BNPP) concluded that the scheme would deliver a small surplus of £0.97m based on a wholly market scheme.

26. A re-appraisal and further independent review was undertaken in light of the applicant's increased affordable housing offer to 12.4%. The appraisal found that the level of deficit below the site's BLV would increase to £63m, and therefore again the offer presented would exceed the maximum reasonable amount of affordable housing on the site. BNPP did not agree with a number of the assumptions made by the applicant, including comparable residential rent levels in the surrounding area (particularly Tipi developments within Wembley Park) and fees relating to furniture costs and rights of light claims, and therefore BNPP's review of this re-appraisal did not conclude the same level of deficit. However, BNPP undertook sensitivity tests which would account for increases in rent levels by both 2.5% and 5% above those set out in the applicant's re-appraisal. Despite these increases, BNPP concluded that a 100% market BTR scheme would only deliver a surplus of approximately £0.97m. Therefore, the 12.4% amount of affordable housing being proposed would still exceed the reasonable amount of affordable housing viable on the site, and therefore the scheme complied with both London Plan and local planning policy.

27. Following review of these results, and the offer presented by the applicant, officers consider that the provision of 60 affordable homes would be a significant benefit of the scheme, particularly as a high proportion of these homes (75%) would be family-sized units, which the Borough are in acute need of to meet housing demand. These homes would also be provided at London Living Rent levels. Officers also place weight on the fact that the 24 DMR units would be offered at a 35% discount below market rate. Within the submitted Financial Viability Appraisal, the projected rental level would be £1,112 per calendar month (approximately £256 per week). By comparison, Local Housing Allowance Levels (as referred to within policy WEM22) for a 1-bedroom flat in this area are £230 per week, and the proposed rent levels are therefore £26 above LHA levels. Nevertheless, having regard to scheme viability, the provision of additional affordable homes is given weight as an intermediate rented home and is considered to be acceptable in this instance, despite the slightly higher rent levels.

28. Officers also place weight on the fact that the applicants have provided a commitment to ensuring that, via the proposed late stage review mechanism which would be secured within this legal agreement, additional on-site homes would be provided in the event that the scheme was to become viable at a later stage, rather than just as an off-site financial contribution. This is feasible given the development would be a fully Build to Rent scheme, and could be delivered by the applicant, rather than being reliant on a registered provider. Any uplift in on-site affordable homes would be capped at 20% by habitable room to allow the practical provision of those homes, with a London Plan policy compliant split of 70% LLR/ 30% DMR. Any further uplift (beyond the 20 %) would be provided by way of a reduction in the rent levels for the DMR accommodation, or a financial contribution. This approach is in line with the Mayor's "Affordable Housing and Viability" SPG. This commitment would be secured via section 106 agreement.

29. The GLA's viability team have also reviewed the revised FVA, as well as the review conducted on behalf of the Council. GLA officers identified concerns regarding the re-provision of the self-storage facility and the impact this has on the delivery of affordable housing. Specifically, it appears that the re-provided storage floorspace impacts on the overall efficiency of the building and does not add value to the scheme.

30. Officers have had regard to the GLA's comments in light of the findings of the independent review carried out on behalf of the Council by BNP Paribas. Officers also instructed Cushman and Wakefield (who have specialised expertise on self-storage floorspace valuations) to assess the specific queries raised by the GLA in relation to self-storage elements of the appraisal. BNPP concluded that the 12.4% affordable housing offer presented by the applicants would exceed the maximum reasonable amount of affordable

housing viable on the site, and any further provision would compromise the ability of the scheme to be re-developed. Officers also place weight on this viability position is at least partly due to the land which the Council would acquire from the site to deliver a two-way highway network along this part of First Way, one of its key strategic Masterplan objectives.

31. Furthermore, Cushman and Wakefield have confirmed that the assumptions and values presented within the JLL appraisal in relation to the replacement self-storage floorspace are reasonable, following a robust further interrogation. For example, Cushman raised queries with Average Rental Returns (ARR) for the self-storage floorspace being presented as too low at £17.50 per square foot. However JLL confirmed that this rate is based on the (net) ARR being achieved by the operator at the property at the date of valuation. Cushman have confirmed that this would be a reasonable expectation, with existing trading data indicating this would be the market rate required to operate the subject facility in its location. If this is the case then an increase to £24psf in year 10 represents an increase of 37% over the period. This would fall in line with the type of % increase expected to be seen over such a period. On this basis, officers are satisfied that the affordable housing offer put forward exceeds the maximum reasonable amount which can viably be delivered on the site, and therefore complies with both adopted and emerging Local Plan and London Plan policies.

32. The GLA also questioned whether profit should be assumed on the provision of the self-storage facility, whether there should be a premium on the Existing Use Value and the profit level on the housing. Sensitivity testing was undertaken in relation to queries raised by the GLA, with the factor making the most significant potential difference being the profit on the housing. Profit on private housing will normally range from 15 to 20 % depending on the degree of risk, with most private for sale schemes being between 17 % and 20 %. However, the risk for Build to Rent housing is spread over a longer period, and a profit level of 15 % is normally considered to reflect an appropriate degree of risk for these schemes, as reflected in the GLA's technical guidance accompanying the London Plan Viability Study. The GLA contended that the profit levels for the private Build to Rent homes should be at 12.5 %, in line with some other referable schemes which the GLA have considered across London and on the basis that the scheme could be forward funded, i.e. that the units could be pre-sold to an investor prior to the commencement of the main construction contract. In addition, the GLA contend that the profit level for the Affordable homes should be at 6 %. Officers sought the independent advice of BNPP on this issue and, in relation to the 12.5% profit level, advice was received that given the scale of the scheme and experience with recent Build to Rent schemes within the borough, a 15% profit level would be more appropriate. With regard to the affordable homes level, BNPP also concurred that a 6 % level is normally considered appropriate for Affordable Homes that are sold to a Registered Provider (RP) of Affordable Housing. However, this would represent a disproportionately low level of risk for Build to Rent where the flats are rented individually rather than disposed of to one RP. Nevertheless, sensitivity analysis was undertaken on behalf of Council by BNPP using these assumptions and the other assumptions adopted by the GLA. BNPP found that the scheme would still be in deficit using the GLA assumptions, albeit with that deficit being smaller (approximately £600,000). While neither the applicant nor BNPP (acting for the Council) necessarily agree with all of the assumptions made by the GLA, the sensitivity testing undertaken by BNPP demonstrates that the scheme would still provide the maximum reasonable amount of Affordable Housing even if one was to adopt these assumptions.

33. Finally, on the specific issue of forward funding, officers have discussed this issue with the applicants at length. Both officers and the applicants have made it clear to the GLA that the scheme being proposed would not adopt a forward funding approach. Nevertheless, the applicants have agreed to a further early stage review mechanism within the Section 106 should such an approach be taken before commencement of construction. This would in effect ensure that, if a Forward Fund structure is agreed for disposal of 100 percent of the units by a third party investor, the profit return will be reduced from 15% to 12.5 percent on GDV. Notwithstanding the commentary set out in paragraph 33 regarding the impact of such a change on affordable housing delivery, this mechanism is aimed to mitigate the GLA's concerns in this regard, and has the potential to enable more affordable housing to be delivered through the early stage review.

Wider acceptability of tenure mix

34. Brent's core strategy policy CP2 seeks at least 25% of new homes in the borough to be family-sized (3-bedrooms or more). Brent's emerging policy BH6 within the draft Local Plan carries forward this same target. At 9% across the scheme (54 of the 600 units), officers acknowledge that the proposals fall short of the 25% target. However, this is a borough wide target rather than a site specific target and the balance between the number of 3-bedroom homes and scheme viability (and thus Affordable Housing) has been considered. Policy WEM22 also supports a more flexible approach for PRS schemes.

35. It is also recognised that the family sized units which are being provided are predominantly offered as affordable units at an LLR rate, with 66% of these homes (36 of the 54) within this tenure. In the context of market driven residential development, officers acknowledge there is a delicate balance to strike between scheme viability and family home provision. It is generally accepted that BTR schemes within Brent and across London cater predominantly towards single people and young couples, and therefore this is reflected in a higher proportion of studios, 1 and 2-bedroom flats being proposed. On balance, officers therefore consider the shortfall in family homes is acceptable in this instance, given the over-representation of family accommodation within the affordable tenures, and in acknowledgement of the scheme's overall viability position and the impact that additional family sized homes would have on scheme viability.

Design

36. Brent's DMP1 policy and SPD1 guidance set out the policy objectives and general requirements for good design in the built environment. Overall, officers consider that the proposal responds positively to this policy and guidance context and the specific elements of its design including: general layout, public realm, height and massing and architecture/materiality are discussed in the following sections.

Layout

37. The site would be laid out as 5 blocks (known as Blocks A to E) in a pentagonal shape across the site, with Blocks A, B and C (running west to east) fronting South Way to the south of the site, and Blocks D and E to the northern portion of the site, and main pedestrian route running through the site to the northern-most element. All blocks (with the exception of Block C, which bookends the site) would consist of two buildings, with a taller, primary element sitting next to a lower, secondary element, stepping down in height as the development moves away from the Stadium.

38. Storage facilities are provided in the centre of the site at ground through to second floor. The storage facilities are enveloped at ground floor by active frontages, including a storage reception, office units and residential lobbies. The perimeter block provides natural surveillance and activity to each of the four street frontages.

39. The primary access to the residential units within all blocks is from the western boundary (via the central residents lobby), accessed via a gated landscaped courtyard. Residential access is also proposed from the street on South Way for Blocks B and C and from within the shared surface access road for Blocks D and E. The western boundary abuts First Way, the primary thoroughfare to the site, and the entrance is complemented by the storage reception and a retail unit/cycle cafe. Vehicular access for servicing, office and storage is located further east along the site boundary, limiting the potential for conflict with pedestrians.

40. Block A fronts onto South Way and contains the retail unit/ cycle café at ground floor level on the south west corner, office and communal facilities and entrances on the remainder of the ground floor, and residential units on the upper levels. The primary access to the residential units is through the communal courtyard and gated entrance accessed from First Way, with the café/ retail unit and offices accessed from South Way. Although not directly onto a street, the residential entrance is secure and welcoming as a result of the communal courtyard, and this element of the scheme would provide active frontages onto both First Way and South Way, and therefore an enhancement on the existing building.

41. Block B would also front onto South Way and would contain office space and the main bulky waste storage for the site at ground floor level, with residential homes on upper floors. A new internal amenity area has been introduced on Block B as part of the revised scheme, and the block has direct access to the external landscaped podium gardens. Access is provided to the homes from the main entry plaza/ courtyard to the west and from South Way, and this is considered to be clearly defined and legible. Although the waste store takes up a significant part of the ground floor frontage, this is broken up with the active frontages for the proposed office entrances along this part of the building and ensures there would be a good degree of activity.

42. Block C is located at the south-eastern end of the site and also fronts onto South Way. It contains offices at ground floor with the upper floors in residential use. The entrance to the residential homes is accessed from South Way with a strongly defined and legible entrance. The office spaces front onto both South Way and to the eastern façade, ensuring natural surveillance and activity at ground level and ensuring there would be no dead frontage.

