

**Committee Report  
Planning Committee on 12 May, 2011**

**Item No. 19  
Case No. 10/3032**

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**RECEIVED:** 25 November, 2010

**WARD:** Tokyngton

**PLANNING AREA:** Wembley Consultative Forum

**LOCATION:** Former Palace of Arts & Palace of Industry Site, Engineers Way, Wembley, HA9

**PROPOSAL:** Outline application, accompanied by an Environmental Impact Assessment, for the demolition of existing buildings and the mixed-use redevelopment of the site to provide up to 160,000m<sup>2</sup> of floorspace (GEA, excluding infrastructure) comprising:

- Retail/financial and professional services/food and drink (Use Class A1 to A5): 17,000m<sup>2</sup> to 30,000m<sup>2</sup>
- Business (Use Class B1): up to 25,000m<sup>2</sup>;
- Hotel (Use Class C1): 5,000m<sup>2</sup> to 20,000m<sup>2</sup>;
- Residential dwellings (Use Class C3): 65,000m<sup>2</sup> to 100,000m<sup>2</sup> (815 to 1,300 units);
- Community (Use Class D1): 1,500m<sup>2</sup> to 3,000m<sup>2</sup>;
- Leisure and Entertainment (Use Class D2): up to 5,000m<sup>2</sup>;
- Student accommodation/serviced apartments/apart-hotels (Sui Generis): 7,500m<sup>2</sup> to 25,000m<sup>2</sup>;

and associated infrastructure including footways, roads, parking, cycle parking, servicing, open spaces, landscaping, plant, utilities and works to Olympic Way.

This application was received on 25 November 2010.

**Further information was received on 4 April 2011 in relation to the Environmental Statement that was received previously.**

**APPLICANT:** Quintain Estates and Development PLC

**CONTACT:** Signet Planning Ltd

**PLAN NO'S:**  
Please see condition No. 2

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**RECOMMENDATION**

To resolve to grant planning permission subject to the referral to the Mayor of London under article 5 of the Town and Country Planning (Mayor of London) Order 2008 and any amendments, revisions, Heads of Terms and/or conditions that the Mayor may choose to amend, add or remove, and subject to the completion of a satisfactory Section 106 or other legal agreement and to delegate authority to the Head of Area Planning, or other duly authorised person, to agree the exact terms thereof on advice from the Borough Solicitor.

And, to authorise the Head of Area Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the Section 106 Heads of Terms set out within this report and to meet the policies of the Unitary Development Plan, Local Development Framework Core Strategy and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

## **SECTION 106 DETAILS**

All payment (unless stated otherwise) are to be index-linked by CPI from the date of committee.

Pay the Council's reasonable legal and monitoring fees in respect to this agreement.

The Developer will require its contractors to join and adhere to the Considerate Contractors scheme.

### **Low Cost Employment Space (LCES)**

A minimum of 750 sq m of Low Cost Employment Space (LCES) physical space will be provided in the first two building plots, a further 750 sq m will be delivered in the next two plots and up to a total of 2,400 sq m GEA will be provided across the scheme subject to Multipliers, for a period of not less than 99 years. The Multipliers table shows the options available to LBB.

LCES Type	Multiplier to be applied to the LCES Obligation	Area per type
£7.50 psf Rent Achieved, Shell & Core	1	2,400 sq m
£7.50 psf Rent Achieved, Fitted Out	1.6	1,500 sq m
£4.00 psf Rent Achieved, Fitted out	2.13	1,192 sq m
Nil Rent, Shell and Core	2.0	1,200 sq m
Nil Rent Fitted Out	2.6	923 sq m
Cash Payment in lieu of space	£818 per sq m	£1,963, 337

Or any mixture between the options as agreed with LBB.

A cap of £1.50 per sq ft/yr, CPI linked, on the total of any service charge (including estate charges, block charges, ground rents, management costs etc.) and the provision of 1 WC's and 1 basin per 750 sq m or part thereof, free of charge to Tenants in an accessible area.

### **Community Hall**

Before practical completion of the 5th plot or the first 800 residential units, a minimum of 300 sq m of double height (6m clearance) space will be provided for a period of not less than 99 years for use as a community hall. This will be constructed and handed over to the end user at nil cost and available thereafter at hire costs no more than that of comparable local authority provision.

### **Affordable Housing**

10% of total residential floorspace (or equivalent following application of the cascade as set out below) is to be provided as affordable housing, split 60:40 Social Rented : Intermediate. This percentage is subject to a review 12 months following practical completion of the first predominantly residential plot and may provide up to a total of 15% affordable housing should the current private residential value (as set out within the Financial Assessment) increase by more than 5%. The Social Rented units will be provided by habitable room as follows: 12-16% – 1 bed, 29-33% – 2 bed, 54-58%– 3 bed. The Intermediate will be provided by habitable room as follows: 28-32% – 1 bed; 43-47% – 2 bed 24-28% – 3 bed.

The cascade provides up to 6 potential routes to LBB. Base assumption with full grant funding (i.e. the traditional affordable housing model approach:

- Discounted Sale (equivalent of intermediate housing);
- Commuted Sum (payment in lieu);
- Off-site housing;

- A land offer;
- Affordable Market Rent or
- Base assumption with full funding.

The provision may be increased or reduced based on the level of the RSL offer.

### **Toilets**

Upon occupation of 50% of the retail (A1-A5) floorspace on Olympic Way West, to provide and maintain thereafter male, female, and disabled public toilets and baby changing facilities during the opening hours of the main A1 retail outlets, not less than 1 hour either side of the opening hours of the main retail (A1) stores except on event Days when it may close 2 hours before and after an Event.

### **Open Space & Public Realm Enhancements**

Prior to first occupation of either NW06 or NW07, or by the practical completion of the 5th plot, provide the publicly accessible *Square* (minimum of 0.4 hectares, located to the north of the Civic Centre), which will incorporate large areas of soft landscaping as well as hard landscaped space.

Each Pocket will be publicly accessible and delivered before occupation of either of its two adjoining development plots.

### **Olympic Way**

The design for upgrading and enhancing Olympic Way, (Fulton Road in the north to Engineers Way in the south) will be determined as part of an RMA. The Developer will undertake the works. Minimum expenditure of £4,000,000, excluding the cost of the trees, linked to BCIS indexing from the date of planning consent, will be used to upgrade Olympic Way, unless LBB approved a design that is delivered for a lesser sum.

Infrastructure for temporary users on Olympic Way will be provided as part of the upgrade. This will include water and electricity points for use by temporary stall holders or event providers on Olympic Way.

WNSL's access requirements to and along Olympic Way on Event Days will be respected.

The improvements will be triggered once Practical Completion of two of the three plots fronting Olympic Way, NW04 (including temporary structures), NW08, NW11 has occurred and will be undertaken within 12 months of the date of Practical Completion.

### **Trees**

Prior to Occupation of the relevant part, the trees identified by Parameter Plan P08A shall be provided and maintained for a minimum of 3 years and replaced when / where damaged over a 5 year period. The Developer may offset the provision of up to 10% of the total tree planting obligation through contributions of up to £2,500 per tree to Brent Council for the provision of trees on land within 250m of the boundary of the Application Site.

In addition to this, a contribution of £82,500 to Brent Council is secured towards the off-site planting of trees in the vicinity of the site, at a rate of up to £3,500 per tree.

### **Education Contributions & Land Identification**

The Developer will pay to LBB the following amounts towards primary and /or secondary school education provision that may be used by residents of the development, provided within 1km for primary school and 2km for secondary schools of the Application site in the London Borough of LBB.

- Upon Practical Completion of 400+ residential units, £500,000
- Upon Practical Completion of 600+ residential units, £1,000,000
- Upon Practical Completion of 814+ residential units, £1,000,000

An area of land has been identified within the Wembley Masterplan Area in the vicinity of this site for use as a school. The Council will be offered an option on the land for a period of twelve months from the date of any S106 Agreement and subject to suitable environmental surveys. The contributions set out above may be drawn down ahead of time to put towards the purchase of the site if that option is exercised.

### **Sustainability**

All residential units will be constructed to Code for Sustainable Homes Level 4. All fully fitted out, non-residential floor space comprising more than 10 % of plot area is to be constructed to BREEAM Excellent. Where non-residential building are delivered to shell and core for tenant fit out, they will be delivered in state capable of achieving BREEAM Excellent. Low energy lighting will be provided. Adherence to LBB SPG19 checklist for buildings and achieve, very positive rating or equivalent standard and adherence to ICE demolition protocol or equivalent standard. Shortfalls in these provisions should be provided in future phases or offsite within a year of Practical Completion of the block with the shortfall unless otherwise agreed by the Council.

A single CHP energy centre will be provided on site to serve the completed development. This facility must be operational by practical completion of the 780th residential unit, with traditional heat and power facilities being permitted on a temporary basis in the initial buildings until the single CHP plant is delivered. Infrastructure will also be provided for future connection to an off-site district heating system, when available. 3,300 sq m of Photovoltaics, or equivalent carbon reduction measures, will be incorporated on site.

Upon a formal request by LBB, pay a £30,000 contribution towards a study relating to the feasibility of a district side heating system.

### **Training**

- Notify LBB (or other nominated job creation centres / portals) of all job vacancies and forthcoming opportunities, including those during construction of the development.
- Ensure that construction contracts include a requirement to identify employment opportunities, work with LBB and provide a dedicated construction liaison member of staff.
- Advertise supply chain opportunities to local LBB businesses, including a schedule of works and a regular update on arising contracts.
- Target a ratio of 1:5 for construction and 1:10 for end user staff of being Brent Residents.
- Notify LBB as soon as possible of employee requirements of future tenants, occupants, championing the local employment agenda. LBB will then agree bespoke packages with employers/occupiers
- A construction and end user training budget of £20,000 p.a., capped at £200,000, which may be used by the Council towards the costs of occupation of Wembley Works, shall be provided and drawn down by the Council over a period of up to 20 years.

### **Sport, Playspace & Playable Space**

Prior to any occupation submit and gain approval for a Sport and Play Strategy, covering the site wide play provision assuming maximum development which must be implemented thereafter and include:

- Sufficient quantum of space to meet the 10 sq m per child standard;
- On site provision for 0-4 and 5-11 year olds;
- Including doorstep playable space, local playable space and youth space associated with residential blocks;
- On or off site provision within 800m for 11+ years, which may include a facility on the roof of the Multi-Storey Car Park, see below.

Any Reserved Matters Applications (RMAs) for individual plots shall include the relevant space provision to meet the requirements of the above Sport & Play Strategy unless there is a suitable alternative strategy in place that has been approved by LBB.

### **NW10 Multi-Storey Car Park Roof**

A MUGA will be made available for use prior to the commencement of use of the Multi-Storey Car Park (MSCP) and maintained thereafter.

Hours of access shall be limited to daylight hours, and access shall be restricted to residents and occupiers of the development. Organised primary school groups may also be permitted to use the space if agreed between the parties.

Prior to occupation, the Developer must submit a management and operations procedure manual for approval by LBB.

The minimum cost of the cladding system for the Multi-Storey Car Park shall be £1.5m, with the detailed design to be approved at RMA stage.

### **Public Art**

The Developer will deliver up to 3 signature pieces to be provided in the Square, and / or the Pockets for a total budget of £100,000.

Each piece of Public Art will be commissioned and installed in time for the opening of the relevant open space.

Alternatively, if both parties agree the entire budget can be used to enhance the architectural aesthetics of the multi storey car park on NW10 or to enhance the appearance of the Pedway.

### **Travel**

- A residential and workspace Travel Plan, including “Permit Free” options, submitted and approved by LBB will be implemented on the site and reviewed annually for five years for each plot from first occupation of that plot.

- Car Club providing no fewer than 1 car per plot for the first 2 plots and a further 1 car per plot up to a maximum of 8 cars subject to operator demand, will be made available

- Electric charging points will be provided at appropriate locations across the development as set out in the Development Specification. Locations to be agreed at the RMA stage.

- Residents of the NWL will have their rights removed to apply and use on-street parking permits within surrounding CPZs.

- Prior to Practical Completion of the 650th Residential unit a contribution of £450,000 is to be made towards local bus services that service the application area.

- Prior of Occupation of the 950th unit a contribution of £100,000 is to be paid towards accessibility enhancements at Wembley Central Station.

- Prior to Practical Completion of 14,000sq m of retail (A1-A5) floorspace, pay a contribution of £100,000 is to be paid towards the provision of ‘Legible London’ signage in the vicinity of the NW Lands.

- Upon submission of the first residential led reserved matters application on the site a contribution of £100,000 is to be made towards the implementation of a CPZ in the immediate vicinity of the Application Site.

- Prior to practical completion of the fourth building plot a contribution of £75,000 toward the North Circular Road works, unless this has already been called for under the 03/3200 Stage 1 Agreement.

### **Transport**

The internal roads will be privately owned, but always maintained to at least an adoptable standard. The public will be allowed pedestrian and vehicle access as per parameter plan P06 Rev A at nil cost but subject to closure of the roads for maintenance and repair and generally for at least one day every calendar year. Wealdstone Rd will only be allowed to close when the MSCP is closed. Once the roads are completed, access for pedestrians to and from Malcolm & Fulton House, Dexion House, Quality House, Brent Civic Centre and the Olympic Office Site shall be free.

### **Committed Works**

The Developer is to fund and undertake the following junction improvement works themselves;

- Prior to use of the multi-storey car park, to gain approval for and complete the Fulton Road

/Empire Way Junction as per TA Fig 12.2 and such land within the Developer's ownership as is required to deliver this junction will be dedicated as public highway together with the extent of Wealdstone Road to the west of NW09 in order that the left turn from the MSCP can be enforced by the Local Highway Authority as necessary.

- Petrol Station road layout

The developer is to provide funding to LBB, subject to the cost caps listed below, to enable the facilitation of the following junction works;

- Forty Lane / Bridge Road junction – contribution of £300,000

LBB may call for this sum at any point following the commencement of construction of at least 650 residential units or of the multi-storey car park on NW10, and they must demonstrate that LBB approval (committee level or above) has been agreed to proceed with the identified improvements.

The Developer will carry out a study within 3 years of opening the MSCP on NW10 to determine whether traffic light controls at the junction of Wealdstone Road and Empire Way would improve highway capacity in this location. If proved beneficial, such improvements will be implemented by LBB with funding from the Area Wide Contributions described below.

### **Area Wide Contributions**

A contribution of £3.75 million towards transport improvements in the Wembley Growth Area, payable as follows:

- (a) £850,000 payable after April 2012 and not before commencement of development to be applied exclusively for the purposes of the carrying out of the Wembley Triangle Junction improvements (Harrow Road/ High Road/ Wembley Hill Road) by LBB (if they are not otherwise carried out pursuant to the LDA Section 106 Agreement for planning permission 04/0379);
- (b) 25% of the remaining monies payable at any time after April 2014 and subject to the commencement of development, to be applied towards other transport improvements;
- (c) 25% of the remaining monies payable at any time after April 2016 and subject to the commencement of development, to be applied towards other transport improvements; and
- (d) 25% of the remaining monies payable at any time after April 2018 and subject to the commencement of development, to be applied towards other transport improvements
- (e) 25% of the remaining monies payable at any time after April 2020 and subject to the commencement of development, to be applied towards other transport improvements

### **Site Management**

A site wide management and security strategy will be established prior to the first occupation of any part of the development. This will incorporate the use of CCTV, with the network linking into the Stage 1 facility, control management for restricted vehicles, public access through the site, maintenance and lighting.

### **Inclusive Access**

Prior to the submission of any RMA, the Developer will engage and consult with the Brent Access Forum.

### **Anchor Store**

Prior to commencement of development of block NW10, the developer will be required to submit to LBB a Retail Marketing Plan to attract mainstream and high class comparison goods retailers.

The Developer shall provide further information as shall be required to demonstrate application of the Marketing Plan and in any event an evaluation report no later than 01 April 2016 evidencing the outcome of the marketing exercise.

None of the retail floorspace may be occupied as a single unit incorporating more than 2,500 sq m NIA of convenience goods sales floorspace until:

- (a) 01 April 2019; and either:
- (b) Either:
  - i. the permitted retail (A1-A5) sales floorspace at Blocks W05 and W07 in the Stage 1

- Development has been constructed and opened for trading; or
- ii. the permitted amount of retail (A1-A5) floorspace equivalent to that within Blocks W05 and W07 has been constructed and opened for trading, or is capable of trading, at Blocks W05, W06, W07, W08 and W10; and
- (c) The retail (A1-A5) floor space provided at the lower levels of Blocks NW07 and NW08 is open for trade or is practically complete and capable of trade or there is legal commitment to practically deliver the floorspace to a state capable of opening for trade in their permanent state and West Olympic Way is delivered in its permanent state not later than the opening of NW10; and
- (d) The lower levels of Block NW09 and the multi-storey car park on Block NW10 have been constructed and made available for use and occupation; and
- (e) The marketing plan has been operated for at least 18 months.

## **EXISTING**

This application proposes the comprehensive redevelopment of a 5.7 Ha plot of land between Engineers Way, Empire Way, Fulton Road and Olympic Way. The site area includes Olympic Way, but excludes Fulton/Malcolm House, Dexion / Howarine House and Quality Hotel to the west and the Civic Centre site to the South. The latter was formerly owned by Quintain, but was purchased by the Council for the construction of a new 10-storey Council building. The Civic Centre is under construction and due for completion in 2013.

The southern extent of the site is situated opposite the Wembley Arena and Arena Square, an area of privately owned public open space within the Quintain "Stage 1" site area. The Wembley Arena, previously known as The Empire Pool, is a Grade II Listed Building

The Empire Pool is described as follows:

*Designed by Sir E Owen Williams and built in 1934. It has a reinforced concrete frame of 3 hinged arches spanning 240 feet which was the largest concrete span in the world at that time. The pool was 200 feet long and 60 feet wide with a deck for ice skating. The end of the building opens and used to lead to sun-bathing terraces and lawns. The sides have 15 massive concrete buttresses. The ends are gabled with 20 narrow lights of increasing height from the edges to the centre. Used for 1948 Olympic Games.*

The southern elements of the site, surrounding the Civic Centre site, are currently clear whilst the northern element of the site contains the remaining parts of the former "Palace of Industry" building that is now used for warehousing (Use Class B8).

The site is situated within the North West District as identified in the Wembley Masterplan 2009 and it falls within Flood Risk Zone 1 (Low probability of flooding, annual risk less than 1 in 1000).

The site is within the zones of a number of protected Short and Long Distance views to the National Stadium as defined within UDP Policy WEM19 and a views assessment has been undertaken for this application.

The site has good public transport accessibility, with a current PTAL of 5.

The site is located within the Wembley Regeneration Area (Brent UDP), the Wembley Growth Area (Brent LDF Core Strategy), the Wembley Opportunity Area (London Plan) and the North West District of the Wembley Masterplan 2009.

## **PROPOSAL**

### **Overview**

This 5.7 Ha development site has been broken down into 8 plots, prefixed NW then numbered 01, 04 and 06 to 11. There are no plot Numbers NW02, NW03 or NW05, and the Civic Centre site is situated between plots NW01 and NW04.

The application also proposes a significant amount of ancillary improvements and infrastructure, including the construction of a number of roads, a 0.4 Ha park, "pocket" open spaces and a £4 million upgrade of Olympic Way.

The development of the design and layout that has resulted from a lengthy process of pre-application advice from bodies such as the Greater London Authority, CABE and Council Officers as has been set out in the Design and Access Statement.

Whilst all matters are reserved, including layout, scale and access, the plot extents, building extents (i.e. locations of external walls) at lower levels, building extents at upper levels, height ranges of lower and upper levels, access zones to buildings and location of roads/footways have been detailed within the parameter plans. If consent is granted, these plans will constitute "approved" rather than "indicative" drawings.

Levels and building heights have been specified within the parameter plans as precise heights Above Ordnance Datum, with tolerances applied to these figures. However, within this report, they have predominantly been specified as height above ground level or as an approximate storey height. The height above ground level should be treated as approximate as ground levels vary throughout the plots and the site as a whole. The use of storey heights within an outline application is inaccurate but nevertheless an understandable approach to describing the size of buildings in general terms for the purpose of this report. It should be noted that Officers have considered this application on the basis of the specified heights Above Ordnance Datum and the parameter plans should be referred to when considering this report.

The drawings allow some flexibility in the final design and layout of the scheme. For example, the building extents have a +/- 2 m tolerance, which means that the location of the wall may differ from that drawn by a maximum of 2 m. However, minimum distances are specified where the tolerances could result in adverse effects in relation to issues such as residential outlook, footway widths or road widths. Heights have also been submitted as a range rather than a fixed height and a tolerance of 3 m for the provision of plant and a 1 m construction tolerance.

Flexibility has also been incorporated in the proposal regarding the location of uses by detailing proposed uses, delineated between lower and upper floors, on a plot by plot basis.

The submitted detail provides the ability to assess the proposal in terms of form, quality and potential impact whilst the inclusion of tolerances, ranges and lists of uses allows the flexibility to help ensure that the scheme is deliverable. As was evident over the last four years across the United Kingdom, the market may shift over the period of this consent and the failure to include an inherent flexibility in a scheme of this nature is likely to stifle its delivery.

The submitted documentation includes names for the new roads to allow clarity in the discussion of the proposals. However, the formal naming of the roads would not occur until the associated part of the development comes forward.

### **The Plots, Streets and Open Spaces**

As specified above, the heights above ground level in this section are approximate as the ground level varies throughout the site. The storey heights are only specified to provide an indication of building height and Above Ordnance Datum levels and heights are set out in the parameter plans.



## **NW01**

This is the largest of the plots, situated on the corner of Empire and Engineers Way, and approximately 120 m wide and 92 m deep (maximum dimensions). The lower level “podium” is 3 – 6 m above adjoining ground level (due to variations in ground level). The upper levels are split into at least two separate blocks.

The height of the western block, which fronts Empire Way, is 64 m Above Ordnance Datum (AOD) which translates to 24 to 26 m above ground level (approximately 8 storeys).

The height of the eastern block varies between 8 m (approx. 3 storeys) and 49 m (approx. 16 storeys) above ground level.

The two podium level communal amenity spaces are 36 m (maximum, western block) and 25 m (eastern block) wide, and the buildings rise above these spaces by a maximum of 36 m (12-storeys, western) and 21 m (7 storeys, eastern).

The podium is to contain the parking spaces for the block at a rate of 0.5 spaces per flat. These spaces are to be at ground level and above, but “wrapped” by other uses so that they are not externally visible except at the vehicle entrance point situated on the eastern side of the building. Servicing for NW01 would occur from on-street bays within Wealdstone Road and Exhibition Way.

## **NW04**

This plot, situated between the Civic Centre and Olympic Way immediately north of Engineers Way has a high level of prominence due to its location both on Olympic Way and at the end of the “Boulevard” which forms a part of the Stage 1 consent. It measures 45 m x 57 m (max), and is 5.5 m to 10 m high at lower floor level (approximately 1 – 2 commercial storeys) and 48 m – 52.5 m high at upper floor level (approx. 15 – 17 storeys). The maximum height Above Ordnance Datum is 88.5 m<sup>2</sup> (plus tolerances).

No parking is proposed within plot NW04, as this plot is proposed to utilise some of the 200 non-residential parking spaces under the Square. This building is to be serviced from West Olympic Way (and adjoining streets) and from Olympic Way.

This proposal does not propose the removal of the Pedway (i.e. the ramps and raised walkways that lead to the Stadium Concourse from Olympic Way). The removal of the Pedway is an aspiration that is supported by your officers as discussed in the Wembley Masterplan 2009. However, this requires the implementation of alternative access arrangements to the Stadium Concourse and at present, no means of funding this project have been identified. This has been acknowledged in the application in that the eastern element of Plot NW04 may only be delivered following the removal of the Pedway.

## **NW06**

Plot NW06 is directly to the east of Dexion / Howarine House and the Quality Hotel. It is separated from these sites by a new road (Wealdstone Road). To the east of NW06 is the 0.4 Ha park that is proposed as a part of this development.

The proposed building is a maximum of 56 m x 72 m. The height of the lower floors (podium) is 7-8 m above ground level (approx. 2 storeys) whilst the upper floors range in height from 17 m (approx. 5 storeys) to 41 m (approx. 13 storeys) above ground level.

Car parking is to be provided at podium level for residents, accessed from the south. This building will also provide vehicular access to the car parking areas under the Square and under NW07. Servicing will occur from on-street bays within “Wealdstone Road” (to the west of the site).

### **NW07**

This plot is situated between West Olympic Way and the Square and therefore must relate to two very different environments. West Olympic Way is to be the primary shopping street, with the majority of retail units addressing this street. On-street servicing takes place on West Olympic Way and the adjoining streets and the level of footfall is expected to be high. The Square is to provide an area of publicly accessible open space of a quieter and more residential nature.

The plot is approximately 37 m x 72 m, ranging in height from approximately 3.5 m to 19.5 m (approx. 1 to 2 commercial storeys) at lower floor level to 27.5 m to 54.5 m (approximately 17 storeys) above ground level. The lower element is situated at the southern end of the building to reduce the level of overshadowing of the Square.

Car parking is provided within this building, accessed via NW06 and underneath the Square. This building is serviced on-street from West Olympic Way and adjoining streets.

### **NW08**

This 43 m x 83 m plot adjoins Olympic Way. The upper floors of the building are broken into two connected elements through the incorporation of a large “step” in the building. The lower floors are approximately 4.5 to 9 m high (1- to 2-commercial storeys), whilst the upper floors are approximately 49 to 53 m high (approx. 16-17 storeys) above ground level. The maximum height Above Ordnance Datum of this building is 83.5 m (plus tolerances).

As with NW04, no parking is proposed for this plot as it is proposed to utilise some of the 200 non-residential parking spaces that are under the Square. This building is to be serviced via from West Olympic Way (and adjoining streets) and from Olympic Way.

### **NW09**

This plot, which adjoins Plot NW10, is adjacent to Fulton Road. The building is to be physically attached to NW10, with servicing for the Anchor Retail Unit within NW10 to be provided in this plot and accessed via Wealdstone Road to the west. Vehicular access to the Multi-storey car park that is to be situated above plot NW10 is also via Wealdstone Road and through this site. This plot has also been identified as the most appropriate location for the site-wide energy centre, which would contain the Combined Heat and Power Engine.

The plot itself is a maximum of 60 m x 67 m, but irregular in shape. The lower levels are between 6 and 9 m in height (1.5-2 commercial storeys, due to changes in ground level), whilst upper floors range from 21 m to 63 m (7 to 20 storeys) above ground level.

Car parking for NW09 is provided under the Square. As discussed above, servicing for the NW10 anchor retail store is to be provided off-street within NW09. Servicing for other units within NW09 is to be from on-street bay(s) within Wealdstone Road.

### **NW10**

This 67 m x 67 m plot has been designed to allow occupation by a large anchor retail unit with a GEA of 4,500 m<sup>2</sup> per floor at lower levels. This floorspace is additional to the servicing floorspace within NW09 that may be used for ancillary purposes. The upper floors are to contain the 600 space Multi-Storey Car Park that is to serve the development as a whole in the fashion of a town centre car park rather than a car park for an individual store. Amenity and recreational uses for residents of the development are proposed on the roof of the development, such as a Multi-Use Games Area, communal amenity space and/or allotments.

The lower levels may range in height from 8 m to 13.5 m (approximately 2-3 storeys). The maximum height of the upper floors may range from 26 m to 31.5 m above ground level. However, this has been limited to a maximum of 6 storeys of parking (or equivalent if provided as split levels) above the lower floor uses.

Vehicle access to and servicing of this plot is via NW09.

### **NW11**

Plot NW11 is situated at the junction of Olympic Way and Fulton Road and represents a prominent plot for those approaching the site from Wembley Park Station via Olympic Way. The plot is a maximum of 32 m x 52 m, with lower floors approximately 5.5 m to 10 m in height (1- to 2-commercial storeys) and upper floors between 40.5 m to 47.5 m (approx. 13-15 storeys) above ground level. The maximum height of the building Above Ordnance Datum is 80.5 (plus tolerances).

### **The Square**

This application proposes the construction of a publicly accessible but privately owned area of open space situated between the Civic Centre, NW06, NW07, NW09 and NW10. The space will have a minimum size of 0.4 Ha and whilst it is primarily intended to provide an area of open space for residents of the development, it will be accessible by the general public at no cost. It will be predominantly laid out as soft landscaping and will contain a number of small and large trees.

Parking for residents and for commercial uses will be provided under the Square. This will be accessed via a vehicle entrance in NW06, but may be accessed directly from Exhibition Way prior to the completion of NW06. Access to the car park under NW07 will also be via the car park under the Square.

### **The Pockets**

Four "Pocket" spaces are proposed which comprise small areas of open space. The two eastern Pockets (between NW04 and NW08, and between NW08 and NW11) perform both a commercial function (cafe seating) whilst providing usable space for shoppers and residents which include seating and landscaping. The two eastern pockets (between NW01 and NW06 and between NW06 and NW09) provide landscaping and some seating opportunities.

### **The Streets**

A number of new roads of varying nature are proposed to serve the development. Names have been given to these roads solely for the purpose of identification and reference.

### **Wealdstone Road**

This road runs between Fulton Road and Empire Way, along the site boundary adjacent to Fulton/Malcolm House, Dexion/Howarine House and the Quality Hotel. This road comprises carriageway and footways and is predominantly one-way from north to south. It provides access and egress for the Multi-storey "town centre" car park within plot NW10 (accessed via NW09), the servicing area within NW09 and the proposed on-street servicing bays. The exception to the one-way traffic restriction is in relation to servicing vehicles for the internal servicing area within NW09 for which egress is allowed to the north.

### **West Olympic Way**

Situated to the west of and running parallel to Olympic Way is West Olympic Way. This road is a pedestrian only shared surface except during time limited periods in the morning and evening when it is also used for servicing (access and stopping) and for drop-off of mobility impaired (blue badge) users overnight. The servicing periods timed to fall outside of core retail hours of the centre, and the road is one way from north to south when used by vehicles. Access controls will be implemented by the developer to ensure that the access restrictions are effective and enforceable.

### **Exhibition Way**

This road adjoins the western and northern sides of Civic Centre site between Engineers Way and the Square. It is a two way road of standard road design (carriageway and footways), providing access to the car parks within NW01, NW06, NW07 and under the Square (approximately 850 parking spaces). To the south of the square and NW07 the road is of shared surface design and

will have restricted access for limited servicing purposes (including Event Day servicing). Again, access controls will be put in place by the developer.

Vehicular access between Wealdstone Road and Exhibition Way will be possible on Stadium Event Days in the area between NW01 and NW06. This area will be treated as a shared surface and access controls will restrict vehicular access on non Stadium Event Days.

### **Repton Lane**

This road is situated along the southern side of NW09, NW10 and NW11. The area along the northern edge of the park will provide emergency service access only whilst the areas to the east of the park may be used for servicing and mobility

### **Olympic Way**

This application proposes £4 million of improvements to Olympic Way together with some changes to its function. Olympic Way is to be designed as a shared surface, but with managed coach drop-off for hotel uses (if proposed), drop off (but not parking) for blue badge users and time limited servicing (again outside of core retail opening hours). Olympic Way will be designed and laid out having regard to the Stadium's Event Day access requirements. Whilst of shared surface design, the vehicular accessible shared surface areas will be segregated from pedestrian only areas by rows of trees.

### **Levels**

Alterations to the levels of made ground are also proposed within this application as set out within the parameter plans. This has been incorporated into the design of the elements described above.

### **Uses**

This application seeks consent for up to 160,000m<sup>2</sup> of floorspace, calculated as Gross External Area and excluding infrastructure such as plant, servicing and car parking.

The proposed floorspace is to comprise:

- Retail/financial and professional services/food and drink (Use Class A1 to A5): 17,000m<sup>2</sup> to 30,000m<sup>2</sup>
- Business (Use Class B1): up to 25,000m<sup>2</sup>;
- Hotel (Use Class C1): 5,000m<sup>2</sup> to 20,000m<sup>2</sup>;
- Residential dwellings (Use Class C3): 65,000m<sup>2</sup> to 100,000m<sup>2</sup> (815 to 1,300 units);
- Community (Use Class D1): 1,500m<sup>2</sup> to 3,000m<sup>2</sup>;
- Leisure and Entertainment (Use Class D2): up to 5,000m<sup>2</sup>;
- Student accommodation/serviced apartments/apart-hotels (Sui Generis): 7,500m<sup>2</sup> to 25,000m<sup>2</sup>;

The maxima set out above for each use type total 208,000 m<sup>2</sup> rather than 160,000 m<sup>2</sup>. The total floorspace provided (GEA, excl infrastructure) will not exceed 160,000 m<sup>2</sup>. The developer must therefore deliver some of the uses listed above at levels below the maximum stated above to achieve that. This approach allows flexibility in the delivery of the scheme. For example, the developer may not deliver 25,000 m<sup>2</sup> of Business floorspace if they consider there is no market for that floorspace. However, it should be noted that certain elements of floorspace are proposed and have been secured through the Section 106, such as Low Cost Employment Space (Use Class B1) and a Community Hall regardless of the above. These are discussed later in this report. Where minima are specified, the floorspace provision will be at that minimum level or greater.

The final mix of uses will come forward within the Reserved Matters applications. The Environmental Statement and supporting documents for this application have tested the various extremes of the parameters in terms of impact from the possible mixes of floorspace.

The distribution of uses has been set out within the parameter plans, which designate types of use that could be delivered in each plot, with delineation between lower and upper floors. Further

restrictions to the types and locations of uses are contained in the Development Specification and the Section 106 details, such as the location for Residential uses to ground floor level.

The following table summarises the location of uses set out within the Parameter Plans:

	Retail / Professional (A1-A2)	Food & drink (A3-A4)	Takeaway (A5)	Business (B1)	Hotel (C1)	Residential dwellings (C3)	Community (D1)	Leisure and Entertainment (D2)	Student Accom / Services Apartments (Sui Generis)	Multi-Storey Car Park
NW01 Lower	Y	Y	Y	Y	Y	Y	Y	Y		
NW01 Upper					Y	Y		Y		
NW04 Lower	Y	Y	Y	Y	Y			Y		
NW04 Upper		Y		Y	Y			Y	Y	
NW06 Lower	Y	Y	Y	Y		Y	Y	Y		
NW06 Upper						Y				
NW07 Lower	Y	Y	Y	Y		Y				
NW07 Upper				Y		Y			Y	
NW08 Lower	Y	Y	Y	Y	Y			Y	Y	
NW08 Upper		Y		Y	Y	Y		Y	Y	
NW09 Lower	Y	Y	Y	Y		Y	Y	Y		
NW09 Upper						Y		Y	Y	
NW10 Lower	Y	Y	Y					Y		
NW10 Upper							Y	Y		Y
NW11 Lower	Y	Y	Y	Y	Y			Y	Y	
NW11 Upper		Y		Y	Y	Y		Y	Y	
	A1-A2	A3-A4	A5	B1	C1	C3	D1	D2	SG	MSCP

## Parking

The application proposes residential parking at a rate of 0.5 spaces per unit, a 600 space “town centre” multi-storey car park and a 200 space commercial car park that is to serve the commercial uses (e.g. hotel, business, leisure floorspace etc) on a contract parking basis, but may also be used as a “town centre” car park at peak times. A total of 5 % of the 600 spaces within multi-storey car park will be for blue-badge users, and 2.5 % for parent and child parking. 5 % of the 200 space commercial car park will be for blue badge parking.

Residential cycle parking will be provided at a rate of 1 space per 1- or 2-bed unit and 2 spaces per 3+ bed unit. Non-residential cycle parking will be provided in accordance with the draft London Plan ratios set out in the Development Specification.

## HISTORY

### Direct Site History

#### **The Palace of Arts and Industry Temporary Car Park 05/2353 – Granted 27 April 2006**

This consent has not been triggered and can no longer be implemented as approved, as the Civic Centre site occupies a large part of the site area.

*Use of the land for temporary parking for a period of three years from demolition of the western multi-storey car park associated with the Stage 1 Development Area, the new Wembley Stadium, Wembley Arena and Wembley Sunday Market*

#### **Significant applications on adjoining sites (Committed Development)**

##### **The Quintain “Stage 1” Consent**

**03/3200 – Granted 29 September 2004**

This Outline consent requires the submission of Reserved Matters within 15 years (by 28 September 2019) and the Commencement of works within 2 years of the approval of the last Reserved Matters Application. Works undertaken to date include the re-orientation of the Wembley Arena, the completion of Arena Square and the "Spanish Steps", the completion of two residential led mixed use blocks (W01 – Forum House and W04 – Quadrant Court) and commencement of works on plot W05 (Hilton Hotel, Student Accommodation and Designer Outlet Retail). Reserved Matters approval has also been granted for plots W03 (food and drink, fitness centre, residential) and W07 (Designer Outlet retail, food and drink, multiplex cinema)

*Outline planning application for:*

*Works for the re-orientation of Wembley Arena*

*Class A1 (Retail) comprising up to 14,200m<sup>2</sup> designer retail outlet, 11,800m<sup>2</sup> sports retailing*

*Class A1/A2 shops/financial and professional services up to 8,000m<sup>2</sup> (including up to 2,000m<sup>2</sup> supermarket)*

*Class A1 (Retail) comprising up to 400 square metres of hotel boutique retail*

*Class A3 (Food and Drink), up to 12,700m<sup>2</sup>*

*Class B1 (a) (b) and (c) Business, up to 63,000m<sup>2</sup>*

*Class C1 (Hotel), up to 25,400m<sup>2</sup>*

*Class C1/Sui Generis (Hotel apartments), up to 26,700m<sup>2</sup>*

*Class C2 (Residential institutions) up to 5,000m<sup>2</sup>*

*Class C3 (dwellings) up to 277,000m<sup>2</sup>, (up to 3,727 dwellings)*

*Student accommodation (Sui Generis), up to 16,600m<sup>2</sup>*

*Class D1 (Non-residential institutions), up to 8,200m<sup>2</sup>*

*Class D2 (Assembly and Leisure), up to 28,500m<sup>2</sup> (including the existing Arena of 13,700m<sup>2</sup>)*

*together with associated open space, public market area (Class A1), hard and soft landscaping, highway and engineering works, electricity sub-station, other utility requirements, other parking and servicing, and improvements to Olympic Way;*

*AND;*

*Reserved matters relating to siting, design, external appearance and means of access for the 3-storey structure to provide car and coach parking*

### **The Temporary Multi-Storey Car Park within Stage 1 Plot W10**

**10/1417 – Granted 5 April 2010**

Approval of reserved matters for provision of interim car park with access from South Way, new pedestrian link and service access road between South Way and Royal Route, pursuant to condition 2(i), (ii), (iii), (iv) and (v) of Outline planning application 03/3200.