43. Block D is located to the north-east portion of the site and would also have office units at ground floor with residential homes on upper floors. The main residential entrance and the commercial entrances

would be located onto the new northern access route, and would therefore be secure and legible as well as creating some activity to the new public route through this part of the site. There are some back of house elements for the development on the north-eastern corner such as the switch room, utility areas as well as cycle stores and the main access ramp down to the basement level parking. However these elements are adequately broken up with the active commercial frontages for the offices and the residential entrance lobby. Therefore, subject to conditions being secured to further review the design detailing of the doors/ vents to the utility areas and cycle stores to ensure that the high quality of design is achieved through the scheme, the layout of Block D is considered to be acceptable.

44. Finally, Block E is located to the north-west portion of the site and would contain office and storage space at ground floor (as well as cycle storage, lifts etc), with residential homes on upper floors. The office and commercial elements would be accessed directly from First Way, with the residential entrance accessed from the new communal courtyard and gated entrance, as with Block A. Both the new northern access route and First Way would be activated by the commercial units and the communal courtyard would provide a secure and welcoming entrance to the residential homes. The entrances are clearly defined and legible from their prospective routes.

Public Realm

45. The development would create five dedicated areas of hard and soft landscaping throughout the scheme, with the applicant's landscape design and access statement outlining that this would involve the creation of character areas; which include the entrance courtyard, office amenity space, the landscaped podium (which includes a social hub, play space and grow garden/ micro forest), and the main roof terraces.

46. In terms of providing a good quality external environment for residents and passers-by, active frontages have been maximised at street level. The proposed widening of South Way would allow for a more inviting pedestrian route along this part of the frontage, which is key given there are residential and commercial entrances along this part of the development. Where possible at the site's edges, public realm would be enhanced, particularly in connection with the cycle café/ retail unit on the south-west corner, with good levels of soft landscaping and a small terrace enhancing activity and interest at ground floor level. Furthermore, the new northern shared access will be secured as a public access route via section 106 agreement, improving the site's connectivity to the surroundings in the future.

47. Overall, the public realm proposals are considered to be highly positive, with active frontages having been reasonably maximised at ground level with interest, and clearly defined, legible routes for both the residential and commercial elements of the scheme.

Height and Massing

48. Policy WEM5 of the adopted Wembley Area Action Plan (WAAP) (2015) supports the development of tall buildings (defined as being 30 metres (about ten storeys) or greater) on the basis of its site specific tall buildings strategy. The site is identified within the Wembley Area Action Plan as one which is appropriate for tall buildings under WEM5 criteria. At a maximum of 24 storeys high nearest to the Stadium, it would sit to the immediate east of Plot E05 within the Wembley Park Masterplan area, which would be of a broadly similar height at 22 storeys. There are other buildings of a similar height in the immediate townscape context, including Scape Wembley (28 storeys), 10-11 Watkin Road (24 storeys), and Quintain plot NE06 (34 storeys).

49. Draft policy BD2 of the emerging Local Plan directs tall buildings to the locations shown on the policies map in Tall Building Zones, intensification corridors, town centres and site allocations. The draft Local Plan Policies Map and Brent Tall Building Strategy (March 2020) identifies the site as situated within the Wembley Park tall building zone, where it is stated that, subject to not unacceptably impacting on protected views, buildings of over 15-storeys (45+ metres) may be considered appropriate.'

50. The site allocation brief contained within the draft Local Plan (Policy BCSA9) states that 'Development on this site should provide master planning showing transition of heights and mediate between the taller schemes coming forward immediately east of the stadium and the Strategic Industrial Land that makes up Wembley Stadium Industrial Estate.

51. With regard to scale and height, the key principle has been to step down building heights from east to west, as the blocks move away from the Stadium, in order to provide an appropriate transition in scale between the high density closer to the Stadium and the lower-rise industrial buildings to the west. As outlined in paragraph 34, Blocks A, B, D and E have a lower, secondary element, creating an undulating effect which

is considered to provide visual interest and ensure the overall massing of these blocks is broken up. A breakdown of the proposed heights for each block is provided below

Block	Storeys per primary block	Storeys per secondary block
A	24	17
B	20	12
C	14	
D	18	13
E	22	17

52. The proposals have been revised to enable all buildings, with the exception of the tallest 24-storey element to Block A, to be increased in height by two storeys. This has enabled an uplift in both family-sized units and affordable homes across the development, as well as responding to requirements in relation to highways widening and the need for an uplift in amenity space provision. Crucially, despite this increase, the principle of stepping down heights away from the Stadium remains, and a maximum height of 24 storeys is considered appropriate. This maximum height would therefore reflect the principles of the WAAP, as well as emerging policy BD2 and the Tall Building Strategy.

53. With regard to massing, the undulating effect created by having a series of primary and secondary elements to each block works well in breaking up the development's overall massing, particularly along South Way. This would be further broken up by the landscaped podiums visible between Blocks A and B, and B and C, above third floor level. The building would have a clear base, middle and top, with glazed entrances at ground floor level marking the commercial elements of the scheme and making this distinct from the upper floors. The use of recessed balconies and variation in fenestration types between blocks would add further visual interest and articulation.

54. The GLA have confirmed that they are satisfied with the approach to height and massing across the development, stating that 'the form and massing improves upon the scheme presented during pre-application discussions and has largely addressed concerns that were raised at the time regarding the building's massing and the impact on the podium amenity space. Overall, the distribution of massing and maximum height of 24 storeys is consistent with the emerging context and raises no strategic issues, and is supported in terms of optimising housing delivery.'

Protected views

55. It is important to note that although the site has been considered appropriate for tall buildings, any development must ensure that it does not detract from key views of the Stadium, in line with policy WEM6. Accordingly, the applicant has submitted a comprehensive Townscape and Visual Impact Assessment which sets out a number of images of the proposed development from key local vantage points and designated protected views, including those identified within WAAP Policy WEM6 and Brent's emerging Local Plan Policy BHC2.

56. It has been identified that the proposal would sit within the viewing corridor of Wembley Stadium Arch from six designated views within the AAP/Draft Local Plan, set out below:

- Elmwood Park, Sudbury (AAP/Draft Local Plan view 2)
- Horsenden Hill, Perivale (view 3)
- North of Neasden Station, Metropolitan/ Jubilee Line (view 10)
- Great Central Way (view 11)
- South Way at River Brent Bridge (view 12)
- The White Horse Bridge (view 13)

57. The applicant's HTVIA illustrates the impact the development would have on these views. The images demonstrate that the development would be at least partly visible from all vantage points apart from White Horse Bridge, crucially views to Wembley Stadium Arch would be uninterrupted at all points. Although prominent in views from the underground line and Great Central Way in particular, the buildings would not be overly dominant in these views when considering the context of built and consented developments across the skyline. On this basis, the proposals would accord with the aims of Policy WEM6 and emerging policy BHC2.

Architecture and Materiality

58. The visual design and architecture of the proposed development is considered to be of a high quality, using a simple but rational palette of materials which responds to the emerging character of the Wembley Park area. The appearance of the scheme has been designed to break up the overall mass of the building into its composite elements. Each residential block has been broken down into two elements; a white taller element with a vertical expression, and a smaller black element with a more solid, grid-like structure. A third, 'green' façade is added in the form of green walls in the spaces between the blocks, cleverly adding further visual interest.

59. The taller buildings would use undulating concrete fins to add depth and articulation to the elevations, with window surrounds and lintel also made from precast concrete but with a different finish to provide depth and texture. A horizontal band of masonry would be introduced to each floorplate to express each floor level. The lower-rise buildings would have a solid, regular façade in black brick, with projecting metal balconies. The green walls would be supported by white metal fins to allow climbing planters down to street level.

60. The GLA have commented that 'The architectural approach is supported and has the potential to deliver a high-quality building. High quality facing materials, balcony treatments and window reveals should be secured to ensure exemplary design is carried through post planning to completion. Officers confirm that samples of the materials to be used in the development, including full details of the green/ living walls and how these would be maintained over the development's lifetime, will be reviewed and approved by officers prior to any above ground works, and this would be secured by condition.

Impact to Heritage Assets

Conservation Areas and Listed Buildings

61. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 respectively require the decision maker to have "special regard" to the desirability of preserving a listed building or its setting, and pay "special attention" to the desirability of preserving or enhancing the character or appearance of a conservation area. The application site is not within a conservation area, however the Wembley High Street Conservation Area sits approximately 850m to the west of the site. The nearest listed buildings are also situated more than 500m away, and include the Wembley Arena (Grade II) to the north-west of the site, and the Roman Catholic Church of St Joseph (Grade II) to the south-west.

62. The applicants have submitted a detailed Heritage, Townscape and Visual Impact (HTVIA) assessment which analyses the impact of the development on these adjoining heritage assets. The NPPF states that where a proposed development will lead to substantial harm to designated heritage assets, permission should be refused unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm or in wholly exceptional circumstances identified in paragraph 195 of the NPPF. Where the proposal will lead to less than substantial harm, that harm should be weighed against the public benefits of the proposal.

63. Where harm is found to a designated heritage asset (even harm that is deemed to be less than substantial), the decision maker must give that harm considerable importance and weight as a result of the statutory requirements set out in Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. London Plan Policy HC1, policy DMP7 of the adopted Development Management Policies and policy BHC1 of the draft Local Plan all seek to ensure that development affecting heritage assets should conserve their significance, by being sympathetic to the character and setting of those assets.

64. The submitted HTVIA is considered to be robust and demonstrates that the proposal would be seen in the context of other tall buildings within the Wembley Growth Area/ Tall Building Zone, and that there would be no harm to the setting of designated heritage assets.

Archaeology

65. Beyond the visual impact considerations that relate to heritage, the site has been assessed for its below ground archaeological potential and the applicants have submitted an Archaeological Assessment to communicate the findings.

66. The report confirms that no World Heritage Sites, Scheduled Monuments, Historic Battlefields or Historic Wrecks lie within 1km of the site. The site is also not within one of Brent's Archaeological Priority

Areas (APA) or locally designated Sites of Archaeological Importance (SAI).

67. The report concludes that the site is likely to have a low/ negligible archaeological potential during all relevant historic periods of human activity, with previous development of the site having removed any objects or structures of historic interest. The re-development of the site is considered unlikely to have an impact on any significant archaeological deposits, and therefore no further mitigation is recommended in this regard.

68. On this basis, the proposal accords with London Plan Policy HC1 policy DMP7 of the adopted Development Management Policies and policy BHC1 of the draft Local Plan and the NPPF.

Impact on neighbouring residential amenity

69. Brent's DMP1 policy within the emerging and adopted Local Plan and Brent's SPD1 guidance sets out a number of criteria for judging impact on neighbouring residential properties in terms of losses of privacy and the creation of a sense of enclosure. It will be important to consider the extent to which the SPD1 guidance is complied with in relation to these properties, and for this impact to be weighed up as part of an overall judgement. The SPD1 amenity impact tests and the development's performance against them are explained below.