### **York House Extensions and Change of Use**

**08/0827 – Granted 11 July 2008**

Erection of 2-storey side and single-storey rear extensions with canopy, reconfiguration of existing car park, installation of new vehicle crossover to Stadium Way, removal of existing vehicle crossover to Empire Way, and change of use of the ground floor and first floor to include the provision of 2180m<sup>2</sup> retail (Use Class A1) floorspace and 836m<sup>2</sup> of food and drink (Use Class A3/A4/A5) floorspace, with the restaurant/cafe and some of the retail floor space being sited at ground-floor level to the side of York House and subject to a Deed of Agreement dated 11th July 2008 under Section 106 of the Town and Country Planning Act 1990, as amended

**10/2229 – Granted 2 March 2011**

Proposed non-material minor amendments for the following:-

- External appearance of the building (including fenestration, walls/cladding and louvers);
- Internal layout of the building, including circulation and units;
- Car park layout;
- Landscaping;
- Extent of plant screening;
- Roof treatment;
- Canopies and Brise Soleil;
- Height within certain elevations;
- Lighting;

- Incorporation of tank in car park adjacent to loading bay; of full planning permission 08/0827

**The Brent Council Civic Centre  
09/2450 – Granted 22 March 2010**

Works have commenced on the 10-storey Civic Centre  
*Erection of a part eight-storey and part ten-storey Brent Council Civic Centre building, comprising office space (Use Class B1), community and performance space (Use Class D1 and D2, including library, Registrars Office, Community Hall and Council Chamber), Use Class A1/A2/B1 floorspace at ground floor level, a cafe (Use Class A3), wedding garden and a winter garden area, with provision of 158 car-parking spaces, 250 bicycle-parking spaces and 32 motorcycle-parking spaces in basement, and associated landscaping to site*

**Malcolm/Fulton House – Summit Hotels proposal  
08/2633 – Granted 19 December 2008**

Likely to be a Holiday Inn Express. The buildings have been demolished, but construction works have not commenced.

*Demolition of existing buildings and erection of replacement 7-storey and 11-storey hotel with 262 rooms, ancillary restaurant and 53 basement car-parking spaces*

**Dexion House consent and application**

Initially approved as a residential led scheme with 25 m swimming pool and fitness stations and rooms on the lower floor(s), with entry at Local Authority comparable prices. The Planning Committee resolved to grant consent for a revised consent including student accommodation, the pool, fitness stations and rooms subject to the referral to the Mayor of London and the completion of a Section 106 agreement on 6 April 2011.

**09/2291 – Approved 9 April 2010**

*Demolition of existing building and erection of a building ranging in height from 7 - 15 storeys, consisting of 2,509m<sup>2</sup> basement parking and plant, a parking permit-free proposal for 129 residential flats (37 one-bedroom, 73 two-bedroom, 19 three-bedroom), a 5,837m<sup>2</sup> 125-bedroom hotel (Use Class C1), 1,983m<sup>2</sup> of community swimming-pool and fitness facilities (Use Class D2), and associated landscaping*

**11/0142 – Committee resolution to grant subject to Mayoral Referral and S106**

*Demolition of the existing building and erection of a building ranging in height from 9 - 18 storeys and including a basement, consisting of 19,667sqm of student accommodation (providing 661 bed spaces) with associated common-room space (Use Class: sui generis); 2,499sqm of community swimming-pool and fitness facilities (Use Class D2); 530sqm commercial units: retail / financial & professional services/ restaurants / public house / takeaway (Use Class A1, A2, A3, A4, A5); with parking, cycle spaces, rooftop plant and associated landscaping*

**Shubette House – Hotel and Residential development**

**08/3009 – Granted 14 February 2011**

The Planning Committee resolved to grant consent in June 2009. However, the applicant subsequently went into administration and the Section 106 agreement was not completed until early 2011. Works commenced early 2011.

*Demolition of existing buildings and erection of 4-, 7-, 11- and 20-storey building, incorporating 158 self-contained residential units, hotel (225-bedroom and 12 apart-hotel rooms), business (Use Class B1) and food and drink (Use Class A3/A4) uses, conferencing facilities, roof terraces, courtyard, basement parking, cycle storage and associated landscaping (parking-permit-restricted scheme)*

**POLICY CONSIDERATIONS**

**NATIONAL**

Planning Policy Statement 1 – Delivering Sustainable Development

Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy

## Statement 1

Planning Policy Statement 4 – Planning for Sustainable Economic Growth

Planning Policy Statement 5: Planning for the Historic Environment

Planning Policy Statement 12 – Local Spatial Planning

Planning Policy Guidance 13 – Transport

Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation

Planning Policy Statement 22 – Renewable Energy

Planning Policy Statement 23: Planning and Pollution Control

Planning Policy Guidance 24 – Planning and Noise

Planning Policy Statement 25 – Planning and Flood Risk

Draft PPS Planning for a Low Carbon Future in a Changing Climate

## **REGIONAL**

### ***The Mayor of London***

The London Plan consolidated with alterations since 2004

The Draft Replacement London Plan has been subject to its Examination and Public and as such, is a material planning consideration.

The London Plan, which was adopted in February 2004 and revised in 2006 and 2008, sets out an integrated social, economic and environmental framework for the future development of London. Relevant Policies relevant to this application relate to Housing, Urban Design, Access, Transport, Energy and climate change, Ambient Noise and Air Quality.

Other relevant guidance and policy documents:

- Providing for Children and Young People's Play and Informal Recreation SPG;
- London Housing Strategy;
- Draft Revised Interim Housing SPG;
- Housing SPG EIP draft;
- Housing SPG;
- Accessible London: achieving an inclusive environment SPG;
- Planning and Access for Disabled People;
- The Mayor's Transport Strategy;
- The Mayor's Energy Strategy;
- Mayor's draft Climate Change Mitigation and Adaptation Strategies;
- Mayor's draft Water Strategy;
- Sustainable Design and Construction SPG;
- The Mayor's Ambient Noise Strategy;
- The Mayor's Air Quality Strategy;
- Draft replacement air quality strategy.

The Plan recognises Wembley as an Opportunity Area for leisure related development and the provision of new homes and employment opportunities. It identifies an additional employment capacity of 5,500 jobs and the provision of minimum of 5000 new homes between 2001 and 2026, and specifies the "realization of the potential of Wembley as a nationally and internationally significant sports, leisure and business location, co-ordinated with town centre regeneration and new housing". The plan specifies that the Mayor will work with strategic partners to implement his Tourism Vision and to achieve 40,000 net additional hotel bedrooms by 2026. The Draft Replacement London Plan increases these figures to 11,000 jobs and 11,500 homes by 2031.

## **Local**

### **Brent Local Development Framework Core Strategy 2010**

CP 1 Spatial Development Strategy

CP 2 Population and Housing Growth

CP 3 Commercial Regeneration

CP 5 Placemaking

CP 6 Design & Density in Place Shaping



CP 7 Wembley Growth Area  
CP 14 Public Transport Improvements  
CP 15 Infrastructure to Support Development  
CP 16 Town Centres and the Sequential Approach to Development  
CP 18 Protection and Enhancement of Open Space, Sports and Biodiversity  
CP 19 Brent Strategic Climate Mitigation and Adaptation Measures  
CP 21 A Balanced Housing Stock  
CP 23 Protection of existing and provision of new Community and Cultural Facilities

#### **Brent Unitary Development Plan 2004**

##### Strategy

The overall strategy of the UDP has 11 key objectives which are as follows:

1. Prioritising locations and land-uses to achieve sustainable development;
2. Reducing the need to travel;
3. Protecting and enhancing the environment;
4. Meeting housing needs;
5. Meeting employment needs and regenerating industry and business;
6. Regenerating areas important to London as a whole;
7. Supporting town and local centres;
8. Promoting tourism and the arts;
9. Protecting open space and promoting sport;
10. Meeting community needs; and,
11. Treating waste as a resource.

The relevant policies in this respect include Policies STR3-4 (prioritising locations and land-uses to achieve sustainable development), STR5 and 6 (reducing the need to travel), STR9 (role of GLA Roads and London Distributor Road) STR12-15 (protecting and enhancing the environment), STR25 (meeting employment need), STR29 (Vitality and Viability of the Borough's Town and District Centres, and the role of Wembley and Kilburn as major centres)

##### Policies

BE1 Urban Design Statements  
BE2 Local Context & Character  
BE3 Urban Structure: Space & Movement  
BE4 Access for disabled people  
BE5 Urban clarity and safety  
BE6 Landscape design  
BE7 Streetscene  
BE8 Lighting and light pollution  
BE9 Architectural Quality  
BE10 High Buildings  
BE11 Intensive and Mixed Use Developments  
BE12 Sustainable design principles  
BE13 Areas of Low Townscape Quality  
BE17 Building Services Equipment  
BE34 Views and Landmarks  
EP2 Noise and Vibration  
EP3 Local air quality management  
EP4 Potentially polluting development  
EP6 Contaminated land  
EP12 Flood protection  
EP15 Infrastructure  
H4 Affordable Off-site Affordable Housing – 'Provision in Lieu'  
H11 Housing on Brownfield sites  
H12 Residential Quality – Layout Consideration  
H13 Residential Density  
H14 Minimum Residential Density

H22 Protection of Residential Amenity  
TRN1 Transport assessment  
TRN2 Public transport integration  
TRN3 Environmental Impact of Traffic  
TRN4 Measures to make transport impact acceptable  
TRN9 Bus Priority  
TRN10 Walkable environments  
TRN11 The London Cycle Network  
TRN12 Road safety and traffic management  
TRN13 Traffic calming  
TRN14 Highway design  
TRN15 Forming an access to a road  
TRN16 The London Road Network  
TRN17 Restrictions on New Roads  
TRN22 Parking Standards – non-residential developments  
TRN23 Parking Standards – Residential developments  
TRN24 On-street parking  
TRN25 Parking in Town Centres  
TRN28 Restrictions on off-street public parking and contract parking  
TRN30 Coaches and Taxis  
TRN31 Design and Land Take of Car Parks  
TRN34 Servicing in new developments  
TRN35 Transport access for disabled people & others with mobility difficulties  
Appendix TRN2 Parking and Servicing Standards  
EMP2 Small and medium sized enterprises  
EMP3 Childcare facilities in Employment Developments  
EMP9 Development of Local Employment Sites  
EMP10 The Environmental Impact of Employment Development  
EMP14 Design of Business Developments  
EMP20 Creative Industry Proposals  
SH2 Major Town Centres  
SH10 Food and Drink (A3) Uses  
SH11 Conditions for A3 Uses  
SH19 Rear servicing  
TEA1 Location of large-scale Tourist, Visitor and ACE uses  
TEA2 Location of small-scale Tourist, Visitor and ACE uses  
TEA4 Public Art  
TEA6 Large Scale Hotel Development  
TEA7 Small Scale Hotel Development  
OS18 Children's Play Areas  
OS19 Location of Indoor Sports Facilities  
CF1 Location of Large Scale Community Facilities  
CF2 Location of Small Scale Community Facilities  
CF4 Community Facilities Capable of Holding Functions  
CF6 School Places  
CF7 New Schools  
CF8 School Extensions  
CF11 Day Nurseries  
CF13 Primary Health Care / GP Surgeries  
CF14 Places of Worship  
WEM2 Pedestrian Route/Promenade  
WEM4 Residential Development within the Wembley Regeneration Area  
WEM5 Relocation of Existing Businesses  
WEM7 Access to development – the National Stadium Policy Area  
WEM9 Comprehensive Development – The National Stadium Policy Area  
WEM11 On-street parking controls for Wembley

WEM12 Short stay car parking in the Wembley Regeneration Area  
WEM16 Urban design quality – Wembley Regeneration Area  
WEM17 The public realm – Wembley Regeneration Area  
WEM18 Design of Buildings Along Olympic Way  
WEM19 Views of the Stadium  
WEM22 Libraries in Wembley  
WEM27 Opportunity sites at the Junction of Olympic Way and Engineers Way

Brent Council Supplementary Planning Guidance and Documents

SPG3 Forming an access to a road  
SPG4 Design Statements  
SPG12 Access for disabled people  
SPG13 Layout standards for access roads  
SPG17 Design Guide for New Development  
SPG19 Sustainable design, construction and pollution control  
Draft SPG21 Affordable Housing  
SPD Section 106 Planning Obligations  
Draft Wembley Link SPD

### **Destination Wembley – A framework for development (2003) Supplementary Planning Guidance**

- This guidance set out the Council's key principles regarding the redevelopment of Wembley: A comprehensive approach which properly addresses the setting of the stadium, producing a development where all the different elements relate well together.
- An accessible part of town, which offers a choice of routes into and through the area that are easy to grasp.
- A high quality development with comfortable public streets and civic spaces lined by modern, exciting buildings. A rich mix of uses combining leisure, retail, entertainment and other commercial uses to create an active, interesting and attractive urban environment throughout the year.
- One of the most accessible locations in the capital because of improvements to the existing rail and underground stations and the highway infrastructure with improved links to the North Circular.
- A well integrated and connected place which links into the High Road and surrounding community, allowing people to move safely and easily through the area.
- A development which promotes sustainability through adopting best practice.
- An engaged community that benefits from the new jobs, new services and facilities for local people stemming from the physical, economic and social regeneration of the area.

### **Wembley Masterplan 2009**

The Council adopted a revised version of the Wembley Masterplan in 2009, which superseded the 2004 Masterplan. The subject site falls within the North West and Olympic Way districts, cited within the Masterplan as the "new heart of the Borough, focused around a new 21st century Civic Centre". Key principles for the North West district include:

- A new signature Civic Centre that reflects in its challenging architecture the aspirations and ambition of the Council.
- A public square of sufficient size to reflect its public function and provide formal landscape setting appropriate to the scale and role of the new Civic Centre.
- A bustling new pedestrian shopping street with an intimate and enclosed character.
- Improvements to the landscape quality on Empire Way and a gradual and comfortable change in building scale.

Core objectives for the Olympic Way District include:

- The view of Wembley Stadium and its arch from Wembley Park Station and down Olympic Way is a valuable piece of urban theatre, and the council will insist that the careful design and scaling of buildings flanking Olympic Way help preserve the predominance of the arch;

- A series of intimate external 'rooms' flanking the processional route should create a more human scale, whilst maintaining the perception of a space that is concurrent with the national and international significance of this destination;
- The standard of landscape and urban design on Olympic Way should be exceptional, reflecting the standards set by the stadium. Design innovation should be underpinned by the highest standards of detailing, materials and specimen quality.

The Masterplan specifies:

- The general pattern of development across this district could reduce gradually in scale from east to west and from south to north, from the new Civic Centre on the corner of the Boulevard and Engineers Way at 10 storeys, down to and along Empire way predominantly at 4-6 storeys.
- Buildings fronting Olympic Way between Fulton Road and Engineers Way, with the buildings set at least 40 m back from the centre of Olympic Way at upper floor level and maximum heights of 70 m Above Ordnance Datum.
- The indicative location for the retail street, as set out in the Masterplan, is in the approximate position of West Olympic Way.

Other Council Publications

Wembley Vision (2002)

Wembley From Vision to Reality (2007)

These two non-planning related documents set out the Council's Vision for Wembley, with the core principles of New Wembley, Destination Wembley, Multicultural Wembley, Quality Wembley, Quality Wembley, Exciting Wembley, Sustainable Wembley, Brent's Wembley.

## **SUSTAINABILITY ASSESSMENT**

This application was accompanied by an Sustainability Strategy and Energy Statement which formed Supporting Reports for this application. These documents were supplemented by an "Energy Strategy Addendum" which formed part of the submission of additional information.

### **Energy**

The submitted Energy Statement set out the proposals in relation to the London Plan Climate Change Policies, including the "Be Lean", "Be Clean", "Be Green" energy hierarchy which promotes using less energy, decentralised energy and on-site renewable energy sources. This hierarchy is retained in the Draft Revised London Plan. However, its structure is altered allowing the "Be Green" measures to be limited or omitted if overall targets for CO2 reduction are met.

The submitted strategy confirms that a number of key energy efficient measures will be incorporated to achieve Part L 2010 and maximise the CO2 reduction associated with the "Be lean" measures, which include (but are not restricted to) u values and levels of air tightness that go beyond the requirements of the Building Regulations 2010, low energy lighting, exceedance of water consumption targets and measure to limit surface water runoff, high energy HVAC (Heating, Ventilation and Air Conditioning) plant including high efficiency chillers.

The proposals then consider the feasibility of Combined Heat and Power (CHP) or Combined Cooling Heat and Power (CCHP). The initial strategy proposed the use of a Site Wide heat network powered by up to 3 CHP energy centres. However, the GLA sought the provision of a single energy centre due to the associated improvements to electricity generation efficiency levels. The applicants subsequently revised their proposals, clarifying that a single energy centre will be delivered. This amendment was reflected in the Stage 1 response from the Greater London Authority. This energy centre will be located in building NW09 which includes the tallest building in the scheme and thus provides the best opportunities for high level venting of exhaust flue(s).

The energy centre would be a minimum of 320 m<sup>2</sup> in size and the network would be powered by a gas fired CHP engine with a minimum output of 400 kWe. It would be provided prior to completion

of the 780<sup>th</sup> residential unit and would allow future connection to a district heating system. The site-wide system would be connected to all buildings and the trigger is based on the requirements of BREEAM / CSH.

The minimum size of the system is considered sufficient to meet the domestic hot water demands of the development together with a proportion of space heating requirements. This would be supplemented by high efficiency gas boilers to meet peak loads.

The selected system would not incorporate cooling. However, the applicant has clarified that cooling would be achieved through high efficiency Heating, Ventilation and Air Conditioning (HVAC) plant, and passive measures such as building orientation, solar shading and high performance glazing, green roofs the use of thermal mass and natural ventilation.

With regard to on-site renewables, the applicant has considered the feasibility of wind, ground source heating and cooling, biomass heating and biomass CHP, biogas heating, fuel cells, solar water heating and photovoltaics (PV). These options have been ranked in terms of cost and potential carbon abatement, and whilst the capital cost of roof mounted PV is high, it is a suitable technology for high density urban environments and complements sitewide CHP based heat networks. A total of 3,300 m<sup>2</sup> of photovoltaic cells is proposed.

The Be Clean measures (site-wide CHP) have been estimated to result in a 12 % reduction in Regulated CO<sub>2</sub> whilst a 7 % reduction is achieved through the use of the proposed on-site renewables (PV). This translates to a 4 % and 2 % reduction in Total regulated and unregulated CO<sub>2</sub>. The GLA has specified in their Stage 1 response that this level of CO<sub>2</sub> reduction is considered acceptable and your officers concur with this view.