Daylight and Sunlight Impact

70. The applicant has submitted a daylight, sunlight and overshadowing analysis of the impact of the development on surrounding properties, utilising the recommendations set out in the BRE 'Site layout planning for daylight and sunlight - a guide to good practice (2011)' document. This has been included within the submitted Environmental Statement.

71. Officers are satisfied that the report successfully identifies the neighbouring residential properties which would be potentially affected by the development, and therefore assessed in necessary detail, is limited to Site E05 to the immediate west / north-west of the site. To the north, the low-rise Dhamecha Cash and Carry building is commercial in nature and has no windows or openings relying on daylight facing directly onto the development. At least 200 metres is maintained between the site and the former Cannon Trading Estate site, which is currently being re-developed for student accommodation, education and commercial uses (ref. 17/3797). The proposed development would not have any impact on daylight and sunlight levels experienced here as it sits below a 25-degree line when measured to the nearest ground floor windows. Similarly, the nearest rear facing windows to residential properties on Park View to the south-west of the site (across the railway line) are approximately 150m away. The rear of these properties would look onto Block C to the south-west of the site, which is the lower 14-storey element of the scheme, and this part of the development sits below a 25-degree line to these properties. The Popin Centre to the immediate south is also commercial in nature, while the Pink coach park sits to the immediate south-west and is currently under construction.

72. The results of the daylight and sunlight testing of these properties is set out below:

Site E05

73. Planning permission was initially granted in September 2018 for the re-development of land to the east of Wembley Stadium to provide buildings ranging from 3 to 22 storeys, for the provision of 458 residential units and 285 sqm of commercial/ community/ leisure/ office floorspace, with associated car and coach parking. Construction of the site is well underway.

74. Given the development has not been completed, the assessment has focused on testing the development's impact on the Average Daylight Factor (ADF) for all potentially affected rooms, which is in line with BRE guidelines (Appendix F). The report concludes that of the 328 rooms assessed, 221 would meet compliant ADF levels following construction of the development, which represents an overall figure of 67%. This represents a reduction from 77% compliance based on the existing situation. It should be noted that re-testing took place following the revisions to the proposed plans, accounting for the two-storey increase in heights to most of the blocks. This resulted in no changes to the level of compliance outlined above.

75. However, the report also sets out that levels of daylight reaching rooms within E05 is unduly impacted already by the design of the block in which they sit, with deep reveals and overhanging balconies which restrict daylight levels. BRE guidelines state that regard can be had to these factors, and further ADF testing have been carried out with the overhanging balconies removed. The revised results show that the

level of compliance within rooms in E05 increases to 87% (286 of 328 rooms) with the overhanging balconies removed. Furthermore, the remaining rooms which fall short of complying are all living/kitchen/dining rooms or studio spaces, which all show levels of at least 1.3% ADF, which is only just short of the required 1.5% ADF. Therefore, these shortfalls in daylight levels are very minor, and need to be seen in the context of a high level of compliance overall, particularly given this high density, urban context.

76. The report also assesses VSC and NSL levels in the event that Site E05 begins occupation before development starts on the application site. The results of the VSC assessment shows that 274 out of 607 windows (45%) rooms would comply with BRE guidance. However, testing of NSL shows that 268 out of 328 rooms (81%) would comply with BRE guidance in this respect. As with the testing of ADF levels, the level of compliance is also impacted by the number of overhanging balconies within site E05, and when these are removed, the number of windows complying with VSC criteria increases to 58%.

77. With regard to sunlight impact, 161 rooms were tested with windows orientated within 90-degrees of due south, with 142 of these meeting the criteria for annual probable sunlight hours (APSH), representing 88% of the total number. Again, officers consider this to be a high level of compliance given the transition between the existing low-rise industrial building and the high density scheme proposed, as well as the prevailing urban regeneration context.

Summary

78. Overall, officers consider the impacts to neighbouring sites (both completed and consented) are acceptable when seen in the context of the scheme's wider benefits. Officers would note that the BRE guidelines on which the daylight and sunlight analysis is based are designed to identify good levels of daylight and sunlight in low density locations and that the guidelines acknowledge a need to interpret compliance flexibly in denser town centre locations.

79. Furthermore, at paragraph 123 of the National Planning Policy Framework (NPPF), it is stated that "when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)".

80. The growth area location and site allocation, which envisions significant housing growth on this site and surrounding sites are given significant weight. The expectation for significant housing growth within this site, as set out in policy, would naturally reduce the expectations for full compliance with the daylight and sunlight guidance. As discussed in earlier paragraphs of the report, the existing buildings on site are only 1-2 storeys high and establish a very generous baseline scenario which would naturally result in a significant change in the context of any development proposal to deliver a reasonable number of homes.

Privacy

81. In order to retain acceptable privacy levels to properties, SPD1 states that all primary habitable room windows within a property should be at least 9m from the boundary with the private external amenity space of neighbouring properties or adjoining sites, except where the view on to that property would be to a part of the property which would serve as low value amenity space (e.g. the side access around a house). Furthermore, proposed habitable room windows should achieve a full 18m of separation from the habitable room windows of other properties (apart from street facing windows). These standards are in the interests of protecting the privacy of neighbouring occupiers.

82. With regard to relationships with surrounding residential properties, the closest relationship would exist between the eastern facing windows and balconies of Block E with the west and south-west facing balconies and windows of Site E05. However, there would be a minimum of 27m maintained between the nearest openings, and this would be sufficient to ensure no material loss of privacy to neighbouring occupiers. Site E05 is predominantly located further north-west of the application site and therefore there would be no directly facing windows or balconies which would cause any issues.

83. To ensure that the site to the north can also come forward for redevelopment, a separation distance of at least 9.3m has been maintained to the northern boundary from residential windows with a reduced distance of 7.47m from the edges of the closest balconies. Whilst some of the balconies do not provide a 9m separation distance to the site boundary, the shortfall is minor (1.53m) and the units would overlook an access way which is intended to be made publically available in the future with the site to the north to allow a new east/west route. This minor shortfall would not be considered to compromise the wider delivery of the wider site allocation. The nearest existing residential properties are located to the south on

Park View. These are over 112m from the southern boundary of the site and located on the opposite side of the railway line. As outlined above, all other surrounding properties are in commercial use, and the site has also been developed with a generous buffer to the north to ensure this would not compromise the ability of adjoining sites coming forward for development in the future, thereby complying with SPD1.

Summary

84. It is considered that the relationship of this development to its surroundings complies with relevant guidance in SPD1. Generous separation distances are maintained between the proposed blocks and adjoining sites, and where they are closer, these are close to consented or newly constructed schemes where there must be some expectation of tighter relationships given the urban regeneration context. Officers consider the proposals acceptable in this regard.

Quality of residential accommodation

85. Policy DMP1 within Brent's Development Management Policies (2016) and within Brent's emerging Local Plan (2019) in addition to policy D6 of the London Plan (2021) require developments to achieve high quality standards of internal amenity and quality of accommodation. Policy DMP18 within Brent's Development Management Policies (2016), and D6 of the London Plan require adherence with the minimum internal space standards for new homes as set out in the London Plan. Further guidance on the quality of accommodation is set out in Brent's SPD1 document (2018) and the Mayor's Housing SPG.

86. Overall, the quality of the proposed residential units is high when assessed against these policies with all of the units proposed meeting the space standards set out within the London Plan. The built form of the blocks are composed of relatively thin residential blocks enabling a reasonable number of the units to achieve dual aspect outlook and cross ventilation. Above third floor level, Block A proposes 9 units per floor around a single core, while Blocks B, D and E propose 8 units per floor, also around a single core. Block C proposes 5 units per floor around a single core. On balance, this is considered acceptable, as the units are clustered around the core rather than resulting in long corridors. A sense of community can still be achieved, even with 9 units per core. There is also a resident superlobby at the core of the internal residential amenity, linking all spaces, and which is situated adjacent to the main entrance courtyard.

Aspect

87. Policy D6 generally advises against the use of north facing single aspect units. The development would provide approximately 68% dual aspect units across the five blocks, equating to approximately 412 units across the development. Of the 188 units which are single aspect, approximately 85 would have a single northerly aspect, equating to approximately 14% of the entire scheme. However, all of the homes with a single northerly aspect would have be studios or 1-bedroom flats, the majority of which would also have balconies which allows a greater outlook to be enjoyed, as well as maximising daylight and sunlight into living rooms.

88. The proportion of homes with a northern, single aspect also has to be seen in the context of the design of the blocks as a whole, as well as its relationship to the surroundings. Forming the five blocks around the outside perimeter of the site, with a central landscaped podium and public realm, is considered the most efficient approach given the sites' shape and constraints. Generous separation distances have been maintained between blocks, and the design of the buildings themselves has been shaped to maximise dual aspect homes as far as possible. Officers therefore consider that the number of northerly and single aspect homes is acceptable on balance, particularly given the high density, urban context of the proposed scheme.

Accessibility

89. 10% of the homes would be adaptable for wheelchair users and are accordingly sized so as to ensure suitable circulation space within each room for this purpose (M4(3) standard within the Building Regulations). Policy D7 of the London Plan require 10% of new homes to meet the M4(3) fit out and the remainder to meet the M4(2) fit out which would be achieved in this instance.

90. The applicants' design and access statement outlines how the proposed development would meet the above requirements. The document shows how wheelchair user and wheelchair adaptable units can be incorporated into the scheme, with indicative layouts for each respective type of flat shown. Exact details of which units are to be provided for M4(3) fit out (accounting for at least 60 of the proposed units) have not been shown, however officers consider that this can be requested by condition before commencement of works (except demolition).

Privacy and outlook

91. In terms of privacy between blocks, SPD1 states that all proposed habitable room windows should achieve a full 18m of separation from the habitable room windows of other properties (apart from street facing windows). Overall, the scheme has a high level of compliance with SPD1 in this regard. A separation distance of at least 20 metres is maintained between Blocks A and B, between Blocks and C, and between Blocks D and E. There are some areas where distances would fall below the recommended 18 metres, for example between the north elevation of Block B and the south elevation of Block E (which maintains a minimum of 14m distance), and the respective north and south facing balconies of Blocks C and D, where a minimum 12m distance would be maintained. However, the blocks have been designed to ensure that windows/ openings do not face directly onto each other, and these points at which separation distances do fall below 18m are considered to be minimal. There are no instances where balconies between different blocks would directly look onto each other.

92. Given the proximity to neighbouring land parcels on the north of the site, Blocks D and E are set away from the northern boundary by at least 9 metres to ensure that the ability of neighbouring sites to come forward for development is not compromised, and ensure those flats looking towards the north have an adequate buffer to adjoining commercial development.
Internal daylight, sunlight and overshadowing

93. An internal daylight and sunlight report has been submitted with the application, testing the levels of daylight reaching habitable rooms of the development using the Average Daylight Factor criteria. The report concludes that 769 of the 799 rooms assessed would achieve ADF levels meeting or exceeding targets for their specific room use, equating to 96% overall. Considering the high density, urban context of the scheme, this is considered to be very good.