### **Sustainability Strategy**

This application is accompanied by a Sustainability Strategy. This differs from the more focused Energy Statement/Strategy as it holistically examines the wider issues relating to the Environmental and Social sustainability of the scheme, This includes issues relating to energy efficiency, transport, climate change, air quality, materials, construction, waste, water consumption, flooding, ecology, social sustainability and safety and comfort within the environment. Many of these matters are also discussed in detail within other submitted reports and elsewhere within this Committee Report.

Your officers typically require the submission of a TP6 Sustainability Checklist with all Major applications. However, in this instance, it has been agreed that this information can be adequately provided, avoiding the need for duplication, through the submission of information regarding the achievement of the BREEAM Excellent and Code for Sustainable Homes (CSH) Level 4 standards. This information has already been supplemented by additional detail within the Outline application that is not considered within the BRE assessments, such as the potential community and economic town centre impacts.

The commitments relating to energy efficiency have already been discussed within this report. The strategy highlights the very good access to public transport, the reduction in the need to travel due to the mixed use nature of the scheme and the commitment to Travel Plans. Car parking is provided at reduced levels and will include electric charging point whilst cycle storage is provided to London Plan and BREEAM / CSH standards.

Surface water runoff is reduced to Greenfield runoff rates through measures which include the inclusion of green/brown roofs, permeable paving and other SUDS measures. Measures to reduce water use have been incorporated whilst the heat island effect will be mitigated through measures including the green/brown roofs, soft landscaping and light coloured building surfaces. A number of measures will be incorporated to address solar gain. Rainwater harvesting will be implemented for landscaping irrigation.

With regard to materials, the application commits to measures such as:

- Low embodied energy materials;
- Use of the WRAP toolkit for recycled content;
- Local sourcing;
- Targets for the use of secondary, recycled and reclaimed content;
- 80% of timber from FSC sources;
- And the Site Waste Management Plan.

Construction impacts will be minimised through the use of the ICE Demolition Protocol, compliance with the London Best Practice Guide and the Considerate Constructors Scheme, the submitted Construction Management Strategy and consultation with the Brent Environmental Health Officers. The proposal specifies the provision of suitable waste, composting and recycling facilities to meet CSH Level 4 and BREEAM Excellent.

With regard to Social Sustainability, the strategy highlights the achievement of Lifetime Homes standards (all residential units) and 10 % of dwellings wheelchair accessible (or easily adaptable), a range of unit sizes and tenures, the provision of non-technical home user guide and high quality children's play space.

Commitments are made to the principles of "Secured by Design", levels of noise insulation for homes, wind conditions and levels of light. Ecology and biodiversity is promoted through measures including the soft landscaping proposals and the provision of bird boxes.

The submitted Code for Sustainable Homes and BREEAM pre-assessments set out the ways by which the development can achieve CSH Level 4 and BREEAM "Excellent". The pre-assessments achieve scores of 57.88 for CSH and 72.43 for BREEAM, which exceed the minimum levels required for CSH Level 4 (54.1) and "Excellent" (70%).

In order to benchmark the proposed measures, your officers have compared the proposals to an equivalent score using the TP6 Sustainability Checklist. It is considered that the proposal would achieve a score of 57 % ("Very Positive") which is above the minimum level of 50 %. The proposed Sustainability Measures are considered to be acceptable.

## **CONSULTATION**

### **Statutory (application) consultation process**

- 1,701 letters were sent to adjoining and nearby properties on 7 December 2010.
- Following the receipt of additional information, 1,702 letters were sent to adjoining and nearby properties on 5 April 2011.
- The application was advertised in the local press on 16 December 2010 and then on 7 April 2011.
- Site notices were erected on 5 January 2011 and 1 April 2011.

Given the number of Bank Holidays at the end of April and start of May, the consultation period will run to 26 April for Site Notices, 28 April for letters and 5 May for the Press Notice. Any comments received after this report has been finalised will be discussed in the Supplementary Report to the Committee.

### **Letters from nearby Residents and Occupiers**

Two letters were received in response to this consultation process citing the following issues:

- Letter 1: The proposal seems an unbalanced allotment between residential dwellings, community and leisure entertainment. There are quite a few residential dwellings being constructed near Wembley and it would be better to reduce the residential space and increase community and leisure/entertainment.

- Letter 2: Rather than constructing another soulless concrete structure, it would be preferable to choose an alternative such as:
  - Electricity, water, sewage and refuse facilities and a Traveller Site;
  - A cemetery for local residents;
  - A railway station;
  - A Holocaust memorial
  - An Observatory;

## **Internal Consultees**

### **Environmental Health:**

**Contaminated Land:** The proposed methodology for the site investigation is sound, and the standard condition regarding a site investigation, remediation report and completion certificate is recommended if planning permission is granted.

**Air Quality:** The air quality assessment undertaken is robust and addresses all potential impacts. I would ask that the applicant provide details of the CHP plant once they confirm the plant specification. Where the final install differs significantly from that stated (for example change in fuel type), the applicant may need to re-assess the potential local air quality impacts of this source on receptors. We would advise the applicant to provide EH with this information as soon it becomes available.

**Noise:** Environmental Health are satisfied with the conclusions drawn in the submission but raise 2 points for clarification:

1. We would typically require external plant to achieve 10dB below background in order to avoid cumulative noise impacts or background creep. In Section 12.6.6 they only intend to achieve 5dB. Could you verify whether this is in line with previous agreements. If it is not then we would expect the 10dB target to be implemented.
2. They have not specified how noise during deliveries would be tackled and, although they consider this to be local, minor adverse, consideration of potential mitigation would be required.

**Health, Safety and Licensing:** HSL do not object but wish to provide information regarding Safety at Sports Grounds and Entertainment Licensing:

- The section of Olympic Way between Engineers Way and Fulton Road is vital to the safe access and egress to the Stadium and Arena on event days. The route should be maintained accessible and safe for use throughout the demolition and construction stages. Any building material or rubble should be kept segregated and not accessible to the pedestrian route/areas.
- Any proposed buildings or structures should not impeded the existing walkway unless an acceptable equivalently spaced pedestrian route can be provided.

**Landscape Design:** The current proposals for tree planting are a bit vague and sparse. Comments have been made regarding the associated issues and a sketch tree planning strategy was put forward to give an indication of the number and locations of trees that are likely to be considered acceptable.

Recommendations included:

- An increased number of trees, and trees within all streets.
- Olympic Way trees planted at a smaller size (20-25cm girth), but at 15 m intervals.
- Use of landscape/trees to delineate servicing routes on shared surfaces.
- The avoidance of clusters of trees in small spaces.
- A recommended specification for tree pits.
- The grouping of services to facilitate tree planting.
- All trees should have a minimum of 2-3 year maintenance contract.
- The selection of trees should be revisited.
- Section 106 contributions towards tree planting may be acceptable for some locations, but

- not to avoid the planting of trees.
- A comprehensive strategy is required for the public realm.

### **StreetCare (Waste):**

- Either option detailed in the “Operational Waste Strategy” is acceptable.
- StreetCare’s preferred option is the ‘Pneumatic Waste Collection System’ i.e. Envac, which is already in operation on the Wembley Stage 1 development.
- The addition of commercial waste to the Envac system is a matter that will require detailed discussion before planning permission is granted. We would request that the applicant provides further detail to that given in 6.3 of the ‘Operational Waste Strategy’. Specifically in relation to 6.3.2 and how the costs for commercial waste would be re-charged.
- A meeting with the applicant to clarify the issues (including commercial waste) will be required, before planning permission is granted.

**Transportation:** The Transportation comments and recommendations have been incorporated into the remarks section of this report due to the detailed nature of those comments.

### **External Consultees**

#### **Local Authorities Responses**

- **London Borough of Barnet:** Acknowledged receipt of the consultation letter. No formal comments have been received.
- **London Borough of Camden:** No objection
- **Ealing Council:** No objection.
- **London Borough of Hammersmith and Fulham:** No objection.
- **Harrow Council:** No objection.
- **City of Westminster:** The City Council do not wish to comment on this application.

#### **English Heritage**

English Heritage does not wish to comment in detail, but offer general observations. The proposal involves the demolition of the de-listed former Palace of Industry building and proposes development adjacent to the Grade II listed Wembley Arena. The information that accompanies the application does not appear to take into account PPS5 which includes policies relating to development adjacent to Listed Buildings.

#### **Environment Agency**

The Environment Agency do not object to the proposal, but consider that planning permission should only be granted if it is subject to the conditions listed in their response. These conditions have been attached.

#### **NHS Brent**

A letter was received from the NHS/PCT querying the number of units and residents, the type of student accommodation and serviced apartments and the number of students, the timescales for occupation and the postal address, noting that they will be better able assess the impact on health services and plan accordingly with this information. They also specified that they wish that consideration is given to requesting a contribution towards the provision of a health facility or the extension of an existing facility. A response was sent to the NHS. However, no further responses have been received from the NHS.

#### **Natural England**

Initial comments:

Natural England do not object to the proposals. The site is within an Area of Deficiency for Access to Nature and Natural England are pleased that this is recognised in the Environmental Statement. The proposed provision of open spaces with “soft/green” landscaping together with brown/green roofs is welcomed and encouraged.



Comments following re-consultation:

Natural England has no comments to make. However, they expect the LPA to assess and consider the possible impacts when assessing the proposals, including:

- Protected species if the Council is aware or is made aware of any protected or BAP species on site.
- Opportunities for Biodiversity enhancements, such as the incorporation of features like bird boxes or bat roosts.

### **Sport England**

Sport England have responded in a non-statutory capacity, and have assessed the proposal in light of Sport England's Land Use Planning Policy Statement Planning Policies for Sports. Sport England highlight PPG17, the Brent 2008 Sports Facilities Strategy and the LDF Core Strategy. Additional local residential and commercial demand may stress local sports and recreational facilities, and the applicant must address any requirement for additional capacity either within the proposed development or through contributions to existing local sports infrastructure. Sport England do not object to the proposal provided the applicant is compelled by any permission to address sports facilities and that identified needs are clearly attenuated by an S106.

### **Thames Water**

Thames Water initially commented that they are unable to determine the waste water infrastructure needs of the application and they recommended a condition regarding details of drainage. Thames Water have clarified that there currently is insufficient capacity in their waste water network to serve this development. They are undertaking a detailed investigation into the infrastructural requirements. However, it is not possible to produce an effective drainage strategy until this study is completed and the infrastructural needs and delivery mechanisms are identified.

The planning agents for the applicant have queried the need for such a condition, and Thames Water have provided the following response:

*In relation to the proposed development, Thames Water are concerned about the capacity of the existing local drainage network and its ability to serve the development as opposed to treatment capacity at the Sewage Treatment Works (STW) which the agent refers to.*

*Thames Water are required by our regulator to ensure that customers' money is spent as effectively and as efficiently as possible. As such Thames Water seeks to ensure infrastructure is brought online in tandem with new development. If infrastructure is built without certainty of a development being brought forward, its phasing or likely occupation, that infrastructure may as a result be underutilised - an inefficient and ineffective delivery method.*

*Thames Water are funding and undertaking a local drainage infrastructure study to understand the impact of this and other proposed developments on the local drainage network. This will dictate the level of infrastructure required to serve the developments. Thames Water are requesting that the development is not commenced until the study is completed to ensure any impacts can be fully mitigated to avoid detrimental environmental effects to existing and future customers. This is in line with PPS23 on Planning & Pollution.*

As this is a material planning consideration, planning precedence has been established on a national basis for the need for such a condition and your officers do not have the technical expertise or access to sufficient information regarding the Thames Water network, your officers have attached the condition that has been recommended by Thames Water.

### **The Mayor of London – Greater London Authority, Stage 1 comments**

#### ***Strategic Issues:***

The proposed land uses are broadly acceptable in this location in the Wembley Opportunity Area. However, the application does raise a number of specific strategic planning policy concerns that will need to be addressed in more detail including; affordable housing, residential space standards,

density, design and access, transport, energy, air quality and noise issues.

*Recommendation:*

That Brent Council be advised that while the application is broadly acceptable in strategic planning terms the application does not comply with the London Plan, for the reasons set out in paragraph 119 of their report; but that the possible remedies set out in paragraph 121 of this report could address these deficiencies.

*Conclusions (paragraphs 119-121 of the Stage 1 Report):*

London Plan policies on land use, housing, urban design, access, transport, energy and climate change, air quality and noise are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- Housing: The proposed level of affordable housing and tenure split has not yet been satisfactorily justified. page 18
- Housing design: The applicant has not committed to designing the new residential units to meet the new housing space standards in the draft replacement London Plan.
- Design: Further information on the design of the multi-storey car park, the heights of the buildings along Olympic Way, the quantum and type of play space.
- Access: No commitment has been provided as to the level wheelchair accessible student and hotel accommodation.
- Transport: Further information on a number of transport measures is still required, with regards capacity impacts, bus stops, pedestrian and cycle works and parking.
- Energy and climate change: Further detail on a number of aspects of the proposed energy strategy is required; the contribution to help implement the wider district heating system, the proposed energy efficiency measures, the trigger point for implementing the combined heat and power plant, the location and size of the combined heat and power plant, cooling requirements, and securing the proposed level of photovoltaic panels.
- Noise: Ensuring residential building envelopes are built to a sufficiently high standard to avoid noise impacts from events at Wembley Stadium.

On balance, the application does not comply with the London Plan.

The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

- Housing: The proposed level of affordable housing and tenure split has not yet been satisfactorily justified. This information must be provided to the GLA as soon as possible. The results of the independent appraisal must also be made available to the GLA. This information is necessary to inform the final level of affordable housing and the tenure split. The applicants have also calculated the Residential Density of the scheme using the methodology set out by the GLA. The proposal falls within, but toward the upper end of the London Plan density matrix.
- Housing design: The applicant has not committed to designing the new residential units to meet the new housing space standards in the draft replacement London Plan. In addition, the applicant should include further detail in the development specification as how the proposed single person dwellings (studios) would achieve an exemplar design standard.
- Design: Further information on the design of the multi-storey car park, the heights of the buildings along Olympic Way, the quantum and type of play space.
- Access: The applicant should commit to providing a level wheelchair accessible student and hotel accommodation.
- Transport: Additional information on car and coach parking, and electric vehicle charging infrastructure is necessary. The contribution to provide 'Legible London' posts and to fund the works identified in the PERS audit will be necessary. Funding towards capacity improvements on local bus services and the agreement on provision of bus shelters and upgrades to meet accessible bus stop guidelines is required and contributions to improvements at Wembley Central Station.
- Energy and climate change: The applicant should provide further detail on a number of

aspects of the proposed energy strategy is required; the contribution to help implement the wider district heating system, the proposed energy efficiency measures, the trigger point for implementing the combined heat and power plant, the location and size of the combined heat and power plant, cooling requirements, and securing the proposed level of photovoltaic panels. The Council should also secure planning conditions ensuring the installation of the green roofs and sustainable urban drainage techniques.

- **Noise:** The applicant should commit to ensuring that the residential building envelopes are built to a sufficiently high standard to avoid noise impacts from events at Wembley Stadium.

### **Wembley National Stadium Limited**

WNSL welcomes proposals to improve and regenerate lands around the National Stadium, however, they must also seek to ensure that proper commercial use of the National Stadium is not impeded by issues such as access and noise.

**Olympic Way Pedway:** The Pedway forms part of the main pedestrian access to the Stadium. Elements of the Pedway are in the application site area and the footprint of Plot NW04 extends into the footprint of the Pedway. This is acknowledged within Chapter 5 of the ES which specifies that that this plot can only be constructed in full following the removal of the Pedway and the existing Pedway will be removed in full to facilitate the construction of Plot NW04. WNSL are concerned that the approval of this application will grant consent for the removal of the Pedway without addressing the impact of this or proposing alternatives. WNSL also note that they have a right of way of the Pedway and Olympic Way.

**Olympic Way:** WNSL welcome the improvement to Olympic Way and consider the illustrative material to be interesting. Given the importance of Olympic Way as a major access route to the Stadium, WNSL consider that the parameter plans and in particular, the Proposed Circulation Plan is insufficiently detailed for approval. WNSL specify that the plan needs to detail the location of the 20 m wide corridor to allow the Police and others to comment and to ensure that the appropriate corridor width is ultimately provided and retained. The plans must specify that there will be no planting or street furniture within this area. Design guidelines need to be submitted for approval specifying parameters for the type of hard and soft landscaping on Olympic Way and the frontages.

**Noise:** WNSL welcome the comments within the application that the requirements of Conditions 12 and 13 of the Stage 1 consent can be achieved. WNSL consider that these conditions should be replicated for this consent if granted, with the additional requirement that it should apply to student accommodation and hotels.

**Construction / Phasing:** Due to their siting, the construction associated with plots NW04, NW08 and NW11 have the potential to disrupt the operation of the Stadium unless carefully controlled and managed. WNSL would accordingly expect to see conditions of similar effect to conditions 33 to 45 of the Stage 1 planning consent, and these should make specific reference to the operations of the Stadium, particularly on Event Days. The developer would need to be required to work closely with WNSL and the Police.

**Design and Massing:** The proposed heights of the buildings lining Olympic Way will restrict views of the Stadium, particularly key views looking South along Olympic Way with the consequence that the Stadium is less distinctive and less of a focal point. In WNSL's view, the proposed development is not appropriately scaled and there should be more of a set back at upper levels. Design guidelines should also be included for approval to ensure design of the highest quality is achieved.

**Access / Transport / Servicing:** The Transport Assessment highlights that a number of junctions will be over capacity with the proposed development and in particular, the junction of Empire Way and Fulton Road. The TA proposes mitigation measures to improve this junction. WNSL consider that these works should be tied to the first phase of development and required to be in

place and operational by completion of the first phase.

The TA also highlights an increase in driver delay due to an increase in traffic using the Empire Way – Engineers Way junction. WNSL consider that the need for mitigation measure should be kept under review, and further assessments in relation to this junction should be undertaken in relation to each new phase, with mitigation measures required if the position worsens.

WNSL consider that the Framework Travel Plan is very generic and makes no mention of the National Stadium on either Event Days or otherwise. Any travel plan for the area needs to include bespoke measures for Event Days such as notification of residents and occupiers of the dates of Events and related road closures, encouraging public transport use and reduced car use/parking on Event Days, prevention of the use of visitor car parking on Event Days.

The Proposed Access Plan details “building and service entrances” being capable of being located on any point of plots NW04, NW08 and NW11. This is too broad and should be better defined. This also conflicts with the TA which specifies that servicing will be undertaken via loading areas of Olympic Way and West Olympic Way. The ES specifies that no parking will be provided in these plots but also specifies that it will be provided in the eastern elevation, and car access is detailed on the Access Plan. These conflicts need to be clarified.

WNSL consider that a Servicing Management Plan is required through condition or Section 106 obligation, containing in particular detail of management of servicing on Event Days. The ES also refers to the traffic management controls that can be put in place around the Stadium on Event Days. WNSL would like confirmation that amendments to the road closure powers are not being sought.