94. The report also assesses the levels of sunlight reaching the key external amenity spaces across the development. The report concludes that all five main amenity spaces would comply with the BRE criteria, with at least 50% of each space receiving 2 hours of more of direct sunlight on 21st March, and all four roof terraces having 90% of their areas in compliance, which is a very high level considering the density and scale of the proposed development. Overall, the proposals are considered to perform well against the recommended guidance and represents an acceptable level of compliance in consideration of the dense urban location of the scheme.

Amenity Space

95. Policy DMP19 establishes that all new dwellings are required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This will normally be expected to be 20 sqm studio, one or two-bedroom home and 50 sqm for family housing (homes with 3 or more bedrooms).

96. The DMP19 requirement for external private amenity space established through DMP19 is for it to be of a "sufficient size and type". This may be achieved even when the "normal expectation" of 20 or 50 sqm of private space is not achieved. The supporting text to the policy clarifies that where "sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space". Proximity and accessibility to nearby public open space may also be considered when evaluated whether the amenity space within a development is "sufficient", even where a shortfall exists in private and/or communal space.

97. With regard to quality of the space, the supporting text to policy DMP19 specifies that private amenity should be accessible from a main living room without level changes and planned within a building to take a maximum advantage of daylight and sunlight, whilst Brent SPD1 specifies that the minimum depth and width of the space should be 1.5 m.

98. London Plan policy D6 specifies that where there is no higher local standard, a minimum of 5 sqm of private amenity space should be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant. The minimum depth and 1.5 m is reconfirmed in the emerging policy.

99. All 600 homes would benefit from balconies of at least 5 sqm, therefore meeting London Plan requirements. In addition, the proposals include five main areas of external communal amenity space for residents, in the form of rooftop terraces to Blocks A, B, D and E (for use by residents within each of these blocks), and the main landscaped podium at third floor level sited centrally to the development, which would be accessible to all residents within the development. These terraces provide a total of 3,497 sqm of

communal amenity, with a further 605sqm of indoor communal amenity space provided at ground, first and third floor levels, with the first floor level space including a gym and residential lounge. Officers also give some weight to the main courtyard entrance to the west of the site, as well as the small cycle café terrace which amounts to a further 805 sqm of external amenity space. The benefits of these additional outdoor and indoor spaces are acknowledged and would factor into officers' views on the acceptability of the amenity space provisions.

100. Overall, the amenity space provision, and associated shortfalls below DMP19/BH13 (where relevant) are summarised in the table below:

Whole scheme	Policy Requirement	Private Balcony	Shortfall of policy	Communal External amenity	Communal Internal amenity	Cumulative Shortfall	% of req
Total units (600)	13,620sqm	4,790	8,830sqm	3,497	605	4,728	66%

101 Whilst the tables above break down the shortfall in amenity space provision against policy requirements across the different amenity space components by block, the summary position is that:

- 35% of the required amenity space provision is achieved through the provision of private balconies
- A further 26% of the required amenity space provision is achieved through the provision of the landscaped podium at third floor level and the upper level roof terraces – the proportion of internal communal amenity space only makes up a further 4.4% of the overall requirement
- The courtyard garden/ entrance would provide a further 805 sqm of external amenity space, and if included in the figures would increase the site's overall provision to approximately 71% of the site's requirements.

102. The development falls short of DMP19 targets by just under 34% for amenity space provision. It is considered that this provision has been reasonably maximised across the development, utilising all rooftops where possible, and it is therefore considered that despite this shortfall, the maximum reasonable amount of external amenity space has been provided throughout the site. Block C does not benefit from a roof terrace due to the rooftop being used for plant/ acoustic enclosures and the provision of solar panels, however residents of the block still have access to the landscaped podium and other amenity spaces and would therefore not be impacted by the lack of any terrace space here. The constraints of the site and the layout of the blocks mean that the best approach has been followed, in terms of providing a main landscaped podium which would be of a high quality.

103. The proposal falls below the targets for external amenity space expressed within policy DMP19 and London Plan Policy D6. However, on balance the shortfall is not to a degree that would significantly affect the quality of the space and the proposed areas of external amenity space are considered to be sufficient in size and type to satisfy the needs of future residents. The limited conflict is considered to be outweighed by the benefits of the proposed development.

Playspace provision

104. Policy S4 of the adopted London Plan requires that on site play space is provided to service the expected child population of the development, with at least 10 sqm per child to be provided in new developments.

105. The applicants have set out a play space strategy which provides on-site play spaces aimed at children aged 0-17 in line with GLA's child yield matrix. The child yield matrix would require a total of 1656 sqm across the development, calculated based on the residential and affordable housing mix proposed and based on the local PTAL level and outer London setting.

106. The applicants approach is set out within the Landscape Design and Access statement. They have proposed a total of 1650 sqm of play space within the main podium at third floor level, which would include active, creative and social play elements which cater for the three different age groups, i.e. under 5s, 5-11 years and 12+). Officers consider that the areas provided would largely cater for younger children, however this would be offset by the proximity of the site to parks and open spaces in the immediate vicinity, which the Mayors' Play and Recreation SPG states can be taken into consideration. The site would be within

400m of the proposed Quintain Park to the north of the site. Additionally, it is within 400m of Sherrans Farm Open Space to the south, and 800m of Tokyngton Recreation Ground. Officers therefore consider the slight shortfall in overall play space, and specifically space for over 12 year olds, to be appropriate.

107. Detailed plans of the play spaces for all ages and their individual features will be secured through a landscaping condition, and this has also been requested by the GLA.

Transport and highways

Site background

108. The site is bounded by South Way to the south, and First Way to the west, which are both local industrial access roads and bus routes. Crucially, both roads are one-way north and westbound, with a priority junction between the two roads in the south-west corner of the site. There is a desire to introduce a two-way system to these roads as one of the key priorities of the Wembley Park Masterplan.

109. On-street parking is prohibited at all times around the site. As the adjoining roads are all commercial access roads, none of them have been identified as heavily parked streets overnight. The site is within the Wembley Stadium Event Day Parking Zone.

Car Parking

110. Policy WEM15 of the WAAP sets out acceptable residential, employment and retail parking standards for new developments in the area. Given the site's moderate PTAL, 0.5 spaces are required per 1-2 bed unit, with 0.75 spaces per 3 bed unit, which are maximum levels. Non-food related commercial uses are designated 1 space per 50 sqm of floorspace.

111. The proposals involve the inclusion of 60 residential spaces in total, including 18 Blue Badge holder spaces within the basement, while a further 4 parking spaces for the storage and office facilities (including 1 Blue Badge spaces) would be provided on the ground floor opposite the self-storage offices. This would result in a blue badge provision of 3%, which complies with the London Plan minimum requirements from the start. There is also space to provide further 10 spaces if demand requires it, which would take it the total potential future provision up to 5%. This is less than the London Plan maximum potential requirement of 10%, but is considered to offer reasonable flexibility for future demand.

112. For electric vehicles, 20% of residential spaces and 10% of commercial spaces are shown with charging points at the outset, with all remaining spaces shown with passive provision for future charging points.

113. In order to ensure the development does not lead to overspill parking in the area, funding of £140,000 towards the implementation of a year-round CPZ in the area is also sought, along with a parking permit restriction, withdrawing the right of future residents of this development to on-street parking permits. Officers confirm that these would be secured via section 106 agreement. This restriction needs to be highlighted to prospective residents through their lease agreements and spelt out in the Car Park Management Plan, full details of which would be secured by condition.

Cycle Parking

114. The London Plan requires at least 1047 secure long-stay bicycle parking spaces for residents, plus 18 short-stay spaces for visitors. For the commercial uses, at least 33 long-stay and 26 short-stay spaces are required.

115. For the residential units, 1100 long terms cycle spaces are proposed in the form of a mixture of Sheffield stands, lockers and double stacked units are proposed. The cycle stores are located within the basement level in proximity to the cores of each block, all of which comfortably accommodate sufficient residential storage. Access will be provided via the dedicated cycle lifts between blocks A and E or via the car park access ramp, which is acceptable. In addition, short term cycle parking for the residential units is proposed in the form of nine Sheffield stands within the residential courtyard.

116. For the commercial uses, long term cycle stores are proposed at ground floor level at various locations within the development. Provision is made for 28 long term cycle spaces for the storage use and 30 long term cycle spaces for the office use. In addition 46 short term spaces are proposed within the courtyard. Subject to a condition requiring these stores to be provided as shown on the proposed drawings, prior to any

occupation of units, this is acceptable.

Refuse

117. Refuse stores for each block are proposed within the basement car park, allowing easy access from each stair core. The total capacity of the stores is given as 110 Eurobins and 60 wheeled bins, which accords with Brent's guidelines. Each of the bin stores is located close to the lift core of each block. A refuse chute has been introduced to each block to facilitate both general waste and recycling. A management company will collect all waste from the refuse stores and transport them, via two large dedicated refuse lifts, to a temporary bin store located on the ground floor that has capacity to accommodate all of the residential bins. This is located close to the refuse loading bay for ease during collection. This arrangement has been confirmed as acceptable by officers and will be secured within the delivery and servicing plan.

Deliveries and Servicing

118. The self-storage warehouse needs to be capable of accommodating servicing by full-size articulated vehicles (although such visits are likely to be few in number), whilst the offices require servicing by 10m rigid vehicles, the café by transit-sized vans and the residential units by assorted ad-hoc delivery vehicles. An assessment by the applicant suggests that 51 daily deliveries to the flats, three to the offices and one to the café could be expected, in addition to the deliveries for the self-storage warehouse.

119. In order to meet these requirements, a 20m long shared loading bay is indicated in the centre of the site of sufficient dimensions and headroom (6.2m) to accommodate a full-size articulated lorry, two 10m rigid lorries or three transit sized vans, or combinations thereof. The shared loading bay will be located close to the main residential entrance lobby and concierge office (who will be able to receive goods on behalf of residents during working hours) and to the main bin store, which will ease servicing arrangements for the site and ensure that servicing from the street is not necessary.

120. While this is acceptable in principle, a Delivery & Servicing Plan has also been prepared for the site to help to encourage operational efficiency, such as publicising Wembley Stadium events to minimise deliveries on those days. Officers recommend that a condition is attached requiring that the measures set out within the DSP are fully implemented and reviewed to ensure that further measures could be introduced if problems with servicing arrangements are experienced over time.

Vehicular access

121. In terms of vehicular access, the main point of access and egress is shown in the north-western corner of the site from First Way (i.e. in a similar location to the existing main site access). It is almost directly opposite the egress point from Wembley Stadium car park, which is not ideal, but replicates the existing situation.

122. The adjoining streets are currently one-way roads, which makes access into and out of the site simpler, as turning movements are restricted to certain directions only. Importantly, the revised proposals involve setting the entire ground floor of the proposed building back at least 5.2m from the northern kerbline of South Way, which in turn provides adequate additional highway space to allow the proposed two-way flow on South Way and proposed cycle lanes to be implemented. As outlined in earlier sections of the report, this is a key strategic Masterplan objective, and incorporating these changes are highly welcomed by officers.