## **REMARKS**

### **Introduction and structure of this report**

The supporting material submitted with this application comprises an Environmental Statement with Non-technical Summary, Design and Access Statement, Supporting Reports, Application Summary, Application (Parameter) Plans, Illustrative Materials. This material was supplemented by further information submitted in April 2011 which amended elements of the Environmental Statement, Supporting Reports and Application Plans. The various elements of these reports have been separated into discrete issues and discussed within this report.

This application has been submitted in Outline, with all matters reserved. Despite being an Outline application, the key parameters of the scheme are proposed to be established within the Parameter Plans, and Development Specification. These are also proposed to be added to within the Section 106 Heads of Terms. These documents define the scheme and allow the evaluation of the proposals for the purpose of the Environmental Impact Assessment and the likely significant environmental effects of the development.

This report will discuss the physical parameters and nature of the scheme before going on to consider the technical analyses that have been submitted to support the proposals. Given the complex nature of the proposals and extent of supporting information, this report will summarise and discuss the primary issues, with the full detail available in the submission documents.

The structure of this report is as follows:

- Introduction and structure of this report
- Scale, Massing and Layout
  - Environment and context
    - The Multi-Storey Car Park
    - Setting of the Grade II Listed Wembley Arena

- Views, including protected views
    - Olympic Way
    - Other view – short and long distance protected views to the Stadium and other views to the development
- Landscaping – Public Areas
- Residential Accommodation (Use Class C3)
  - Unit Mix – Tenure, Size and the Affordable Housing Cascade
    - The level of Affordable Housing
    - The Affordable Housing Cascade
    - Size mix of units
    - Residential Quality – Minimum floorspace
    - Residential Quality – External Amenity Space
    - Play, Recreation and Sports
    - Residential Quality – Accessible Housing
    - Residential Quality – Daylight and Sunlight
    - Residential Quality – Outlook and Privacy
    - Residential Quality – Noise and vibration
    - Residential Density
- Education
- Retail, financial and professional services and food and drink floorspace (Use Class A1 to A5)
- Business (Use Class B1), including Low Cost Employment Space (LCES)
  - Low Cost Employment Space (LCES)
- Community floorspace (Use Class D1)
  - Healthcare
- Hotel (Use Class C1), Student accommodation / serviced apartments / apart-hotels (Sui Generis) and Leisure and Entertainment (Use Class D2)
  - Student Accommodation
  - Noise in relation to Hotel and Student Uses
- Comments received regarding the mix of uses
- Transportation and Movement
  - Transport Assessment
  - Highway Assessment
  - Parking
  - Public Transport
  - Pedestrians and Cyclists
  - Access and Circulation
  - Olympic Way and Event Day Strategy
  - Travel Plan Framework
  - Servicing and Deliveries
  - Transport Infrastructure Contribution
  - Recommendations from Transportation
- Daylight and Sunlight - Impact on nearby dwellings
  - Daylight
  - Sunlight
  - Dexion / Howarine House
- Microclimate – Wind Environment
- Air Quality
- Groundwater, Soils and Contamination
- Water Resources and Flood Risk
  - Flood Risk
  - Waste Water
- Demolition and Construction
- Archaeology

- Ecology and Nature Conservation
- Utilities
- Operational Waste Strategy
- Site Waste Management Plan
- Statement of Community Involvement (SCI)
- Alternatives
- Cumulative Effects
- GLA Stage 1 Comments
- Other matters raised by Wembley National Stadium Limited
- Summary and Conclusions

### **Scale, Massing and Layout**

This section of the report discusses the massing and layout of the proposal.

#### ***Environment and context***

The Wembley Masterplan 2009 set provided guidance regarding the scale and form of development in this area, highlighting the importance of a transition between the existing suburban housing and the high densities and urban forms of buildings and spaces envisaged within the Wembley Regeneration Area.

The Masterplan provided the following guidance:

*The strategy for the massing of the Masterplan area is to preserve the imposing presence of the new stadium, whilst successfully integrating the new development area with adjacent residential uses, stitching the urban fabric together to create a seamless transition between residential suburbia and a new higher density urban landscape. The scale of development will also respond to development that already has permission such as Quintain's Stage 1 lands, whilst enabling a different character to develop.*

*In order to achieve this, smaller scale buildings and a tighter urban grain could be developed on the periphery of the Masterplan area, towards Empire Way at the west and Empire & Danes Courts to the north east. At the core of the area could be a series of larger scale developments that reflect the commercial, hotel and civic uses and, further east, a transition to lower buildings with wider plot depths signifies the predominance of industrial development.*

The proposal represents a high density mixed use urban redevelopment proposal. The scale and massing of the proposal differs from the Quintain Stage 1 scheme which has seen the delivery of perimeter blocks with relatively uniform roof heights. The North West Land proposals includes significant variation in the heights of buildings, resulting in many elements of buildings that are lower than those approved within Stage 1, together with a greater number of taller elements.

Plot sizes are typically smaller than the larger Stage 1 buildings, with the exception of plots NW01 and NW09-NW10, the latter comprising two plots that may read as one due to their interconnected nature. The applicant has sought to address this by breaking NW01 into two blocks above the low podium level, with each block differing in form and design. NW09 and NW10 are proposed as three separate elements at upper floor level.

The Wembley Masterplan 2009 provided an indication of the heights that will be considered acceptable within the Masterplan area, including the North West Lands site. Heights generally rose from 4-6 storeys adjoining Empire Way to 7-10 storeys adjacent to Olympic Way. Some localised "accents" in height were suggested, such as the corner of Empire Way and Engineers Way (7-10 storeys), and toward the northern side of the NW01 plot but set back from Empire Way (7-10 storeys).

Many of the building heights proposed are greater than those set out with the Wembley Masterplan 2009. However, schemes must be considered on their individual merit and consideration must be given to the indicative nature of the heights within the Masterplan, the quality of environment that

results from the proposed scheme (in terms of scale, layout and massing), and to precedent established by other consents.

The application site adjoins two sites that were recently granted planning permission for redevelopment, namely the Civic Centre and Dexion House sites.

The Civic Centre, which is currently under construction, is to be 44.5 m high (above ground level, 81.5 m high AOD) whilst the building is approximately 91 m wide by 69 m deep.

In relation to the Dexion House site, planning permission was granted for a 15-storey residential building with pool and leisure centre at ground floor level in April 2010, whilst the Planning Committee resolved to grant consent on 6 April 2011 for revised scheme comprising Student Accommodation with a pool/leisure centre at ground floor level. The revised building is set 2.2 m from the boundary between the Dexion House site and the Quintain North West Lands site, and reaches a maximum height of 18-storey or approximately 52.4 m above ground level (or 87.8 m AOD).

As discussed above, the Wembley Masterplan 2009 promoted a tighter urban grain along Empire Way. The inclusion of a physical separation between the eastern and western blocks at upper levels helps to achieve this, and this approach is reliant on a strong visual contrast between blocks. The width of the block fronting Empire Way (69 m) is significant, and greater than others, such as that approved within the Dexion House scheme. However, your officers consider that this can be addressed through the inclusion of significant physical and visual articulation of the building, such as steps or breaks in the facade, materials and/or balconies/oriels or other projections. This principle of articulation is applicable to most if not all of the facades and buildings within the application site, and such detail can be secured within the subsequent Reserved Matters application as sufficient flexibility has been incorporated into the Parameter Plans and Development Specification.

Streets are relatively narrow at ground floor level given the scale of adjoining buildings. For example, By Design (CABE and DETR) suggests that roads with adjoining buildings that reach 5-6 storeys in height should have a width of 27-36 m. However, a number of techniques have been used to provide a greater sense of openness, including:

- Setting the upper floors of the building back (e.g. buildings adjoining West Olympic Way);
- Providing breaks in the upper floors of the buildings (e.g. NW01, NW06 adjacent to Dexion House, north west facade of NW09);
- Providing “Pockets” of open space to provide separation (e.g. between NW01 and NW06, between NW06 and NW09);
- Designing the shape, orientation and layout of plots to minimise the length of the street with opposing tall buildings (e.g. between most plots, and between plots and adjoining buildings such as Dexion House and the Quality Hotel).

Activity within building facades at ground floor level also helps to establish a human scale for large urban buildings. The proposals within this application demonstrate a more considered approach to the establishment of active uses where historically commercial uses have often been incorporated but failures in the letting process result in the prevalence of boarded up shop units in areas of lower footfall. Whilst Olympic Way and West Olympic Way will have a town centre character, the incorporation of other uses at ground floor level will help to provide activity and “life” to the remainder of the streets. This includes the provision of residential units to ground floor level surrounding the park and fronting Exhibition Way, and the inclusion of “Low Cost Employment Space” (discussed later in this report) and community floorspace on Wealdstone Road, Empire Way and/or Engineers Way.

### ***The Multi-Storey Car Park (MSCP)***

This application proposes a Multi-Storey car park above the 8 m – 13.5 m high retail unit(s) within Plot NW10. The height of the car parking element may be between 18 m and 23.5 m, but is

restricted to a maximum of 6 storeys with a maximum clearance height of 2.6 m within each floor and in practice is likely to be 18 m.

Nevertheless, the MSCP is a large structure within an elevated position which is to be clad rather than wrapped in other uses. Therefore, the quality of the cladding system is vital to the success of the building, and the development as a whole. The visual prominence and potential impacts of the MSCP are exacerbated by the potential location of residential units within adjoining blocks. These units or rooms within units may have sole aspects that are as close as 15 m from the external facade of the car park and as such, a low quality or inappropriate external car park treatment could result in very poor standards of accommodation for future residents.

The final design will be the subject to a Reserved Matters Application. However, some indicative details have been provided regarding the treatment of the external facade using a Moiré effect double skin perforated metal with larger “holes” in the outer skin and lighting systems to provide visual interest. The submitted details do not provide full working details of the systems or samples of the materials, and your officers consider that an approach such as this is contingent on very high quality materials, as some examples of the use of the Moiré effect in such situations are less successful than others. To provide a commitment to the quality of the treatment, the developer has committed to a minimum spend level on the facade (excluding the cost of the structure of the building) of £1.5 million.

Your officers consider the proposals to be acceptable in Outline with this commitment to minimum spend, and are comfortable that this matter can be dealt with at Reserved Matters stages.

#### ***Setting of the Grade II Listed Wembley Arena***

Elements of the proposed development are in proximity to the Wembley Arena, a Grade II Listed Building. Plot NW01 and Exhibition Way are situated on the opposite (northern) side of Engineers Way from the Arena, and both the Arena and the proposed development are visible in some of the submitted views, including Short Distance View 5 (UDP Policy WEM19).

Section 66 of the Listed Buildings Act 1990 requires authorities, in granting planning permission which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting.

The submitted assessment Townscape, Visual and Heritage Assessment sets out the proposals in relation to PPS 5, which in this instance relates to any potential impacts on the setting of the Wembley Arena, a Grade II Listed Building. The potential impacts have been assessed visually and within the report. The assessment sets out that visibility of the development in key views in relation to the Arena does not automatically lead to the conclusion that the proposals would harm its setting. It specifies that the development would enhance and leave unharmed this heritage asset, with the proposal carefully conceived for its specific site and that any potential harm should be balanced by its capacity to enhance the Regeneration Area urbanistically and to provide the potential for much needed high quality accommodation in a well considered environment.

Your officers considered the setting of the Wembley Arena when developing the indicative massing models for the Wembley Masterplan 2009. It was acknowledged that some views to the Wembley Arena will be reduced with the redevelopment of the surrounding land, such as the development of land now referred to as Plot NW01. However, this development represents a significant improvement to the character of the area given the current state of the land. Furthermore, the redevelopment of this land is likely to be required to ensure the levels of development set out within the Masterplan 2009, the LDF Core Strategy and the London Plan. It is accordingly considered that the views that have been assessed allow the appropriate consideration of the relationship between the proposed development and the Wembley Arena, and any potential impacts on its setting. Your officers concur with the findings of the Townscape, Visual and Heritage Assessment, and consider that the proposed development will not have an adverse impact on the setting of this Grade II Listed Building providing the quality of the final design and



materials (to be determined at Reserved Matters and conditions approval stages) are sufficient.

English Heritage specified that they wish to make general observations rather than commenting in detail. They noted the adjacency to the Grade II listed Wembley Arena, and specified that the information that accompanies the application does not appear to take into account PPS5 which includes policies relating to development adjacent to Listed Buildings.

Whilst the Planning Statement does not reference PPS5 in detail, it does discuss the setting of this Listed Building and refers to Chapter 7 of the Environmental Statement. Your officers consider that Chapter 7 adequately considers the potential impacts on the Listed building in relation to PPS5. It is assumed the English Heritage were not aware of this element of the Environmental Statement. Nevertheless, the comments from English Heritage were general observations rather than detailed comments, and they did not object to this proposal.

### ***Views, including protected views***

The submitted Townscape, Visual and Heritage Statement evaluates a number of protected and other views to the development and to the National Stadium.

#### Olympic Way

Olympic Way is arguably the most prominent road in the Borough due to its role in establishing the setting of the National Stadium, signalling and celebrating the importance of the form and function of the stadium upon arrival at Wembley Park Station.

Policy WEM18 of the UDP 2004 sets out that *Olympic Way will be improved as the main vista to the Stadium and development along it should not detract from views of the Stadium as a focal point or the setting of listed buildings.* The pre-amble to this policy sets out that it acts as a *processional way with its dramatic visual termination by the Stadium.*

Policy WEM19 establishes the Protected View from Wembley Park Station. The adopted Wembley Masterplan 2009 highlights the importance of both this view and the processional route along Olympic Way.

The Masterplan sets out a design code for the sites adjoining Olympic Way between Fulton Road and Engineers Way, where the upper elements of the buildings are set 40 m from the centre of Olympic Way and the maximum height of buildings is 70 m AOD. Whilst this design coding represents guidance rather than policy, it provides clarity regarding the level of impact on the views to the stadium along the Olympic Way processional route that was considered to be acceptable.

Building NW04 and the southern element of NW08 are set at least 40 m from this point. However, NW11 and the northern element of NW08 are not. With regard to heights, all of the buildings are greater than the 70 m AOD height set out within The Wembley Masterplan SPD. When taking into account the tolerances for plant and construction set out within the Parameter Plans, the maximum heights possible for each building fronting Olympic Way on the North West Lands site is 84.5 m AOD for NW11, 91.5 m AOD for NW08 and 92.5 m AOD for NW04.

The submitted documents set out and discuss the impacts on the views to the Stadium from the protected and other viewpoints, including those along Olympic Way. These visually demonstrate the level of impact by detailing the proposals with Verified Views (where appropriate) and provide a discussion and analysis of those images.

With regard to the protected view from Wembley Park Station, the submission demonstrates that the proposals will reduce the amount of area between the Stadium roof and arch that is visible at present and when compared to the levels that would be achieved through the Wembley Masterplan SPD, but provide some degree of balance to the view when viewed in conjunction with the committed development (Shubette House, the College of North West London and the Quintain Stage 1 scheme, the latter of which does not project above the roof from this viewpoint).

When considering the views along the Olympic Way Processional Route, it is clear that the proposal would result in a reduction in the view to the Stadium along Olympic Way from the levels that would be achieved through the Wembley Masterplan Design Coding. However, the level of impact on the views to the arch and the space between the roof and arch reduces as one walks towards the stadium from the station and your officers consider that the proportion of arch and space that is visible maintains an acceptable level of prominence for the National Stadium.

Your officers have considered the potential impact of a similar form and height of development on the Olympic Office Centre site (directly to the east of Olympic Way). Whilst this has not been proposed and is not in the ownership of the applicant, the North West Lands proposals would serve as a precedent for this and as such, one should be mindful of any consequences. Your officers consider that the cumulative impact of such a development (i.e. mirroring the Quintain North West Lands scheme) would also be acceptable, maintaining an acceptable level of impact on the views to the Stadium. However, it is considered that any further impact on the views to the Stadium is likely to be significantly detrimental to the prominence of the Stadium (such as buildings that are higher or further forward than those currently proposed within this application and those that have already been consented along Olympic Way).

#### Other Views – Short and Long Distance Protected Views to the Stadium and other views to the development

The submitted assessment demonstrates that the proposals will not have an adverse effect on the remaining protected short distance views to the Stadium (Policy WEM19 of the Unitary Development Plan), whilst the proposals in general will have a beneficial effect on the views evaluated for this application. Similarly, the proposals will not have an adverse effect on the protected Long Distance Views to the stadium (also WEM19 of the Unitary Development Plan).

#### Landscaping – Public Areas

The landscaping proposals initially included indicative details regarding the nature, design and hierarchy of spaces within the Landscape Strategy together with zones for tree planting set out within Parameter plan P08 (Proposed Public Realm and Open Space at Ground Level) and the Tree Removal Plan.

Landscape Design commented that the proposals lacked sufficient clarity regarding the delivery of key items, such as the number of trees, and also needed to be supported by further commitments to details such as root management systems. Alternative tree species, locations and sizes were suggested, including the provision of trees in all streets, and the removal of both rows of trees along Olympic Way together with the planting of new trees as part of the Olympic Way improvement works.

In response to these comments, the applicant revised the Public Realm at Ground Level and Tree Removal to address these concerns. The revisions include the provision of a total of 118 trees, comprising 76 smaller trees (Maidenhair, Ornamental Pear, Wild Cherry or Himalayan Birch) and 42 larger trees (London Plane/Common Lime), with trees provided within zones detailed in all streets with the exception of Exhibition Way adjacent to the Civic Centre Wedding Garden. This is accompanied by Section 106 financial contributions of £82,500 towards the planting of trees in the vicinity of the site, which would translate to an additional 33 trees if the cost of provision is £2,500, or 23 trees at £3,500 per tree. Up to 10 % of the on-site trees may also be off-set through financial contributions of £2,500 per tree if it is not possible to plant them on-site for reasons such as the location of services. Your officers consider that the proposed numbers and locations of trees are acceptable, with the final design and location to be secured through the relevant Reserved Matters applications.

The intensity of use of the proposed publicly accessible open spaces, such as the Square and the pockets, will be very high due to the (understandably) limited amount of space within this town centre context. As such, the spaces must be of exceptional design and quality. Your officers

consider that the submitted details provide sufficient reassurance that a high quality of space can be secured through the Reserved Matters applications.

The alterations to Olympic Way will be discussed within several sections of this report. This section will cover the improvements to the landscaping itself in terms of design whilst other matters will be discussed in the Transportation section.

The application proposes an “upgrade” of Olympic Way with a minimum spend value of £4 million (excluding trees). The day to day function of Olympic Way as the development comes forward. At present, Olympic Way is flanked by railings on both sides. This will change significantly with the introduction of active frontages and uses on the western side and the creation of “Pocket spaces” between buildings.

Whilst pedestrianised at present, Olympic Way will accommodate servicing vehicles during two time limited periods, coach drop off if required by adjoining hotel uses on the North West Lands site and drop off (but not parking) for mobility impaired (blue badge) users. A 20 m clear zone will be maintained as free of all obstructions, with this representing the Stadium’s known requirements for access/egress on Event Days. This zone will be situated between two rows of trees set out in Parameter Plan P08, with zones for outdoor activity (such as cafe/restaurant seating) between the building frontages and the trees.

The precise design and detailing of Olympic Way will be secured within the Reserved Matters applications. However, it is noted that the zones for tree planting within Olympic Way are wide, and within the Reserved Matters application, your officers would wish to ensure that details that are submitted ensure the planting of two rows of trees within Olympic Way itself and that the site of trees takes into account the views to the Stadium along the Olympic Way Processional Route as one travels from Wembley Park Station and in particular, how the elements to the north and south of Olympic Way relate to each other.

Your officers consider that, having regard to the design and appearance of Olympic Way itself, the submitted details and commitment to a minimum level of spend provides sufficient reassurance regarding the quality of the environment that may be delivered.

Landscaping comments regarding the courtyard amenity spaces will be provided within the following section on the quality of residential accommodation.

### **Residential Accommodation (Use Class C3)**

This application proposes the construction of 815 to 1,300 residential units, corresponding to between 65,000 m<sup>2</sup> and 100,000 m<sup>2</sup> of floorspace.

Residential units can be provided within the upper floors of any of the plots with the exception of NW04 and NW10. They may also be provided at ground floor level within plots NW01, NW06, NW07 and NW09 providing individual units are provided over more than one floor (e.g. a 2-storey or 3-storey maisonette) and with some facades excluded due to environmental considerations, such as the western and southern facades of NW01 at the junction of Empire Way and Engineers Way or along the Wealdstone Road facades of NW01, NW06 and NW09.

### ***Unit Mix – Tenure, Size and the Affordable Housing Cascade***

#### **The level of Affordable Housing**

This application proposes a total of 10 % Affordable Housing by gross external floorspace. The proposed ratio of Social Rented to Intermediate housing is 60:40 by habitable room. This would result in the provision of between 6,500 m<sup>2</sup> and 10,000 m<sup>2</sup> of Affordable Housing, but this level of provision is contingent on the level of grant that is available from the Homes and Communities Agency (HCA) or that can be funded through whatever means or body is applicable in the future. The application has been accompanied by an Affordable Housing Cascade which has been

developed through discussions between your officers and the developer and looks to provide a mechanism to establish revised (higher or lower) levels of Affordable Housing based on the capital contribution that can be achieved which at present is influenced by the level of grant provided by the HCA. This is discussed in more detail later in this report.

The total level of Affordable Housing is considerably lower than that secured through all other large consents to date. However, the current financial environment differs significantly from that of previous years, and it is considered unlikely that sales values and rental yields will behave in a similar fashion to that experienced over the last 16 years.

The Financial Appraisal provides an assessment of profit based on Internal Rate of Return (IRR) over a number of modelled delivery periods and delivery scenarios (i.e. mixes of uses and timing of delivery) using a growth model approach. The Appraisal shows that the target rates of return (17.5 % by IRR) will not be achieved with the base assumptions for each scenario or with the sensitivities that have been tested. This includes a +/- 10 % change in sales value and +/- 5 % construction costs, +/- 10 % rental values and -0.25 % to + 0.5 % variation in rental yield.

Assessment by Internal Rate of Return takes into account the value of money over time, and the basic profit-on-cost model is difficult to apply to schemes that are to be delivered over longer periods of time.

This report has been evaluated by your officers whilst an independent assessment of the report and financial has been undertaken by the Valuation Office Agency (the VOA).

The findings of the VOA report are as follow:

- Subject to some minor adjustments to the construction costs, the levels of construction costs, sales values and rental yields are within ranges that are typical for this type of development and area.
- The use of Internal Rate of Return is an acceptable approach as investors look to compare returns with other investments.
- The high rise nature of this scheme is expensive and the values that are currently being achieved in the locality affect the deliverability of the scheme;
- The grant assumptions are optimistic (100k for Social Rented units and 40k for Intermediate) and may not be achievable in the future.
- At present day costs and values, the scheme is unviable and could not provide any Affordable Housing. A "Residual Value" based assessment of the scheme would return a value of negative £19 million, and the implementation of the scheme would accordingly result in a significant loss of land value. If an assessment of viability was undertaken based on the Internal Rate of Return but with no growth assumptions taken into account, the profit associated with the development would be a mere 2.61 %.
- The length of the development makes it unrealistic to consider it in this context and the growth model provides a way of assessing the longer term capability of providing a set amount of Affordable Housing.
- The growth approach is subject to high levels of uncertainty and the only real way that estimates can be made is looking at long term historic cycles and taking a view on the stability of the economy as a whole.
- It is impossible to estimate the potential of the scheme exceeding the normal property inflation that takes place. Successfully regenerated areas will potentially see greater levels of growth as the development takes off and this will level out as the local market adjusts. This has been addressed to some extent but no analysis has been provided of other regenerated areas as examples.
- The levels of IRR set out within the Financial Appraisal are below their stated target but are considered to be within an acceptable range. It would have been useful to have some benchmark analysis similar to that which the IPD produce for property investment to put the results into context.
- Due to the nature of the development there would be an opportunity to engineer cost

savings in relation to the development costs over a scheme of this length and the sensitivity analysis again shows this. It is considered that the developer is more likely to see an improved return from savings made in the procurement and design of the development than growth in capital values as this is in their control.

- With the long term nature of the permission the Affordable Housing offer appears to be fairly small compared with other long term comprehensive schemes.
- In view of the amount of residual residential planning consents in the area the developer, has complete control over the delivery pattern and in this instance it may be more appropriate to review the affordable housing provision as each phase is brought forward. This would therefore make it easier to establish how the area has been enhanced by the earlier development and in particular the early retail schemes and leisure facilities.
- In view of the relatively small changes in IRR associated with the increases in Affordable Housing that have been modelled, there may be some scope for the developer to provide additional Affordable housing. However, in reality, the associated levels of change in an investment are significant.
- In summary, the deliverability of this scheme is compromised by its high density nature and current values, therefore, the alternatives available to bring this scheme forward are
  - A pre agreed affordable housing provision above 10%.
  - The assessment of viability is deferred to the individual phases of the scheme when they are brought forward.
  - A claw back arrangement could be used but these can be complicated and are generally unpopular and difficult to implement.

The Financial Appraisal and assessment report from the VOA demonstrate that the greatest variability in the level of profit occurs with changes to build cost and residential sales values. Given the amount of floorspace within this proposal, such changes can have a significant impact on the levels of Affordable Housing.

It demonstrates the development would not yield any Affordable Housing whatsoever if the financial assessment was undertaken without making assumptions regarding growth.

Whilst the Valuation Office have confirmed that the specified build costs and sales values are within acceptable ranges, your officers are aware that some tenders for similar sized buildings have been received by developers with considerably lower build costs while sales values may be affected by other factors, such as the nature of the units that are being sold. With regard to the latter, a number of variables affect the sale value. Units on upper floors or those with open views and higher levels of daylight/sunlight are likely to achieve considerably higher sales values than those on lower floors with restricted levels of light. It must be acknowledged that build costs vary significantly with the type and quality of build and therefore, whilst your officers are aware of schemes with lower build costs, it is equally possible that the levels set out in the Financial Appraisal may be reached or exceeded.

To ensure that there is certainty regarding the minimum level of Affordable Housing (subject to the Cascade discussed below) but to address the currently low level of Affordable Housing and potential variability in the viability of the scheme, your officers recommend that a review mechanism is implemented.

This would involve a review of the actual sales values achieved for the private residential units following completion of the first predominantly residential plot, and the comparison of those values with the sales values (per square foot/metre) within the Financial Appraisal. As the Financial Appraisal uses a growth approach, the sales values would accordingly be inflated over time using the assumptions set out within the financial appraisal.

The review would be undertaken by the developer and submitted to the Council covering all private residential sales within the North West Lands application area in the period up to one year following Practical Completion of the buildings within the first predominantly residential (at upper

floors) plot. This would involve the assessment of the sales data with information regarding the area of each unit (GIA). If the actual sales values exceed the base levels specified within the Financial Appraisal (as inflated) by up to 5 %, the level of Affordable Housing would be increased to 12.5 %. If the sales actual values exceed the base levels (as inflated) by 5 % or more, the level of Affordable Housing would be increased to 15 %. This revised level of Affordable Housing would only apply to residential buildings that have not been constructed or commenced at the point 12 months from Practical Completion of the buildings on the first predominantly residential plot.

Whilst this approach does not result in a full reappraisal of scheme viability, it provides a more transparent and open approach that is understandable, provides certainty for all parties and can be easily interrogated and validated. The revised levels of Affordable Housing (12.5 % and 15 %) would also be subject to the Affordable Housing Cascade.

It should be noted that the tolerances assessed within the Environmental Statement and the other reports that accompany this application take into account the potential increase in Affordable Housing that may occur as a result of this review mechanism and the associated changes to parameters such as (but not limited to) housing mix, population and child yield.

### The Affordable Housing Cascade

The mechanism and funding for the provision of Affordable Housing are in a state of flux and are unclear at this point of time. The applicant has had no choice but to make assumptions regarding the level of Affordable Housing grant that were robust when preparing the application but are already out of date and therefore inaccurate.

An Affordable Housing Cascade has been developed by the applicant and your officers that looks to provide certainty regarding the levels of Affordable Housing that can be adjusted using a clear and transparent mechanism over the life of the development. This Cascade provides a number of options for the provision of Affordable Housing, and attaches multipliers which can be used to adjust the level of Affordable Housing from the level currently agreed (10 % of GEA subject to the review mechanism) to a new level that places an equivalent financial contribution on the developer. The level of Affordable Housing within the Cascade is correlated with the financial contribution as financial viability is the current way by which the level of Affordable Housing is set.

The developer will enter into discussions with the Council and RSLs at the start of the detailed design process for residential buildings (i.e. design development for Reserved Matters application). The developer will then choose from the following five options for the provision of Affordable Housing:

1. Standard provision of traditional Affordable Housing (i.e. grant received in accordance with the assumptions in the financial appraisal);
1. Reduced (or over-provision) of traditional Affordable Housing due to zero, part or increased levels of grant;
2. Land within Brent offered by the Developer in lieu of Affordable Housing;
3. Off-site provision of new or existing stock;
4. "Discount market rent" units delivered.

The Council may then choose to accept the offer, or may require the provision of Affordable Housing from the following five options:

- e) Standard provision of traditional Affordable Housing (i.e. grant received in accordance with the assumptions in the financial appraisal);
- a) Reduced (or over-provision) of traditional Affordable Housing due to zero, part or increased levels of grant;
- b) "Discount market sale" units, sold by Quintain to purchasers nominated or approved by the Council/an RSL at a set percentage of market value with the balance of ownership transferred to the Council or an RSL;
- c) A commuted sum (i.e. payment to the Council towards the provision of Affordable Housing);
- d) Units provided to the Council or an RSL for the provision of "discounted market rent" (either provided/sold in perpetuity or provided for a period of 25 years with an option to purchase

at the end of this period by the Council or an RSL).

The Reserved Matters application will be submitted once the final option has been determined. At present, grant decisions are not made until after Reserved Matters applications have been approved. There will be a review mechanism which will result in consideration of the under provision of Affordable Housing if grant is below the anticipated level or over provision if grant exceeds that anticipated.

The applicant has submitted a number of multipliers which set out the levels by which Affordable housing will change if grant levels are not achieved. This also sets out the “commuted sum” (i.e. payment in lieu of Affordable Housing provision) which has been set at a level that maintains the level of profit set out within the Financial Appraisal. These are currently being evaluated by the Valuation Office and your officers will have more detail regarding this at a later date.

The above text refers to levels of grant as this is the current mechanism by which Affordable Housing is funded by central government allowing the RSLs to determine the price they can pay for the Affordable Housing units. However, Affordable Housing may be funded by a variety of other mechanisms in the future, such as the capitalisation of assets by RSLs (i.e. borrowing by RSL that is secured by their existing assets and rents).

In reality, the provision of Affordable Housing through the options described above may result in three outcomes:

- v. Sale of units to an RSL or the Council (options 1, 2, 4, 5, a, b and e);
- i. Sale of the units directly to an individual nominated by the Council or an RSL with the remainder transferred to the Council/RSL at no cost (option c);
- ii. Payment of a cash equivalent or land to that value (options 3 and d).

Mechanisms i. and ii. result in the sale of the units at a set proportion of Open Market Value (OMV) either to an individual or an RSL, and as such, the multiplier realigns the difference between the initial assumption and the actual levels of Affordable housing attained, with the developer’s financial contribution remaining constant. This allows flexibility regarding the funding mechanisms and the proportion of OMV that is deemed to be affordable at the time of Reserved Matters submission.

Mechanism iii. will be an easily interpretable level of payment (or equivalent in land) based on the floorspace that is to be off-set.

The 25 year provision of Affordable Housing option will require a separate multiplier due to the complexity associated with the calculations, values and yields.

Your officers consider that the Cascade represents a robust way of addressing the high level of uncertainty in the mechanisms for the provision of Affordable Housing over the period of this development. The acceptability of this approach is dependent on the levels at which the multipliers and commuted sum are set. Further information will be provided regarding this matter in the Supplementary Report following the analysis by the Valuation Office Agency.

### Size and mix of units

The mix of units (by Habitable Room) is proposed to be within the following ranges:

	<b>Private</b>	<b>Social Rented</b>	<b>Intermediate</b>
<b>Single person</b>	2-6 %	0 %	0 %
<b>1-bedroom</b>	25-29 %	12-16 %	28-32 %
<b>2-bedroom</b>	51-55 %	29-33 %	43-47 %
<b>3-bedroom</b>	6-10 %	54-58 %	24-28 %

Policy CP 2 of the LDF Core Strategy sets a target of 25 % family units whilst policy CP 21 seeks to ensure the provision of a balanced housing stock and defines family units as those with 3 or more bedrooms. An indicative mix of units by tenure is also set out within the Wembley Masterplan 2009.

The London Plan (consolidated with amendments since 2004) and the draft London Plan refer to housing choice in terms of type and size to meet need. The Mayor's 2005 Housing SPG sets proportions of units by tenure and size while the 2010 draft SPG sets out the need to demonstrate how the mix of dwelling sizes and tenures meet strategic and Local Borough targets. The Mayor's London Housing Strategy (February 2010) sets targets for family Intermediate and Social Rented units at 16 % and 42 % respectively (by unit).

With regard to Social Rented Units, the proposal provides a greater proportion of 3-bedroom units, but does not include any 4-bedroom units. The proportions of 1- and 2-bedroom units are lower than Masterplan Levels. This proportion of family sized units is promoted by the Masterplan and the Mayor's Housing Strategy and is supported by your officers. Your officers do not object to the absence of 4-bedroom units. The 2009 Masterplan highlighted the North-eastern district as the more appropriate location of larger family units due to the proximity to the 1.2 Ha park that is to be required in that district.

In relation to the Intermediate units, a greater proportion of 2- and 3-bedroom dwellings are proposed, with a lower proportion of 1-bedroom units. Again, this is supported by officers as it addresses housing need and the Mayor's Housing Strategy.

The proportion of one-person to 2-bedroom private units proposed is greater than the Masterplan indicative levels, whilst the proportion of 3-bedroom units is significantly lower (6 – 10 % proposed in comparison to approximately 21 % (by Habitable Room) within the indicative Masterplan mix). Whilst your officers consider that a higher proportion of 3-bedroom private units would be preferable, your officers do not object to the proposed proportions due to the high levels of Social Rented and Intermediate family units.

When assessing the overall proportion of family sized housing in relation to LDF Core Strategy Policy CP 2, one must make a number of assumptions regarding the units that are to be provided. Your officers have run a scenario based on the maximum residential provision and this resulted in approximately 9 % of the total units having 3 or more bedrooms. Whilst below the 25 % target, regard should be given to the good proportions of Social Rented and Intermediate family homes, the high density town centre nature of the proposed development and the increased number of family units that are promoted within the north eastern district set out within the Wembley Masterplan.

In conclusion and on balance, your officers consider that the proposed mix of units is acceptable and meets the requirements set out with the Stage 1 response from the GLA.

#### Residential Quality – Minimum floorspace

This application sets minimum levels of floorspace based on the Council's SPG17 guidance and the draft London Plan. This includes Studio or specifically designed compact one-bedroom units of at least 37 m<sup>2</sup>, one-bedroom two person units at 50 m<sup>2</sup>, two-bedroom units at 61 m<sup>2</sup> and 65 m<sup>2</sup>, three bedroom units at 74 m<sup>2</sup>, 80 m<sup>2</sup>, and three-bedroom units (over more than one floor) at 87 m<sup>2</sup>. The minimum size of Affordable housing units will be greater if required to ensure the receipt of grant from the HCA or equivalent organisation.

Your officers consider that the proposed minimum sizes of units are acceptable.

#### Residential Quality – External Amenity Space

Due to the urban high density nature of the scheme, a hierarchy of external amenity space will be



provided for residents.

All units will be provided with a private balcony, terrace or garden. Balconies with a depth of at least 1.5 m will be provided unless unfeasible. This will be accessible from the main living space unless unfeasible, in which situations it may be provided from other parts of the unit. Where balconies are not feasible, roof terraces or gardens will be provided.

Communal roof terraces will be provided on all residential blocks, with the extent of the podium level roofspace detailed within the parameter plans and minimum levels of communal external amenity space for each block specified within the Development Specification.

Residential units that adjoin the communal roof terrace will have a 2.5 m deep area of private external amenity space with a boundary treatment to ensure sufficient levels of privacy are achieved.

The development includes the provision of a 0.4 Ha Square which will provide publicly accessible external space that will act as a small local park.

The roof of the Multi-Storey Car Park will also be designed and made available for external amenity, play and/or recreational activities, and may include features such as a Multi-Use-Games-Area, allotments, communal amenity space.

Supplementary Planning Guidance No. 17 specifies that a minimum of 20 m<sup>2</sup> (each) of external amenity space shall be provided for all flats, with the exception of houses and 3-bedroom flats at ground level which should have 50 m<sup>2</sup> each. If one was to assume that all units will require 20 m<sup>2</sup>, this results in a total requirement of 26,000 m<sup>2</sup> of external amenity space for the 1,300 units. This may be an underestimation as some 3-bedroom units may be provided to ground floor level. However, proportionally this difference is likely to be small.

The cumulative total minimum areas of communal space, as set out within the Development Specification, is 3,900 m<sup>2</sup>. In addition to this, 4,000 m<sup>2</sup> of space will be provided in the Square and 3,240 m<sup>2</sup> on the roof of the Multi-Storey Car Park. This results in a total of 11,049 m<sup>2</sup>, or 8.5 m<sup>2</sup> per unit excluding private balconies and terraces.

The Development Specification sets out minimum balcony depths rather than sizes, and the minimum sizes delivered will be dependent on the final design of the building. However, these figures highlight:

- the requirement for the proposed park and the amenity space on top of the Multi-storey car park to meet the need of the development;
- the need to maximise the size of private balconies or terraces within the Reserved Matters application; and
- the requirement for the communal spaces, the Square and the Multi-storey car park roof to be of exceptional quality in terms of their design and usability.

It is considered unlikely that many balconies will actually be 11.5 m<sup>2</sup> or larger. However, given the high density urban “town centre” nature of the proposal, your officers consider that the proposed amenity space provision is acceptable and that the Reserved Matters applications can secure external spaces of exceptional quality whilst maximising balconies/terrace sizes.