123. The proposals also incorporate increased footway widths along South Way between the new Pink Coach Park and Wembley Stadium, which is important given increased pedestrian flows along this part of South Way on event days. Parts of the first floor of the building are still proposed to oversail the widened footway at a minimum height of 4.8m (5.1m for the balconies), but officers are satisfied that this provides adequate headroom for pedestrians and high sided vehicles. However, highways officers also advise that the widened footways fronting South Way and First Way should be repaved, including their existing widths and including the removal of all redundant accesses, before being offered for adoption through an agreement under S38/278 of the Highways Act 1980. The oversailing elements of the building will require a S177 licence. These will all be requested via the legal agreement.

124. Adequate access width is indicated for two-way traffic, with 8m kerb radii and tactile paving shown to accommodate left-turns into the site by large rigid and articulated vehicles without crossing the centre line of First Way (although they would utilise the entire site access width). The access point is on the outside of a bend, so vehicular visibility splay requirements are met. Increased 8m kerb radius is now shown on the southern side of the main access and 8m kerb radii are shown on both sides of the secondary egress

to ease turning by large delivery vehicles, adequately addressing highways officers' initial concerns.

125. Officers also raised concerns that the secondary point of egress onto South Way could result in interference with safe crowd movement between the Pink car/coach park and the Stadium on event days. To address this concern, the applicant's Transport Statement has confirmed that the gates at this egress will be closed on Wembley Stadium event days, with closure needing to take effect from four hours before the start of any event at Wembley Stadium until four hours after the finish of any event. Officers have confirmed this would be required by condition, as well as further approval of the gates onto this egress, which must be designed to be robust enough to stop any large vehicle that attempts to drive straight through them whilst they are closed.

126. Within the site, suitable access width is proposed for vehicles to and from the commercial car parking and servicing areas, with adequate turning space for the parking spaces. Access to the basement residential car park will be via an extension to the access road, with an indicative carriageway area measuring between 2.5m-5m (i.e. single width with passing places), which will help to keep speeds low. This leads to a 6m wide (plus 500mm margins), 10% gradient ramp into the basement, which provides adequate width for two cars to pass one another along its length as demonstrated through tracking diagrams.

127. The route along the northern side of the site will allow it to be opened up as a through route to other plots to the north and east as they come forward and provide a future pedestrian route as sought through the Wembley Area Action Plan. Officers confirm that safeguarding of this route for future public access will be secured as part of the section 106 legal agreement.

Trip Generation

128. In terms of transport impact, a Transport Assessment has been prepared by TTP Consulting and submitted with the application, and this has been updated to account for the proposed increase in flats from 555 to 600. Traffic surveys were undertaken at the existing site access (as well as at the South Way/First Way junction) to establish how much traffic the existing self-storage warehouse attracts. This identified 20 vehicle movements in the morning peak hour (8-9am) and 10 in the evening peak hour (5-6pm). Due to the nature of the business, trips by public transport, foot and bicycle were negligible.

129. It was estimated that trips to the self-storage warehouse would in future fall in direct proportion to the reduced storage space to be provided within the replacement warehouse (i.e. to about half of existing levels). Peak hour trips to the new offices and flats were then estimated based upon comparisons with other similar uses in outer London - one site in Wembley for the office space and five sites in outer London for the flats. The sites selected are considered to be suitably comparable.

130. The resultant overall number of peak hour trips to and from the site are estimated at 97 arrivals/266 departures in the morning peak hour (8-9am) and 173 arrivals/142 departures in the evening peak hour (5-6pm) by all modes of transport (n.b. not all are new, as some trips are already made to the self-storage warehouse on the site).

131. Census data has then been used to establish the likely mode of travel for each of these trips, with manual adjustments made to take account of the low level of parking proposed within the site. This gives an estimated modal split of approximately 61% rail/Underground, 18% bus, 9% car drivers, 8% walk, 2% bicycle, 1% motorbike and 1% car passengers.

132. In traffic terms, the net effect is an increase of approximately 18 cars on the local road network in each weekday peak hour. This level of traffic amounts to about 2-3% of the existing flow on First Way, so is not considered to be significant enough to warrant any further consideration of the impact on the capacity of any particular junction in the area.

133. With regard to other modes of transport, forecast bus trips are estimated at 16 arrivals/43 departures in the morning peak hour (8-9am) and 28 arrivals/25 departures in the evening peak hour (5-6pm). In addition, 20% of rail/Underground trips have been assumed to use buses to reach the station. These new trips will almost all be new to the network, as the existing self-storage warehouse attracts few bus passengers.

134. The applicant's assessment concludes that bus service 92 will experience the greatest impact, with 27 additional passengers per hour, which equates to an additional four passengers per bus. Route 206 would see an additional 15 passengers per hour, or three per bus. Transport for London (TfL) have also commented on this issues, and have stated that bus services in the area have reached capacity and as the site is located in a growth area there are expected to be cumulative impacts of the development on the bus

network. They have therefore requested a financial contribution of £370,000 from the proposals toward enhancing bus service capacity in Wembley area, which would be secured via section 106 agreement, and in doing so the proposals would accord with London Plan Policy T4.

135. Combined rail and underground trips are estimated at 47 arrivals/159 departures in the morning peak hour (8-9am) and 101 arrivals/78 departures in the evening peak hour (5-6pm). London Underground services would be expected to experience an additional 9-11 trips in each peak hour in connection with the 45 additional flats. With over 50 rail and tube services serving the three Wembley stations in each direction per peak hour, the average number of additional passengers per train in the area would remain less than two, although services towards London in the morning peak and away from London in the evening peak hour would carry the greater tidal flows. Nevertheless, the capacity of rail services in the area is high, so is likely to be capable of absorbing the impact of this development. TfL agree with this view, and the proposed development is therefore acceptable in this regard.

136. Pedestrian trips are estimated at 7 arrivals/19 departures in the morning peak hour (8-9am) and 12 arrivals/11 departures in the evening peak hour (5-6pm), with cyclist trips estimated at 5 movements in each peak hour. These do not include journeys on foot or bicycle to stations or bus stops though.

137. With regard to pedestrian trips, a PERS audit has been undertaken for three routes in the surrounding area, linking the site to nearby public transport facilities on South Way and at Wembley Park and Wembley Stadium stations. Some concerns were initially raised by officers regarding the lack of pedestrian crossing facilities on South Way and First Way, however these have been addressed by freeing up the southern edge of the site in order to facilitate the widening of South Way and introduction of the proposed two-way traffic flow, with associated cycle lanes and a signalised junction at First Way/ South Way with pedestrian crossing facilities. The works are likely to be secured via CIL funding, and although this cannot be secured directly via the proposed development, officers are satisfied that these improvements would be secured in order to meet the Council's wider Masterplan objectives.

138. A Cycling Level of Service (CLOS) assessment for cyclists has also been undertaken for the above routes. This exercise produced low scores for routes along South Way, First Way and Engineers Way. Again, the introduction of two-way flow and cycle routes on these adjoining streets are expected to raise these scores and make the site safer and easier to access by bicycle.

139. The road accident history for the area has also been examined for the five year period spanning January 2012-December 2016. This identified seven personal injury accidents within about 200m of the site over that period, which is low. The introduction of a high density residential development in the area will be likely to increase activity and movement, particularly by pedestrians and cyclists, which may increase future accident rates. However, there are no identifiable patterns in the accident records at present which suggest that particular shortcomings exist in the road layout that cause a safety problem.

Travel Plan

140. A draft Residential Travel Plan has been submitted with the application. The Travel Plan proposes to appoint a Travel Plan Co-ordinator (initially the Transport Consultant) to oversee the management of the plan. This will include implementing a series of measures, including the provision of Travel Packs to residents that include travel information and updating noticeboards and the provision of personalised travel planning advice. Other measures include securing discounts on cycling equipment from local retailers and the setting up and promotion of a Car Club on the site. This last measure includes liaison with a Car Club operator to secure a vehicle that can be based at the site and the offering of free membership to new residents (although it is not specified how long for).

141. The overall target will be to reduce car driver trips to and from the site from 19.5% to 17.5% over a five-year period. However, the Transport Assessment states that only 7% of residential trips would be made by car anyway, so the baseline car trips and proposed targets are not acceptable and need to be revised. An initial travel survey in accordance with the TRICS survey methodology will be undertaken within 6 months of first occupation (or when 75% of flats are occupied), followed by i-TRACE compatible surveys each year for five years thereafter.

142. Officers have commented that although the basic structure of this Travel Plan is acceptable, there are some deficiencies in terms of details of the proposed Car Club and initial surveys carried out. Officers are satisfied that these details can be agreed and reviewed as part of a revised, detailed Travel Plan to be secured via section 106 agreement.

143. With regard to the commercial elements of the scheme, the combined size of the proposed offices and the low number of staff employed at the self-storage warehouse means a full Workplace Travel Plan would be unnecessary and the submitted Travel Plan Statement is considered acceptable in principle. The submitted statement confirms that travel information will be provided to workplace occupiers through Welcome Packs, which will be similar to the Residential Travel Plan. Again, full details of this would be secured via section 106 agreement.

Draft Construction Logistics Plan

144. Construction traffic should not affect the operation of buses in the area and deliveries should take place outside of peak times on the road network. Construction should be carefully managed particularly on event days and monitored to ensure the construction of the site does not adversely affect pedestrians.

145. TfL have commented that the outline Construction Logistics Plan is acceptable in principle, subject to a final CLP should be produced fully in accordance with TfL's CLP guidance and secured by condition, in agreement with the Council and TfL, before any construction works begin on site.

Environmental Health Considerations

Air quality

146. An air quality assessment (including an air quality neutral assessment) considering the impacts of the proposed redevelopment of the site on air quality has been submitted. The report has considered the impacts that would be incurred during the construction phase, impacts that would be incurred by traffic generated by the development, and impact of heating plant emissions. This has been reviewed by Brent's regulatory services team.

147. The assessment is sufficiently robust and detailed, considering the potential emissions to the area associated with the development as well as the potential impact on receptors to the development. Officers are satisfied that the development would have a negligible impact on air quality without any mitigation measures being required, and the development as a whole would be air quality neutral.
Construction noise and nuisance

148. The development is within an Air Quality Management Area and located very close to other residential and commercial premises. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours.

149. It should be noted that in relation to these matters, there is also control through Environmental Health Legislation and a planning cannot duplicate any controls that are available under other legislation. However, the council's regulatory services team have recommended a condition requiring a Construction Method Statement to be submitted for approval before works start. This would be required to cover highways issues as well, and has been attached.

150. A further standard condition is also attached requiring all non-road mobile machinery to meet low emission standards, as set out within the London Plan.

Noise between commercial and residential uses and proximity to Stadium

151. A noise assessment has been submitted with the application and reviewed by the Council's Regulatory Services Team. The assessment concludes that there would be a low-to-medium risk of adverse noise effects across the scheme, which could be appropriately mitigated by ensuring acoustic ceilings are installed between the proposed cycle café and the residential units above.