#### Play, Recreation and Sports

The applicant has calculated the likely child yield of the proposed development using the Wandsworth and Oxfordshire surveys, resulting in a total yield of 204 to 326 children. 110-175 are projected to be aged 0-4 years, 60-96 aged 5-11 and 34-54 aged 12+ years.

The Mayor’s SPG, Providing for Children and Young People’s Play and Informal Recreation, sets

out the requirement for 10 m<sup>2</sup> of play and recreational space per child, for which play space for 0-4 year olds should be provided within 100 m of the dwelling (walking distance), 400 m for 5-11 years and 800 m for 12+ years.

The applicant has accordingly committed to the provision of play/recreational space for under 12s at a rate of 10 m<sup>2</sup> per child, resulting in a total on-site requirement of 1,700 m<sup>2</sup> to 2,710 m<sup>2</sup>. Your officers consider that this level of play space can be provided within the application site.

Play and sports space that can be used by older children (12+ years) is in the form of a Multi-Use-Games-Area on the roof of the multi-storey car park, with a minimum area of 700 m<sup>2</sup>. The nearest large open spaces to the site is King Edward Park. However, the shortest distance from the park to the development is approximately 730 m (walking distance) to the south western corner of NW01, and the majority of the development will be in excess of 800 m from this park. The Crown Walk open space is 600 m from the site. However, this is a very small area of open space with no facilities and could not be relied upon by the proposed development. The new Chalkhill Open space is to be slightly in excess of 800 m walking distance from the nearest point of the proposed development.

Whilst the Multi-Use-Games-Area is only one of the many types of recreational space for those over 12 years of age listed in the Mayor's guidance, it exceeds the minimum requirements based on the child yield projections and your officers consider its provision appropriate and acceptable.

The proposal also includes the provision of a 300 m<sup>2</sup> Community Hall. This double height space will be available at prices comparable to Local Authority rates and could be used for some sports and recreational activities (such as yoga, Pilates or badminton). The provision of the hall is secured through the Section 106 agreement.

The Brent Sports Facilities Strategy, "Planning for Sport and Active Recreation Facilities Strategy 2008-2021", highlights the need for a number of facilities in the local area. This includes an additional 6-lane community swimming pool (preferably 25 m with health, fitness and indoor sports facilities), new and upgraded sports halls, a Synthetic Turf Pitch (STP), football and cricket pitches at King Edward VII Park together with refurbishments to the pavilion, pitches and changing facilities at Chalkhill Sports Ground, and a MUGA at King Edward VII Park.

When using the Sport England Sports Facilities calculator, the projected population levels set out within the Socio-economic report would result in the need for between 0.3 to 0.49 lanes of a swimming pool, 0.46 to 0.74 sports courts, 0.10-0.16 Indoor bowls rinks and 0.05-0.08 Synthetic Turf Pitches. This calculator provides an estimate of demand generated additional population, and at present, the calculator is limited to the above categories.

The swimming pool and fitness facilities have been secured through the Dexion House consent and a STP and sports hall have been provided at the Ark Academy which may be used outside of school hours. Whilst these facilities may meet the demand associated with this development in terms of swimming, sports courts and STPs, the various levels of planning policy and guidance (London Plan, LDF Core Strategy, Wembley Masterplan 2009, etc) promote high levels of development within the Wembley Area and accordingly seek to establish the levels of infrastructure required to support that development. These infrastructure requirements are then established through a number of documents, including the Infrastructure Investment Framework, the Sports Facilities Strategy and Masterplan and the LDF Core Strategy. This allows contributions towards the delivery of facilities to be spread between developments, or for some developments to include greater levels of provision for some types of infrastructure and lower levels for others.

Examples of this include the Dexion House development proposals which will deliver the swimming pool and the Civic Centre scheme which delivers a new library and other community facilities.

The total level of provision of key infrastructure and uses associated with the North West Lands application, through actual delivery or Section 106 financial contribution, is considered by your officers to be acceptable. In light of this, and the balancing mechanisms for the provision of physical and social infrastructure, it is not considered that the additional provision of sports facilities (beyond that proposed) or financial contributions toward their provision is required.

#### Residential Quality – Accessible Housing

The submitted documentation confirms that all housing will meet Lifetime Homes standards whilst 10 % of units will be provided as Wheelchair Accessible or Easily Adaptable.

#### Residential Quality – Daylight and Sunlight

The applicants have assessed the levels of daylight and sunlight that are likely to be received by future dwellings and amenity spaces using the BRE publication “Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice”, which is a standard and accepted approach. As this application is in Outline, assumptions have been made regarding the location and size of units based on the parameter plans and Development Specification.

The submitted assessment specifies that all proposed plots have the potential to give good levels of daylight and sunlight to residential units subject to the omission of balconies in some locations. The assessment highlights the potential presence of some north facing units where it is not possible to provide dual aspects to meet sunlight requirements. However, it reports that the plot layout proposed will keep these instances to a minimum.

The Development Specification also commits to minimum Average Daylight Factor (ADF) levels of daylight for bedrooms and living rooms of 1.0 and 1.5 respectively, with these levels corresponding to the minimum standards set out within the BRE guidance.

Whilst some of the indicative layouts would not be considered acceptable due to the relationship between sole habitable room windows and nearby buildings, the submitted details provide a good basis for the assessment of the design requirements associated with achieving the above minimum levels of daylight. This involves the omission of balconies on the lower two residential floors of some internal facing facades within Block NW01 and NW06, and an external facade of both NW07 and NW09. With regard to the units within Blocks NW01 and NW06, it should be noted that the lowest residential floor will adjoin the courtyard and will not have a balcony in any case. It is often possible to address such issues through design rather than the omission of balconies, such as the staggering of room types and/or the location of balconies to limit the impact on more sensitive rooms. This may involve placing a balcony of a unit over the bedroom window of the lower unit rather than over its living room due to the lower minimum standards for bedrooms. Such matters may be adequately addressed at Reserved Matters Stage. However, your officers acknowledge that, where such issues cannot be addressed through design, a small proportion of units may not have balconies but will have access to other areas of private amenity space as discussed above.

With regard to sunlight, the Development Specification also confirms that the proportion of residential units with a sole aspect (from habitable rooms) within 45 degrees of north is limited to a maximum of 5% of units (by unit number).

The applicant has also tested the level of overshadowing experienced by the open spaces in the development in accordance with the BRE Guidance. These spaces comprise the podium level courtyard amenity spaces, the Square and the four Pocket Parks.

All but one of the spaces meets the BRE minimum guidance levels (no more than 40 % of the space will be in permashadow at 31 March). At 42.1 %, the south-western pocket, adjacent to NW01 exceeds these target levels. However, it is only marginally above the guidance level and this space performs the function of a pocket space and the entrance to a building and as such, your officers consider this to be acceptable.

### Residential Quality – Outlook and Privacy

Whilst this scheme has been submitted in Outline form, a number of commitments are made to the location, form and design of buildings and units. This includes the location of external walls of buildings which, in most cases, are subject to tolerance of +/- 2 m. Where distances are critical to urban form, movement or quality of accommodation, minimum distances between facades have been set (the Critical Dimensions parameter plan, drawing no. P15 Rev A) to ensure that the above tolerances do not result in an adverse effect on the development.

The Development Specification specifies that the distance between habitable rooms within facing elevations of residential units (within 45 degrees of directly facing) is no less than 20 metres. This accords with the guidance provided in SPG17. It also commits to the provision of a minimum of 2.5 metres private external space to the front of each residential unit at street or courtyard level, thus ensuring that units that adjoin public or communal areas have an adequate level of defensible space.

Your officers accordingly consider that the proposal makes adequate provision for the privacy of future residents.

With regard to outlook, the majority of units will have vistas in excess of 30 m. However, the block form does include a number of locations where units would experience a more restricted outlook or where the outlook would only be acceptable if the layouts are specifically designed to overcome these issues. Examples of this include elements of the facade between the eastern and western blocks of NW01 and the internal corners of courtyard blocks (at lower levels). Your officers consider that these matters can be adequately dealt with at Reserved Matters stages through the careful siting of cores and non-habitable rooms such as bathrooms.

The proposal also includes podium level amenity space flanked by relatively tall buildings, such as the eastern courtyard of NW01 which is a 25 m wide space with blocks on the eastern and western sides that rise approximately 7-storeys above the courtyard, thus limiting the outlook for lower level units. There are a number of examples of approved and built developments across London where similar relationships exist. These situations rely on a very high quality of design and treatment of the building and amenity spaces to ensure their success. Your officers consider that this can be secured through the Reserved Matters applications.

With regard to outlook and privacy, your officers consider that the submission provides sufficient reassurance that these matters can be addressed within the subsequent Reserved Matters application.

### Residential Quality – Noise and Vibration

The applicant has submitted a noise and vibration assessment which examines the proposals having regard to PPS24, the London Plan, the Brent UDP and other applicable standards. The report refers to noise surveys undertaken in relation to Wembley Stadium and Arena events in 2006, 2007 and 2008, and surveys undertaken specifically for this application in 2010.

The survey places the site within Noise Exposure Category C, within which Planning permission should not normally be granted. Where it is considered that permission should be given, for example because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise.

This site is situated within a Regeneration, Growth, and Opportunity Area and has been designated for Mixed Use development, including Residential uses and as such, the principle of residential development is considered acceptable subject to suitable mitigation measures.

A number of commitments are made with regard to the noise environment for units within the Development Specification. These set the criteria by which the buildings must be designed at Reserved Matters and detailed design stages.

- Internal noise environments for residential accommodation (windows closed) of 33dB LAeq 15 min from 11pm to 7am and 38dB LAeq 15 min from 7am to 11pm.
- Internal plant noise will be in accordance with BS8233:1999 'Sound insulation and noise reduction in buildings – Code of Practice', Health Technical Memorandum 2045 for Health related uses, British Council of Offices 'Guide to specification for offices' and BREEAM.
- Car parks will be treated to avoid wheel squeal and noise breakout.
- External plant noise will achieve a rating level of 10dB below background noise level, as defined in BS4142:1997 'Method for rating industrial noise affecting mixed residential and industrial areas'.
- Vibration levels will be in accordance with BS6472:2008 'Guide to the evaluation of human exposure to vibration in buildings'.

Details on how these criteria will be met will be provided within the Reserved Matters application. However, the report provides indications of the mitigation measures that are likely to be required. This is likely to include a higher specification for the proposed residential façades and the use of winter gardens for balconies with a line of sight to the Stadium and overlooking the main roads.

It also highlights the potential noise generated from on-street servicing, including noise from the vehicle itself, warning signals during reversing, the loading and unloading of goods and the transfer of the goods via either forklift truck or by wheeled trolleys. The report specifies that *it is generally accepted that the assessment of this type of noise is undertaken using the WHO community noise guidance, especially for out of hours deliveries, i.e. early morning when there is a potential for sleep disturbance amongst local residents.* Such deliveries may take place from 6:30 am on West Olympic Way and adjoining streets.

It is specified that the *potential effects may be significant depending upon the type of deliveries and their proximity to local residential dwellings.* This matter was also raised by Environmental Health. Your officers consider that it may be addressed at the detailed design stage within the associated Reserved Matters application.

### Residential Density

The proposal is mixed use in nature and as such, the Greater London Authority recommended that the residential density of the scheme is calculated on a pro-rata basis using the proportion of residential floorspace to total floorspace (65,000 m<sup>2</sup> to 100,000 m<sup>2</sup> over a total of 160,000 m<sup>2</sup>). This results in a site area for density purposes of 3.6 Ha (as compared to the total site area of 5.7 Ha).

The applicant accordingly reports a residential density range of 354 to 361 units per Hectare, or 932 to 950 Habitable Rooms per Hectare. These levels fall at the upper end of the London Plan Density Matrix for a "Central" location with a PTAL of 4-6 which specifies ranges of 215-405 units per hectare and 650-1100 Habitable Rooms per hectare.

The Wembley Growth and Regeneration Area has been designated as a location for high density urban development and as such, the proposed densities are considered acceptable.

### Education

The Socio-economic report submitted with this application sets out that at present Primary Schools within Planning Area 3 are operating with around 8.6% surplus capacity, equivalent to around 474 places, and to meet short-medium term requirements there is a proposed addition of 1 form of entry (FE) at Wembley Primary School.

However, a report to the Brent Council Executive in November 2010 set out that: Brent Council has already provided 135 additional primary places for September 2010. At the time of writing the report, 150 reception children did not have a primary school place in the 2009-10 academic year. The numbers of children without a primary school place for the 2010-11 academic year totalled 634 while vacancies totalled 578. Demand for primary school places is forecast to

exceed the supply of places. 1680 new primary places are required by 2015-16 including a 5% planning margin, according to GLA school roll projections 2010, which equals approximately four new 2FE primary schools (420 places).

This clearly demonstrates a significant shortfall in primary school places.

The submitted socio-economic assessment also specifies that secondary schools within Brent are currently operating with 18% surplus capacity, or 2,493 places. However, this also is not considered to be accurate.

Additional strain is being placed on local secondary schools and planning improvement and expansion programmes, such as the Copland School redevelopment programme, have been stalled due to the withdrawal of government funding and the failure to achieve cross-subsidy through development.

The Wembley Masterplan 2009 and Policy CP7 of the LDF Core Strategy highlight the requirement for 2 new 2-forms of entry primary schools to meet the demand of the developments envisaged, together with expansions to existing schools. The school places contribution element of the Section 106 Standard Charge takes into account the provision of school buildings, but not of the land required for the school. The Masterplan included the provision of a 2-form of entry primary school on the north west lands site, and the Council does not own any land in the vicinity of this site that would be suitable for the provision of a primary school.

As such, the combined primary and secondary school Section 106 contribution for this development has been calculated by your officers to be £2.5 million. As the developer has significant land holdings in the local area, a 0.5 Ha site adjoining Fulton Road and Engineers Way has been offered for sale to the Council for the provision of a school. The offer is in the form of an option to purchase the land. The option would be available for a period of one year from the date of signing of the Section 106 agreement. The Council can choose to draw down part or all of the Section 106 Education Contribution early if this is used for the purchase of the land.

With regard to the suitability of the land, your officers consider that the land would be an appropriate site for a primary school in the medium to long term, particularly when the 1.2 Ha park has been provided adjoining this site within the north eastern district. The development of the school could precede the provision of open space in the north eastern district which is likely to be provided with the comprehensive redevelopment of that area. Notwithstanding this, the Council is under no obligation to purchase the land and may choose to receive the Section 106 contributions at the set triggers set out within the Section 106 Heads of terms.

#### **Retail, financial and professional services and food and drink floorspace (Use Class A1 to A5)**

This application proposes the provision of between 17,000m<sup>2</sup> to 30,000m<sup>2</sup> GEA, with the majority of this provision focused on West Olympic Way. Whilst this floorspace is largely proposed to be unrestricted, the total A5 (takeaway) floorspace is limited to 1,000 m<sup>2</sup> GEA, no single retail unit may be over 11,000 m<sup>2</sup> and the proposed maximum size of a convenience retail store (or convenience retail element of a larger store) is 2,500 m<sup>2</sup> until 1 April 2019 and 7,000 m<sup>2</sup> after this date providing certain conditions have been met as described below.

Policy CP 7 of the LDF Core Strategy supports the eastward expansion of the existing Wembley Town Centre to facilitate the provision of an additional 30,000 m<sup>2</sup> of retail floorspace. The preamble to this policy sets out the long term aspiration to link the retail areas of Wembley and Wembley Park, but qualifies that this is contingent on the creation of a continuous retail link from the High Road. It is envisaged that the creation of the new retail street will help facilitate the redevelopment of the eastern end of the High Road. The new shopping street, together with the delivery of commercial, retail, leisure and community facilities will drive change in this part of

Wembley.

This aspiration is also supported by LDF Policies CP 1 and CP 16 which highlights Wembley as the preferable location for town centre uses, together with hotels and conference facilities, delivering the majority of the borough's new retail and office development.

The preamble to LDF Core Strategy policy CP 16 sets out the recommendations of the Brent Retail Need and Capacity Study (Feb 2006), estimating that there is scope for an additional 27,000 m<sup>2</sup> of gross comparison and 5,200 m<sup>2</sup> of convenience retail floorspace by 2016, increasing to 90,000 m<sup>2</sup> and 12,500 m<sup>2</sup> respectively by 2026. While these are Borough wide figures, Wembley is promoted within Planning Policy as the main shopping destination and it the preamble specifies that Wembley will be in a position to accommodate a major share of the identified floorspace.

Policy WEM27 is a saved policy of the Unitary Development Plan which relates to the Major Opportunity Site at the junction of Olympic Way and Engineers Way and is applicable to the application site. This promotes uses contributing towards the development of a visitor destination of regional importance, including major retail/leisure uses, offices, hotels and residential. However, it specifies that only food stores with a floorspace below 2,500 sq m gross are considered acceptable. With regard to this issue, the Site Specification Allocations (SSA) Post Submission Changes report (currently out to consultation) specifies the following:

*One exception, however, is the policy within WEM27 (the UDP Wembley Inset Plan) which fixes the size of foodstore that could be provided within the WEM27 site to 2,500m<sup>2</sup>. While the general land use principles set out in WEM27 still apply, its objectives for retail use in Wembley have altered over time, and are reflected by the above policy CP7. Particularly, there is evidence that there are significant retail needs in the Borough for both comparison and convenience goods over the period of the LDF, as set out in the Core Strategy. The council would therefore accept the need to be more flexible in considering any application involving a foodstore in excess of the 2500m<sup>2</sup> limit set in WEM27. The council would consider any such application having proper regard to the considerations set out in PPS4, notably the availability of sequentially preferable sites for a foodstore within Wembley Town Centre, as well as the potential impact or regeneration benefits of such a proposal.*

The proposed retail should be assessed in conjunction with the committed development, including the new retail to be delivered within the Quintain Stage 1 consent (largely restricted to Designer Outlet Shopping and Specialist Sports retail), the "LDA consent" for the land adjacent to Wembley Stadium Station and the change of use and extensions to York House to form part of the Quintain Designer Outlet Centre. These comprise in excess of 34,000 m<sup>2</sup> of consented retail space. Of these, the Quintain Plot W05 (also containing the new Hilton Hotel and a student accommodation block) is under construction whilst Quintain have indicated that they intend to commence works on plot W07 (designer outlet, food and drink and a cinema) later this year. A 1,200 m<sup>2</sup> retail unit that will front West Olympic Way has also been approved within the Civic Centre building and is currently under construction.

The applicant has applied the sequential test to the proposed retail floorspace. The subject site is currently considered to be edge of centre rather than within a town centre, and the LDF Core Strategy text sets out that the retail expansion is contingent on the creation of a continuous retail link to the High Road.

The sequential test evaluates 8 alternative sites for the provision of the retail floorspace. The majority of sites are discounted due to availability, suitability and size. Whilst your officers agree with the majority of findings, some sites that are ruled out due to timing (and other factors) are likely to be available in 2013/14 and thus would be available for the majority of the proposed 15 year timescale sought for this application (namely Brent House/Copland and the LDA Lands).