152. Consideration within the noise impact assessment has been given to the proximity to the Stadium, with the noise survey taking place over the space of a week which included assessment during the FA Cup Final in May 2017. The report concludes that while noise levels during this event (and over the course of the same weekend) were higher, these levels reached a maximum of 63db, which are only slightly higher than the average daytime noise levels of 60-61db reached to the east of the site (largely due to the closer proximity to industrial uses to the east).

153. However officers acknowledge that the assessment did not include consideration of live music events taking place at the Stadium, which generally take place during evenings and are likely to have increased noise levels at certain points than a sporting event would produce. Nevertheless, recent residential

developments have been approved with similar (and closer) proximity to the Stadium than the application site, and therefore it is considered that acoustic mitigation measures can be implemented within the scheme to prevent any nuisance to future occupiers. Therefore a condition is recommended requiring that a supplementary acoustic assessment be submitted before first occupation of any units in order to ensure that the impact of music events on future occupiers are adequately assessed. Officers also consider that details of acoustic ceilings and any other mitigation measures required to ensure noise levels experienced to occupiers nearest the Stadium must be submitted and approved by the Council before occupation of the development. Subject to this, officers consider the scheme to be acceptable from a noise perspective.

Contaminated land

154. The applicant has submitted an initial site investigation report and this has been reviewed by the Council's Regulatory Services team. The site to be redeveloped and the surrounding area has been identified as previously contaminated. This assessment does indicate remediation works are required in relation to soils and also gas protection measures. The report also advises that further investigative works should be undertaken when the site is vacated. Officers are satisfied that the proposals are acceptable, subject to conditions requiring further site investigation works following demolition of the existing building, and any remediation works arising from this to be completed before first occupation or use.

Sustainability and energy

Policy background

155. Planning applications for major development are required to be supported by a Sustainability Statement in accordance with Policy CP19, demonstrating at the design stage how sustainable design and construction measures would mitigate and adapt to climate change over the lifetime of the development, including limiting water use to 105 litres per day. Major commercial floorspace is required to achieve a BREEAM 'Excellent' rating and this also needs to be clearly evidenced. Policy DMP9B of Brent's Local Plan also requires sustainable drainage measures to be adequately implemented.

156. Major residential developments are expected to achieve zero carbon standards, including a 35% reduction on Building Regulations 2013 Target Emission Rates (TER) achieved on site, in accordance with London Plan Policy SI 2. An Energy Assessment is required, clearly outlining how these standards would be achieved and identifying, where necessary, an appropriate financial contribution to Brent's carbon-offsetting fund to compensate for residual carbon emissions.

157. In terms of non-domestic floorspace, London Plan policy SI2 applies the zero carbon standard (with 35% reduction on on-site emissions) to both residential and commercial elements of the scheme.

Carbon emissions

158. The energy assessment submitted sets how the London Plan energy hierarchy has been applied, with carbon emissions savings identified from passive energy saving measures including low fabric U-values, and the implementation of an on-site heat network served by air source heat pumps, which would be used throughout the building, as well as the installation of solar PV panels (with a total of 196 PV panels to be installed on upper roof areas). Cooling demand has been assessed for both the residential and non-residential elements of the scheme, in line with GLA requirements.

159. The assessment demonstrates that the scheme would deliver a 56% reduction in carbon emissions below the 2019 Building Regulations baseline, which is broken down into the following site-wide elements below:

	Tonnes CO2 p.a	% reduction
Savings from energy demand ('Be Lean')	-20	-4
Savings from Heat Network ('Be Clean')	0	0
Savings from renewable energy ('Be Green')	284	60

Total	264	56
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160. The GLA has reviewed the carbon savings energy strategy. While the approach to energy is generally supported and would be broadly policy compliant, GLA officers have commented that there appears to be a lack of savings from energy efficiency measures (i.e. Be Lean measures) which is disappointing and needs to be explored further. Additionally, further information is required regarding cooling and overheating measures, as well as whether solar panel installation has been maximised. Officers would note that the roofs are fully utilised at present, mostly for amenity space but with smaller sections of ancillary plant. Therefore it is considered that the scope for further PV panels to be installed on these areas is limited.

161. The GLA have also commented that further detail is provided on how the site will be future proofed to connect to a district heating network, should one come forward in the future. In relation to this, Brent would note that WAAP policy WEM 30 requires all Wembley development to incorporate a future connection point into the build and such details will be required by condition in addressing this. These aspects will need to be picked up by the applicant's energy consultant ahead of a Stage 2 referral to the GLA.

162. Nevertheless, the scheme achieves the baseline 35% reduction in carbon emissions for both its residential and non-residential parts. A carbon offsetting contribution of £435,600 has been confirmed to account for the shortfall below the zero carbon target, in line with London Plan guidance. This would be secured via the section 106 agreement.

163. With regard to the commercial elements of the scheme, a BREEAM Pre-Assessment has been submitted and this demonstrates that the scheme would achieve an 'Excellent' rating, with this industrial floorspace in Block D achieving a target of 71.5%. The BREEAM assessment notes that there may be scope to improve these scores in certain parts of the design process, while other credits may be at risk. Officers therefore recommend the submission of a final stage BREEAM assessment to ensure that, as the design stages of the proposed development evolves, an Excellent rating is achieved as part of the section 106 agreement. The GLA have also confirmed, following clarifications, that the approach adopted has been fully justified and accords with relevant London Plan policies.

Sustainable design

164. The submitted Sustainability Statement outlined a number of sustainable design measures which would be incorporated into both the residential and non-residential elements of the scheme. These include measures (including the use of individual water meters and flow restrictors) to ensure the residential dwellings would be limited to water consumption of less than 105 litres per person per day. Officers recommend a condition to ensure that water consumption is restricted to less than 105 litres per person per day as identified above.

165. The sustainability statement proposes that the non-residential components of the development will target a minimum BREEAM rating of 'Excellent'. The BREEAM pre-assessments for these components identifies a score of 7 out of 9 credits on water measures. This is in accordance with Policy SI.5 of the London Plan and is strongly supported.

166. In addition, water efficiency measures would be used within the landscaped areas, while green roofs and walls would play a key role in achieving a high level of sustainable drainage across the scheme.

Flooding and Drainage

167. The site is predominantly in Flood Zone 1 and therefore risks of flooding are very low, with no historical record of flooding in the area. A Drainage Strategy has been submitted with the application and this has been reviewed by the Council's Local Lead Flood Risk Officer.

168. The development proposes to discharge surface water into the existing Thames Water sewer on South Way, for which flow is not currently restricted and there is no existing attenuation on the site. The proposal requires attenuation totalling 589 cubic metres, with each building attenuating rain water independently. Each building will have green/blue roofs to attenuate flows as will the Podium decking and absorption/attenuation will be incorporated through the landscaping wherever possible. The proposed discharge rate will be restricted to 10 l/s with two separate outfalls (5 l/s each) with flow control device, which will improve attenuation within the area.

169. The GLA and the Council's Local Lead Flood Officer have reviewed this information and consider that the approach to flood risk management for the proposed development complies with London

Plan policy SI.12.

170. Thames Water have reviewed the proposal and do not raise any concerns from a construction perspective or an operational perspective in relation to foul water or surface water capacity. However they have requested a condition is attached requiring a piling method statement is submitted for approval before such works take place, which officers consider acceptable.

Wind and Microclimate

171. A wind and microclimate assessment has been submitted by the applicant, which has been updated to reflect the changes in proposed heights of all but the tallest, 24 storey block across the site.

172. Wind tunnel testing was undertaken in accordance with the industry standard Lawson criteria. Existing site conditions were tested, which concluded that conditions are largely benign, with the exception of one localised area to the west of the site (between the existing building and Plot E05). Likely conditions were then tested with the proposed development in situ at key parts of the site, including all residential and commercial entrances, thoroughfares, recreational spaces (including the main landscaped podium) and within the immediate vicinity of the site, including local bus stops.

173. The assessment concludes that the proposed development would not result in any unsafe or uncomfortable points within the site as a result of the new blocks at ground level, either during winter or summer seasons. The majority of the site would be at least suitable for standing or sitting, although there would be some areas within the proposed roof terraces which may become uncomfortable on a worst case scenario during winter months. Officers recommend that this could be addressed by appropriate landscaping and/or screening on these terraces to ensure these parts of the development remain useable and can be enjoyed throughout the year.

174. The condition requiring the submission of a landscaping plan will include a request for this issue to be addressed and appropriate planting and/ or screening installed before occupation of the relevant parts of the development.

Ecology and Biodiversity

175. The existing site is almost entirely dominated by the existing industrial building, with an area of hardstanding for parking and servicing to the north-east corner. Nevertheless, a Preliminary Ecological Appraisal (PEA) has been submitted with the application, which includes a bat roost assessment and invasive species study.

176. The appraisal addresses the likelihood of roosting or foraging animals including bats, birds and other protected species. The appraisal concludes that there was no evidence of roosting bats within the existing building, with no features present within the building's structure which would support bats. The building has been classified as having negligible potential to support roosting bats. Similarly, there is no vegetation present which would support nesting birds, although it is considered birds could be nesting on the roof. The report recommended that if the demolition of the existing building was to take place during bird nesting season (March to August inclusive) then an ecologist should undertake a check for nesting birds immediately prior to the building being removed. The report also considers the presence of invasive plant species, such as Japanese Knotweed and Buddleja which have been located to the north-east and east of the site.

177. In order to mitigate impacts of the development, the following measures have been recommended in paragraph 5.11 of the PEA:

- Incorporating two Schwegler 1B bird boxes and one Schwegler 1SP sparrow terrace into the final design of the development;
- Installing three Schwegler 2FN bat boxes within the proposed site in line with the requirements set out in the appraisal;
- Preparing and implementing a Japanese knotweed management plan, with the objective of removing any spread of the species onto the site within 5 years.

178. The recommendations and enhancement suggestions are considered to be thorough and robust given the local ecological designations. Officers consider that a condition should be attached ensuring the

above mitigation measures are undertaken as part of the approved development, and in doing so would ensure the proposed development would result in a net biodiversity gain, thereby complying with London Plan policy G6.

Trees and Landscaping

179. There are no existing trees on the site so no arboricultural assessment has been undertaken in connection with the application. However, a tree planting strategy has been submitted as part of the applicant's Landscaping design and access statement. This indicates that approximately 100 new trees would be installed at various locations throughout the site.

180. The majority of the planting would take place in three key areas: the central courtyard, the entrance courtyard, and the main landscaped podium. Different approaches to tree planting would be adopted within the 'character areas', with a multi-layered approach taken within the central courtyard, a range of species would be planted including a variety of barks, seasonal colour, flowers and form to add visual interest.

181. The entrance courtyard will be defined by predominantly single stem trees such as birch and alder to provide visual interest and seasonal interest in leaves and bark. Tree planting within the buffer area will play an important role mitigating wind and noise from the road adjacent the site on the western edge of the site.

182. Within the podium, trees will be selected which have a light canopy so as not to restrict light levels. A dense 'forest' of single stem trees along the central spine will enhance the experience of moving along the central axis. Species such as birch, will give all year round, would provide seasonal interest. In contrast multi-stem tree planting will be located at key locations throughout the space, to define special character areas.

183. The tree planting strategy is sufficiently detailed in terms of the number of overall trees being planted, and a variety of species used in a logical way, to ensure a high quality scheme which adds visual interest and plays an important role in enhancing local ecology and biodiversity. A condition will require that final detailed landscaping drawings are submitted, approved and implemented prior to the occupation of the development, which will include exact details of type and species of tree planting throughout the site.

Fire Safety

184. Fire Safety is formally considered at Building Regulations stage, however the applicants have provided an outline fire safety strategy within their planning submission. The key points of this are summarised below:

- A sprinkler system will be provided throughout the development and within habitable rooms of all apartments, as well as to ancillary accommodation and plant, and to the commercial elements of the scheme;
- Each building served by a firefighting staircase and natural smoke ventilation systems within the corridors
- Appropriate smoke ventilation within basements areas and car parks
- Ground floor office areas and cycle café/ retail unit to be provided with direct access to exits
- Disabled refuge points to be provided at all commercial floor levels (within all protected stairs/ lobby areas) and at multiple levels within the residential blocks
- Firefighting shaft to be provided for each block as all over 18m high
- Fire service access road less than 20m long and therefore does not require a turning bay

185. Officers are satisfied that the outline fire strategy is sufficiently detailed to ensure that fire safety requirements can be adequately met throughout the proposed development. However, a condition is attached requiring a final, detailed fire strategy before occupation of any part of the development, which is in line with the outline strategy recommendations. As such, the scheme would accord with London Plan policy D12.

Utilities

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
(Brent)	56512		42759.81	£200.00	£0.00	£12,751,585.2	£0.00

Dwelling houses							
(Brent) Storage and distribution	7267		5498.58	£40.00	£0.00	£327,950.77	£0.00
(Brent) Businesses and offices	1242		939.76	£40.00	£0.00	£56,049.93	£0.00
(Brent) Shops	317		239.86	£40.00	£0.00	£14,305.82	£0.00
(Mayoral) Dwelling houses	56512		42759.81	£0.00	£60.00	£0.00	£2,652,961.3
(Mayoral) Storage and distribution	7267		5498.58	£0.00	£60.00	£0.00	£341,150.03
(Mayoral) Businesses and offices	1242		939.76	£0.00	£60.00	£0.00	£58,305.81
(Mayoral) Shops	317		239.86	£0.00	£60.00	£0.00	£14,881.60

BCIS figure for year in which the charging schedule took effect (Ic) BCIS figure for year in which the planning permission was granted (Ip) TOTAL CHARGEABLE AMOUNT	224	323
	334	
	£13,149,891.76	£3,067,298.83

*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

**Eligible means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 18/4767

To: Ms Milne
DP9
100 Pall Mall
London
SW1Y 5NQ

I refer to your application dated **12/12/2018** proposing the following:

Demolition of the existing building and erection of five buildings comprising self-storage space (Use Class B8), office space (Use Class B1) and retail/commercial space (A1/A3), with residential units (Use Class C3) on the upper levels, new landscaping and public realm, ancillary servicing and plant, car and cycle parking, and associated works.

and accompanied by plans or documents listed here:
See condition 2

at **Access Storage, First Way, Wembley, HA9 0JD**

The Council of the London Borough of Brent, the Local Planning Authority, hereby **GRANT** permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date: 20/04/2021

Signature:

Gerry Ansell
Head of Planning and Development Services

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposed development is in general accordance with policies contained in the:-

Adopted Policy

- The National Planning Policy Framework (2019)
- The London Plan (2016 – Consolidated with alterations since 2011)
- Brent's Core Strategy (2010)
- Brent's Development Management Policies (2016)
- Brent's Wembley Area Action Plan (2015)

Emerging Policy

- The Intend to Publish London Plan (2019)
- Brent's Local Plan (Reg 19 Version – 2019)

Supplementary Planning Guidance / Documents

- Mayor of London's Affordable Housing and Viability SPG (2017)
- Mayor of London's Housing SPG (2016)
- SPD1 Brent Design Guide (2018)
- Brent's Basements SPD (2017)

- 1 The development to which this permission relates must be begun not later than the expiration of five years beginning on the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in material accordance with the following approved drawing(s) and/or document(s):

All drawings marked as Rev P01 except where specified:

Site Wide

E0-100 Rev: P2 – Site Location Plan
 E1-001 Rev: P1 - Existing-Site Plan
 E1-100 Rev: P1 - Existing-Ground Floor Plan
 E1-101 Rev: P1 - Existing-First Floor Plan
 E1-102 Rev: P1 - Existing-Second Floor Plan
 E1-103 Rev: P1 - Existing-Roof Plan
 E1-199 Rev: P1 - Existing-Basement Plan
 E1-201 Rev: P1 – Demolition Site Plan
 E2-001 Rev: P1 - Existing-Context Sections
 E3-001 Rev: P1 - Existing-Context Elevations
 E3-101 Rev: P1 - Existing-Elevations Sheets 01
 E3-102 Rev: P1 - Existing-Elevations Sheets 02
 P1-001 Rev: P3 – Proposed Site Plan
 P1-099 Rev: P3 – Proposed Basement Plan
 P1-100 Rev: P4 – Proposed Ground Floor Plan
 P1-101 Rev: P3 – Proposed First Floor
 P1-102 Rev: P3 – Proposed Second Floor
 P1-103 Rev: P4 – Proposed Third Floor
 P1-104 Rev: P3 – Proposed Fourth Floor
 P1-105 Rev: P3 – Proposed Fifth to Eleventh Floor
 P1-112 Rev: P4 – Proposed Twelfth Floor
 P1-113 Rev: P4 – Proposed Thirteenth
 P1-114 Rev: P3 – Proposed Fourteenth Floor
 P1-115 Rev: P3 – Proposed Fifteenth Floor to Sixteenth Floor

P1-117 Rev: P4 – Proposed Seventeenth Floor
 P1-118 Rev: P3 – Proposed Eighteenth Floor
 P1-119 Rev: P3 – Proposed Nineteenth Floor
 P1-120 Rev: P3 – Proposed Twentieth Floor to Twenty-first
 P1-121 Rev: P3 – Proposed Twenty-second to Twenty-third Floor
 P1-124 Rev: P3 – Proposed Twenty-fourth Floor Plan
 P1-124 Rev: P2 – Proposed Roof Plan
 P2-001 Rev: P3 – Proposed Context Section
 P2-101 Rev: P3 – Proposed Longitudinal Section 1
 P2-102 Rev: P3 – Proposed Longitudinal Section 2
 P2-103 Rev: P3 – Proposed Cross Sections
 P3-001 Rev: P3 – Proposed Contextual Elevations
 P3-101 Rev: P4 – Proposed South Elevation
 P3-102 Rev: P3 – Proposed North Elevation
 P3-103 Rev: P3 – Proposed East and West Elevations

Landscape drawings

P11117-00-002-GIL-0107 Rev: 03 – Softworks Plan First Floor and Roof Terraces
 P11117-00-002-GIL-0106 Rev: 03 – Softworks Plan Thirst Floor Podium
 P11117-00-002-GIL-0105 Rev: 03 – Softworks Plan Ground Floor
 P11117-00-002-GIL-0104 Rev: 03 – Hardworks Plan First Floor & Roof Terraces
 P11117-00-002-GIL-0103 Rev: 03 – Hardworks Plan Third Floor Podium
 P11117-00-002-GIL-0102 Rev: 03 – Hardworks Plan Ground Floor
 P11117-00-002-GIL-0200 Rev: 03 – Landscape Sections Longitudinal Section
 P11117-00-002-GIL-0201 Rev: 03 – Landscape Sections Transversal Section
 P11117-00-002-GIL-0202 Rev: 03 – Landscape Cross Section – Orchard & Micro Forest
 P11117-00-02-GIL-0101 Rev: 03 – General Arrangement Illustrative Masterplan
 P11117-0-002-GIL-0100 Rev: 03 – Landscape General Arrangement Reference Plan

Supporting documents

Planning Statement from DP9;
 Design and Access Statement from AHMM (including Drawings Schedule, Access & Inclusivity Statement from All Clear Designs, Preliminary Lighting Strategy from Light360 and Ventilation Strategy Statement from Caldwell);
 Environmental Statement: Volume I – Main Report, coordinated by Trium;
 Environmental Statement: Volume II – Townscape and Visual Impact Assessment, from Tavernor Consultancy;
 Environmental Statement: Volume III – Technical Appendices, coordinated by Trium;
 Environmental Statement: Non-Technical Summary, from Trium;
 Transport Assessment, prepared by Pell Frischmann;
 Draft Delivery and Servicing Plan, prepared by Pell Frischmann;
 Draft Car Park Management Plan, prepared by Pell Frischmann;
 Framework Travel Plan, prepared by Pell Frischmann;
 Outline Construction Logistics Plan, prepared by Pell Frischmann;
 Internal Daylight, Sunlight and Overshadowing Report, prepared by GIA;
 Sustainability Statement (including BREEAM Pre-Assessment) prepared by bpp.energy;
 Energy Statement including Overheating Assessment, prepared by bpp.energy;
 Statement of Community Involvement, prepared by Kanda Consulting;
 Tree Survey and Arboricultural Impact Assessment, prepared by GHA Trees;
 Flood Risk Assessment, prepared by JBA Consulting;
 Drainage Strategy incl. Foul Sewage Assessment, prepared by MCR Consulting Engineers;
 Utilities Assessment, prepared by Caldwell;
 Financial Viability Assessment, prepared by DS2;
 Fire Safety Statement (ref. 55375 Rev 00) dated October 2020 from Chapmanbdsp.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The development hereby approved shall be carried out in Phases in accordance with the approved Phasing Plan (drawing no. (00)_P150, Rev. P01), unless an alternative Phasing Plan is submitted to and approved in writing by the Local Planning Authority pursuant to this condition.

Reason: In the interests of proper planning.

- 4 The scheme hereby approved shall contain 600 residential units as detailed in the drawings hereby approved, unless other agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

- 5 The development hereby approved shall contain the following:

- (a) 317sqm of commercial floor space (GIA) which shall not be used other than for purposes within Use Class A1 (Class E(a) from September 2020);
- (b) 7,267 sqm (GIA) of storage floorspace which shall not be used other than for purposes within Use Class B8;
- (c) 1,242 sqm (GIA) of office floorspace which shall not be used other than for purposes within Use Class B1 (a) (Class E(g)(i) from September 2020)

as detailed in the drawings hereby approved, unless other agreed in writing by the Local Planning Authority, notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification).

Reason: In the interests of proper planning and to ensure the adequate provision of retail floorspace, employment floorspace and industrial capacity within the borough.

- 6 A communal television aerial and satellite dish system shall be provided, linking to all residential units within the development unless otherwise agreed in writing by the local planning authority. No further television aerial or satellite dishes shall be erected on the premises.

Reason: In the interests of the visual appearance of the development in particular and the locality in general.

- 7 The residential units hereby approved shall at no time be converted from C3 residential to a C4 small HMO, notwithstanding the provisions of Schedule 2 Part 3 Class L of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) without express planning permission having first been granted by the Local Planning Authority.

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units and in view of the restricted space within the site to accommodate additional bin or cycle storage.

- 8 The Blue Badge parking spaces and visitor cycle stands shall be installed prior to occupation of the development hereby approved and thereafter retained and maintained for the lifetime of the development.

Reason: To encourage sustainable forms of transportation in the interest of highway flow and safety.

- 9 The Blue Badge parking spaces, cycle storage facilities and visitor cycle stands, and refuse storage shall be installed prior to occupation of the development hereby approved and thereafter retained and maintained for the lifetime of the development. The cycle storage facilities (both for occupiers and visitors) shall not be used other than for purposes ancillary to the occupation of the building hereby approved.

Reason: To encourage sustainable forms of transportation in the interest of highway flow and safety.

- 10 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>.

Reason: To protect local amenity and air quality in accordance with Brent Policy EP3 and London Plan policies 5.3 and 7.14.

- 11 Unless alternative details are first agreed in writing by the Local Planning Authority, the development hereby approved shall be carried out in full accordance with the submitted Drainage Strategy (Curtins – ref. 061889 Rev V03 – dated 10 October 2018).

Reason: To ensure the safe development and secure occupancy of the site proposed for residential use.

- 12 The development hereby approved shall be designed so that mains water consumption does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development in accordance with requirement G2 of Schedule 1 to the Building Regulations 2010.

Reason: In order to ensure a sustainable development by minimising water consumption.

- 13 Unless alternative details are first agreed in writing by the Local Planning Authority, the ecology mitigation and enhancement recommendations set out in the submitted Preliminary Ecological Appraisal (prepared by PJC Consultancy Ltd – ref. 3317AO/16 - dated October 2016) shall be fully implemented following the commencement of the development.

Reason: To ensure the development suitably mitigates ecological impact and takes the opportunities to enhance ecology and biodiversity.

- 14 Within six months of commencement of development hereby approved, electric vehicle charging points shall be provided to 20% of the Blue Badge spaces provided, whilst the remaining spaces will provide passive charging facilities. The provision of electric vehicle charging points shall be in accordance with London Plan standards, providing both active and passive charging points.

Reason: To encourage the uptake of electric vehicles as part of the aims of London Plan policy 6.13.

- 15 All doors serving substations/plant rooms from the public realm or public highways shall not open outwards unless details are submitted to and approved in writing by the Local Planning Authority that robustly justify, to the satisfaction of Brent's highways officers, that outward opening doors in these locations are necessary.

Reason: To protect the public highways and public realm from obstructions, in the interests of highway safety.

- 16 Prior to the commencement of the development, a Construction Environmental Method Statement which incorporates a dust management plan shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise, construction traffic and other environmental impacts of the development. The approved

statement shall be implemented throughout the duration of construction.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

Pre-commencement Reason: The impacts being controlled through this condition may arise during the construction phases and therefore need to be understood and agreed prior to works commencing.

- 17 Prior to the commencement of the development, a Construction Logistics Plan shall be submitted and approved by the Local Planning Authority (in writing through the submission of an application for approval of details reserved by condition) outlining measures that will be taken to address issues such as delivery of materials, lorry routeing, staff parking etc., whilst also minimising lorry movements by recycling on site and back loading spoil and aggregates. The plan will need to comply with TfL's guidance on Construction Logistics Plans and in specific relation to this site, will need to carefully consider co-ordination with other development projects in the area. The approved statement shall be implemented throughout the duration of demolition and construction.

Reason: To safeguard the amenity of the neighbours by minimising impacts of the development that would otherwise give rise to nuisance.

Pre-commencement Reason: The condition relates to details of construction, which need to be known before commencement of that construction.

- 18 (a) Following the demolition of the building(s) (where relevant) and prior to the commencement of building works within a Phase, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present within that Phase. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of building works within that Phase (in writing through the submission of an application for approval of details reserved by condition) that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors.

(b) Any soil remediation required by the Local Planning Authority shall be carried out in full in accordance with the approved remediation works for any Phase. Prior to the occupation of each Phase, a verification report shall be submitted to and approved in writing by the Local Planning Authority (in writing through the submission of an application for approval of details reserved by condition) stating that remediation has been carried out for the Phase in accordance with the approved remediation scheme and the land within that Phase is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

Reason: To ensure the safe development and secure occupancy of the site.

- 19 No piling shall take place within a Phase until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works within that Phase) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water (in writing through the submission of an application for approval of details reserved by condition). Any piling within a Phase must be undertaken in accordance with the terms of the approved piling method statement for that Phase.

Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure.

- 20 Prior to the commencement of construction works within the first phase (excluding demolition, site clearance and the laying of foundations), details of how the development is designed to allow future connection to a district heating network should one become available, shall be submitted to and approved in writing by the local planning authority (in writing through the submission of an application for approval of details reserved by condition) and the development shall be completed in accordance with the approved details.

Reason: To ensure the development is in accordance with the principles of London Plan Policy 5.6

- 21 Within six months of commencement of works above ground level for each relevant Phase a scheme shall be submitted to and approved in writing by the Local Planning Authority that provides details of all landscaped areas serving that phase of the development. Such approved landscaping works shall be completed prior to first occupation of the development hereby approved and thereafter maintained.

The submitted scheme shall include details of:

- a) the planting scheme for the site, which shall include species, size and density of plants and trees, sub-surface treatments (or planters / green roof substrate profiles where applicable), details of the extent and type of native planting, any new habitats created on site and the treatment of site boundaries
- b) walls, fencing and any other means of enclosure, including materials, designs and heights, and measures necessary to achieve wind comfort levels within the podium seating area, as recommended in submitted Wind Microclimate Assessment (prepared by RWDI – ref.1902866 Rev C – dated 25th June 2020)
- c) Biodiversity mitigation and enhancement measures
- d) External lighting (including details of lux levels and light spillage diagrams. ensuring that light overspill towards Wealdstone Brook in particular is minimised)
- e) treatment of areas of hardstanding and other areas of hard landscaping or furniture, including materials
- f) details of all play spaces, as outlined within the Landscaping Design and Access Statement
- g) a landscaping maintenance strategy, including details of management responsibilities.

Any trees and shrubs planted in accordance with the landscaping scheme and any plants which have been identified for retention within the development which, within 5 years of planting, are removed, dying, seriously damaged or become diseased, shall be replaced to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species and size to those originally planted.

Reason: To ensure a satisfactory standard of appearance and to ensure that the proposed development enhances the visual amenity of the locality.

- 22 Details of materials of the relevant phase of the development, for all external work, including samples which shall be made available for viewing in an agreed location, and details of all solar panels, green and living roofs, shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on the relevant phase of the development, excluding demolition, site clearance and laying of foundations. The work shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

- 23 Details of appropriate screening to all roof terraces serving the residential units shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on the relevant phase of the development (in writing through the submission of an application for approval of details reserved by condition), and thereafter implemented in accordance with the approved plans.

Reason: In the interests of the amenities of the adjoining occupiers.

- 24 Details, in the form of layout plans, showing which residential units within the development would be 'wheelchair user dwellings' (i.e. meeting Building Regulations requirement M4(3)) shall be submitted and approved in writing by the Local Planning Authority prior to any works commencing on the relevant phase of the development, excluding demolition, site clearance and laying of foundations, and thereafter implemented in accordance with the approved plans. The plans shall ensure that at least 60 of the 600 (10%) residential units hereby approved shall be wheelchair user dwellings, with the remaining 540 units achieving Building Regulations requirement M4(2) - 'accessible and adaptable dwellings'.

Reason: To ensure that the development achieves an inclusive design in accordance with London Plan Policy 3.8

- 25 Prior to the first occupation of the development hereby approved, a revised car park management plan shall be submitted to and approved in writing by the Local Planning Authority (in writing through the submission of an application for approval of details reserved by condition). The revised Car Park Management Plan must confirm that disabled Blue Badge holders will not be denied access to on-site parking space and informs other residents of the 'car-free' agreement applying to the site. The approved details shall thereafter be adhered to in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an appropriate parking arrangement and system of parking management for the development.

- 26 Prior to the first occupation of any commercial element of the development hereby approved, a final Delivery and Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority (in writing through the submission of an application for approval of details reserved by condition).. The Delivery and Servicing Plan shall include details of how adopted footways would be protected and how arrangements can be made for safe and efficient operations without detrimental impact on pedestrian movement, and confirmation that there would be specific areas for refuse storage on the day of collection identified, which otherwise could have an impact on amenity.

The development shall thereafter operate in accordance with the approved delivery and servicing management plan unless an alternative arrangement is first agreed in writing by the Local Planning Authority.

Reason: To minimise negative impacts associated with servicing demand of the commercial units.

- 27 Any plant shall be installed, together with any associated ducting, so as to prevent the transmission of noise and vibration into any neighbouring premises. The noise level from any plant shall be 10 dB(A) or greater below the measured background noise level at the nearest noise sensitive premises. The method of assessment should be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' An assessment of the expected noise levels and any mitigation measures necessary to achieve the required noise levels shall be submitted to and approved in writing by the Local Planning Authority prior to installation of such plant (in writing through the submission of an application for approval of details reserved by condition). All plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To safeguard the amenity of the neighbours.

- 28 The development hereby approved shall be constructed to provide sound insulation against internally generated noise. This sound insulation scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the residential part of the development.

The proposal must comply with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal noise levels: For daytime (0700 - 2300) noise levels for living rooms and bedrooms the maximum noise levels are 35 dB LAeq (16hr). Outside of this time (2300 - 0700) the standard for bedrooms is 30 dB LAeq (8hr), 45 dB Lmax.

Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the residents by reason of undue noise emission and/or unacceptable disturbance, in accordance with Brent's Noise Policy.

- 29 Prior to the commencement of works (excluding demolition, site clearance, the laying of foundations and any below ground works), a supplementary acoustic report shall be submitted to and approved in writing by the Local Planning Authority. The report shall assess noise levels generated from Wembley Stadium during live music events, and outline any acoustic mitigation measures required to be implemented within the development. All measures identified within the approved report shall be fully implemented and retained for the lifetime of the development.

Reason: To obtain required sound insulation and prevent noise nuisance.

- 30 Full details of the proposed gates at the site egress onto South Way shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on the relevant phase of the development, excluding demolition, site clearance and laying of foundations. The work shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the Locality, and in the interests of highway safety.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 (PWAL) The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 3 (F16) The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction

and end use of development.

- 5 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 6 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk.

Application forms should be completed on line via

https://urldefense.proofpoint.com/v2/url?u=http-3A__www.thameswater.co.uk&d=DwIFaQ&c=s=NJ1M7LtxulFk4_2FpfFRZ9jppAbc0KqM1IRBH6yHdbE&e=. Please refer to the

Wholesale; Business customers; Groundwater discharges section.

Any person wishing to inspect the above papers should contact Neil Quinn, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5349