The assessment also specifies that it would not be in Quintain's or Brent Council's interest to disaggregate the retail floorspace as it would be harmful to the Council's regeneration aspirations including the eastward expansion of the Wembley Town centre. Your officers do not concur with this view, as it is considered appropriate to consider the disaggregation of the convenience retail, which was initially proposed at a maximum of 7,000 m<sup>2</sup> for the entire consent period. Your officers consider that the Brent House / Copland School site is a sequentially preferable location for a Major Retail unit (greater than 2,500 m<sup>2</sup>). This site is denoted as a suitable location within the town centre for a convenience store of approximately 6,000 m<sup>2</sup> and will be available for development from 2013. Policy WEM27 sets out that convenience retail stores will be acceptable on the North West Land application site up to a maximum of 2,500 m<sup>2</sup>. However, this it is acknowledged within the proposed changes to the SSA DPD that there should be flexibility in the consideration of applications including a foodstore of more than 2,500 m<sup>2</sup>, subject to the considerations set out within PPS4, including the availability of sequentially preferable sites for a foodstore within Wembley Town Centre.

The applicant now proposes a limit of 2,500 m<sup>2</sup> of convenience retail (Net Internal Area for a single retail unit) until 1 April 2019, and the maximum size of a convenience retail store may only increase up to 7,000 m<sup>2</sup> (GEA) providing a number of conditions have been met, namely:

- The Use Class A1 to A5 floorspace of Stage 1 plots W05 and W07 must be completed in their final form and open for trade or capable of trading (or an equivalent amount of Use Class A1-A5 floorspace within plots W03, W05, W06, W07 and/or W10).
- The lower floors of plots of plots NW07 and NW08 must be completed in their final form and open for trade or capable of trading and West Olympic Way has been completed in its final form.
- The Anchor retail store has been marketed for comparison retail purposes for a period of at least 18 months and evidence has been provided to the Council.

Your officers consider that these measures ensure that an appropriate proportion of the retail link will have been provided prior to the increase in floorspace, allows scope for sequentially preferable convenience retail sites within the Wembley Town Centre to come forward prior to a major retail store within the North West Lands site, and provides time for the likely levels of convenience retail to increase so as to reduce the potential impact on the sequentially preferable sites.

The submitted assessment evaluates the potential impact of the proposed retail provision on the town centre in accordance with PPS4. The submitted assessment initially evaluates the potential impact on the Quintain Stage 1 site, the LDA site and Central Square. It finds that the proposals are likely to have a complementary role with regard to the Stage 1 and LDA sites, and are unlikely to result in those schemes not coming forward. With regard to Central Square, the assessment sets out that only four small shops and a kiosk remain available, and that there is a firm commitment from the developer to construct the final building. It concludes that the proposed development will not adversely affect the delivery of this building. With regard to trade diversion, the assessment sets out that the final Central Square building is likely to come forward prior to the North West Lands retail offer and that the proposal will enhance and create local retailer and consumer confidence in the Central Square scheme.

The report considers that the proposal will not prevent the delivery of the Wembley Market or Wembley West End site, and it may benefit the town centre in terms of linked trips. Regard is given to Kilburn, Ealing and Harrow centres and the Brent Cross-Cricklewood scheme with the report finding the proposal unlikely to have any impact on planned developments.

With regard to potential impact on the existing town centres, the assessment highlights the "low value" nature of the centre and the absence of demand from national multiples. It highlights significant qualitative deficiencies in terms of the number of larger units, and sets out the proposed development's role in addressing this.



The assessment expresses the view that the proposed development will have a positive effect on the vitality and viability of the Wembley Town Centre and Wembley Park District Centre, increasing the turnover of the existing centre as a natural extension to it. Your officers consider that this is contingent on establishing a strong retail link between the existing centres and the new retail offer, both in terms of the eastward expansion of retail uses along the High Road and from the High Road to the new retail street that is proposed.

Having regard to comparison retail trade diversion from existing centres, the report specifies that 5% of the development's turnover is expected to be diverted from Wembley Town Centre this is offset by an additional monies being attracted to the centre by the retention of trade currently leaking from the Wembley Area. The overall impact on Wembley Town Centre has been estimated to be 3.26% at 2016, reducing to 2.26% at 2021. The proposal is likely to have a negligible impact on the West End and Westfield.

With regard to convenience retail, the retail assessment tests the 7,000 m<sup>2</sup> initially proposed, now only capable of being implemented post April 2019. The greatest level of projected diversion is from Asda Wembley Park, where 20 % of the anticipate trade draw would originate, resulting in a 17.5 % diversion. The majority of assessed stores are expected to continue to trade above company average levels, with the exceptions being Sainsburys Ealing Road (marginally under average) and Tesco Neasden which is an out of centre store that does not benefit from planning policy protection. The assessment specifies that the level of impact on the convenience retail offer within the Wembley Town centre, which will mainly be experienced by the Co-op and Iceland, is 1.2 % of overall town centre turnover. It is difficult to assess the impact on the convenience retail stores when it is compared to overall turnover. However, the convenience retail offer will now be significantly lower than the levels that were assessed until post 2019 with proposed levels now 2,500 m<sup>2</sup> prior to this date.

In accordance with PPS4, the applicant has assessed whether the scale of this edge of centre (but allocated) development is appropriate in relation to the size of the centre and its role in the hierarchy of centres. Such an assessment has been undertaken. However, it should be noted that this provision is underpinned by the recently adopted LDF Core Strategy, subject to the provision of an adequate retail link to the existing town centre, and the appropriateness is accordingly enshrined in planning policy.

#### Retail summary

Your officers consider that the quantum of retail floorspace and the potential impact identified within the application documentation is acceptable, subject to the controls discussed above and secured within the Section 106 legal agreement.

#### **Business (Use Class B1), including Low Cost Employment Space (LCES)**

This application proposes up to 25,000 m<sup>2</sup> of floorspace falling within Use Class B1, which may include Office, Research and Development and/or Light Industrial uses. No specific minimum floorspace is referred to in the description as the market for such floorspace is limited at present, with the exception of Low Cost Employment Space as discussed below.

The site is within the designated Wembley Regeneration Area (Brent UDP), Wembley Growth Area (Brent LDF Core Strategy) and Wembley Opportunity Area (London Plan). The London Plan identifies the potential for up to 5,500 new jobs in this area, with this figure increasing to 11,000 by 2031 within the draft replacement London Plan. The Brent LDF Core Strategy sets out the target of 10,000 new jobs within the Wembley Growth Area. It is considered that the proposed inclusion of B1 floorspace will help to achieve the projected employment growth and a level of employment diversity.

### Low Cost Employment Space (LCES)

This application proposes a maximum of 2,400 m<sup>2</sup> of LCES which is to be provided at affordable rental rates to organisations that specialise in the provision of low cost space for start-up businesses, arts, etc. Examples of such organisation include ACME Studios and Space Studios. These well established registered charities take on the management responsibility of the space and sub-let the spaces to individuals or groups at affordable rates.

The floorspace will be offered to these organisations (shell and core) at a base rate that is set within the Section 106 agreement. If the space cannot be let at the base rate, a cascade system is in place which allows it to be offered at a greater discount, or free of charge, shell and core or fully fitted out subject to approval by the Council. The provision of this space results in a financial loss for the developer in a similar fashion to Affordable Housing provision. As the cost of provision increases if the unit is fully fitted out and as the rental rate decreases, the alternative cascade options result in a lower overall provision of Low Cost Employment Space. The cascade also allows the LCES requirement to be off-set by the payment of a financial contribution to the Council towards the provision of Low Cost Employment Space if the developer is unable to secure a tenant through the other cascade options.

Your officers strongly support the provision of Low Cost Employment Space as a means to diversify the employment offer within this development and within the Borough of Brent. This floorspace is also ideally suited to ground floor units in areas of lower footfall where retail and other commercial units are less likely to be attractive in the open market, such as the frontages to Wealdstone Road. This helps to ensure a good level of activity on the associated street(s).

### Community floorspace (Use Class D1)

This application proposes the provision of 1,500 m<sup>2</sup> to 3,000 m<sup>2</sup> of floorspace falling within Use Class D1. This floorspace is in addition to the 8,200 m<sup>2</sup> of Use Class D1 floorspace secured through the Quintain Stage 1 consent, of which a crèche, a job centre (Wembley Works) and floorspace for a Primary Care Clinic have been constructed. While the job centre is in operation and well used, the crèche remains un-let and the Primary Care Trust have not taken on the Health Centre floorspace (discussed below).

Your officers have accordingly adopted a different approach within this application to ensure the delivery of multi-use affordable space, whereby the provision of a 300 m<sup>2</sup> double height Community Hall made available to an approved operator (such as an RSL) at no cost.

### Healthcare

The submitted Socio-economic report specifies that, according to NHS Business Services data (2009), the average list size of the 19 GP surgeries within 1km of the site is 1,730 patients per GP. It also refers to a frequently used planning assumption that an average of 1,800 patients per GP is currently considered to be acceptable.

The population projection for this application is between 1,630 and 2,600 new residents, which, using the above assumptions would result in the need for 1-1.5 GPs. The submitted report specifies that there is likely to be sufficient surplus capacity in the area.

A letter was received from the NHS querying the number of residential units and residents, the number of students and the timescales for occupancy. This letter set out that the responses to these questions will allow the NHS to be better able to assess the impact on health services and plan accordingly. They also asked that that consideration be given to a contribution from the developer towards either the provision of a health facility or the extension of existing healthcare premises, dependant upon the needs identified following the answers to the above questions. The response to the NHS was sent in mid-December, however, no further comment has been received.

Floorspace for a new Primary Care Facility has been constructed with Quadrant Court, the mixed use building fronting Empire Way on the Quintain Stage 1 lands. This unit has remained vacant since the completion of the building in 2008, and the developers have informed your officers that the PCT do wish to take this floorspace. The submitted socio-economic report also confirms that the NHS Brent have not taken this option to date.

In addition to this, a new Primary Healthcare Centre was recently constructed in Chalkhill, adjacent to the Asda store.

As provision is secured within the Stage 1 consent, it is not considered appropriate or necessary to secure an additional Healthcare facility or financial contributions towards this within the North West Lands Application Site.

### **Hotel (Use Class C1), Student accommodation / serviced apartments / apart-hotels (Sui Generis) and Leisure and Entertainment (Use Class D2)**

This application proposes the provision of up to 20,000 m<sup>2</sup> of Hotel floorspace and an additional 25,000 m<sup>2</sup> of space that can be used to provide apart-hotel rooms, serviced apartments or student accommodation. Leisure and Entertainment uses may be provided up to a maximum of 5,000 m<sup>2</sup> with no specific minimum.

The Brent UDP, LDF Core Strategy and London Plan highlight Wembley as an appropriate location for hotel, conferencing, leisure and tourism uses. Core Strategy Policy CP 1 specifies that *Wembley will become the primary location for new hotels enabling associated uses such as conferencing* whilst the preamble to Policy CP7 and the Wembley Masterplan promote the provision of hotels along Olympic Way to maintain its function as the processional route to the stadium.

Your officers accordingly consider that there is a strong policy basis to support the provision of leisure floorspace and hotel accommodation, including a proportion of apart-hotels within this area. Given the strong level of policy support for leisure floorspace in this locality and the outline nature of this report, this has not been discussed in detail within this report. Potential impacts of some Use Class D2 uses when in proximity to sensitive uses, such as residential dwellings, can be addressed at the detailed design stage due to the commitments that are made in relation to noise.

#### **Student Accommodation**

The quantum of proposed Student Accommodation is expressed as a total floorspace (7,500 m<sup>2</sup> to 25,000 m<sup>2</sup>). However if the ratio of student rooms to floorspace was the equivalent of that currently under construction within Quintain Stage 1 Plot W05 (18,687 m<sup>2</sup> comprising 660 rooms), this would equate to between 264 and 881 rooms.

The Planning Committee recently resolved to grant planning permission (6 April 2011 committee) for a proposal to construct 661 student rooms together with a Swimming Pool and fitness facilities on the Dexion House site. The officers report for that application set out the current policy position, and highlighted the current applications which propose student accommodation (Dexion House and the Quintain North West Lands application) together with those currently under construction (North End Road and Quintain Stage 1 plot W05).

The discussion from the Dexion House committee report is presented below (text italicised). For the benefit of members who read the report approximately one month ago, the text has been copied directly into this report, including references to Dexion House as the subject site. This is intentional as the policy consideration has not altered.

*The site lies within Wembley Opportunity Area, and according to the UDP is within Wembley Regeneration Area, the National Stadium Policy area and the north-western part of Wembley*

Masterplan area. Being within the Wembley Opportunity Area it therefore needs to meet housing and employment guidelines. Brent's Core Strategy seeks the provision of 11,500 homes in Wembley (22,000 in Brent) to 2026 with over half of the housing target already in consented schemes or schemes under construction. The Council is confident that it has sufficient land to comfortably accommodate the Wembley housing target as part of the Borough wide London plan target. Quintain's current application for a further 1300 homes on the NW Lands is another indication of the Council's confidence in achieving housing targets as housing markets slowly improve.

The London Plan policies 3A.5, 3A.13 and 3A.25 considers that student accommodation meets a demonstrable strategic housing need. This is reinforced by policy CP21 of Brent's Core Strategy. This seeks a balanced housing stock including specific and special housing needs such as student accommodation. It must also be remembered that Wembley is a Visitor Destination that needs a mix of attractions and a mix of communities to exploit them. The Council has welcomed student accommodation as part of this mix, supporting the vibrant destination theme and as part of a balanced community. To this end the s106 will restrict the use of the accommodation so that it can only be occupied by full time students enrolled on UK accredited and based further education courses for not less at 80% of the time. The other 20%, (outside term time,) the Council is content that the units may be rented out on short-term lets, perhaps assisting tourism within the summer vacation period.

The Council is currently undertaking a study at the moment upon the impacts of students on the local area. Unfortunately this is not yet advanced enough to consider its findings for this application. However the applicants have submitted two reports in support of the principle of student housing, a Student Accommodation Report and an assessment of their Socio-Economic impacts. These raise a number of issues. Current demand for student accommodation is for more geographically widespread locations in accessible sites compared with early centrally located schemes. It has been assumed that students at Dexion House could study at the following universities/institutions: Imperial College London, University of Westminster, University of London, and Russell Square institutions such as Kings College, University College London, SOAS, London School of Economics and Political Science. Only the University of Westminster Harrow Campus (Northwick Hospital) has been identified to be accessible directly by bus service. The remaining sites are accessible by underground/ overground services. There are approximately 140,000 full time students studying within a 35 minute travel time of the subject site. There is a trend of increasing student numbers in recent years.

London students spend £8bn on goods and services each year, accounting for 1% of UK and 4% of London GDP. Demand for student accommodation remains robust despite the current economic climate. The applicant's consider that there is an undersupply of student accommodation. The Report finds that c223,811 (81%) of full-time London based Higher Education students are unable to access purpose-built accommodation. Within Brent by 2012, 1,095 new student rooms will be completed as set out in the table below. Further student accommodation proposals are currently under consideration.

Victoria Hall (by Wembley Park Station) will be completed by Sept 11	435 rooms
Quintain iQ (W05) : under construction completed by 2012	660 rooms
Subtotal under construction	1,095 rooms
Quintain North West Lands, up to	880 rooms
Dexion House	661 rooms
Subtotal applications under consideration	1,541
Total	2,636

There is demand and investment interest for more student accommodation in Wembley. The Student Accommodation Report finds that Brent is under supplied compared to other London boroughs. Higher education centres are vital to increase London's high skill, value added sectors.

*The Coalition Government is currently acknowledging the importance of participation in higher and further education and have commissioned a review into fees and university funding. The London Plan acknowledges the role of universities in contributing to the labour market. Competition from overseas institutions is increasing, but London remains a draw for international students.*

*Post-graduate and research student numbers continue to rise. Privately operated halls are increasing in popularity particularly after the HMO regulations came into force in 2006. The five private market leaders include UNITE plc, UPP, Opal, Liberty Living and Victoria Halls. Opal is the preferred partners for the applicants, and have a proven track record in this field. Demand for student accommodation remains buoyant despite economic uncertainties in the wider market. The provision of purpose built accommodation will make the other accommodation occupied by students available to alternative occupants.*

*The Student Accommodation Report finds that the proposed scheme will result in high-specification bespoke development that contributes to the Masterplan vision and provides a range of accommodation choices for different types of students. The application site lies within Tokyngton ward, which in the 2001 census had 11,800 people. The wards as a whole has a lower than average educational qualification attainment and a working population with a lower than mean average "higher-level" occupation such as managerial positions.*

*Nearly 20% of all housing is private rented, which is in line with the figure for Brent as a whole. Levels of overall Multiple Deprivation are not severe. At the time of the 2001 Census students accounted for 6% of the total population of Brent, spread across the borough. Within Tokyngton ward in 2001 there were no students living in purpose- built accommodation. This is in the process of changing with the Victoria Halls and Quintain W05 developments near completion. Demand for student accommodation is not yet met by supply. The Socio-Economic report considers that the provision of more purpose- built accommodation will assist the Borough in creating a Wembley destination.*

*Student spending locally can have an important local economic impact. The average student spends approximately £6500 a year on living costs, a significant proportion of which will take place close to their accommodation. The plans for Wembley Growth Area will assist local consumption opportunities. On the basis of the average £6500/ year, the Dexion development could generate approximately £4 million of living costs spending/ year. Often graduates stay in the area that they study in beyond the duration of their course, so the local community may gain their skills and spending power, in addition to their presence boosting investor confidence in the area. In addition to spending power, students often undertake voluntary work within the local community. As an established student accommodation provider Opal manage the behaviour of their residents within the vicinity of the site.*

*The Council does not consider that the student population has reached a critical mass or that it is using land that is better suited and needed for permanent general residential accommodation.*

The discussion of Student Housing within the report submitted to support the North West Lands application also focuses largely on demand, employment, expenditure and the positive effect on the private rental market, freeing up rental properties for other users such as families. The Development Specification commits the operation of the accommodation by a private student housing provider or tied to a University, with the operator identified within the Reserved Matters application. It is proposed that the floorspace may be used as apart-hotel rooms or serviced apartments out of term times.

Your officers consider that the conclusions of the Dexion House application in terms of the principle of the use continue to be acceptable at this point of time. The quality of accommodation in terms of the nature and size of rooms and communal facilities may be considered within the Reserved Matters applications. Nevertheless, a commitment to provide 5 % of units as "adapted" (wheelchair accessible) and 5 % as "adaptable" has been made within the Section106 agreement.

### Noise in relation to Hotel and Student Uses

Wembley National Stadium Limited have recommended that the design criteria for noise in relation to residential units be applied to Student and Hotel floorspace. Given the potential siting of such floorspace, adjoining Olympic Way, and the nature of student accommodation, your officers consider that it is appropriate to apply the condition to this uses. It is not considered necessary to apply such conditions to the hotel floorspace due to the short term nature of the accommodation.

### Comments received regarding the mix of uses

Two comments have been received from local residents and business operators, commenting on the mix of uses. They specify that the use mix is unbalanced, and provide the following suggestions:

- Fewer residential dwellings and more community, leisure and entertainment uses;
- A Travellers site and electricity, water, sewerage and refuse systems;
- A cemetery
- A railway station;
- A holocaust memorial;
- An observatory.

With regard to the number of residential dwellings, this report has already commented on the target levels of new homes set out within the London Plan and LDF Core Strategy. To achieve these targets, which look to meet identified housing need, developments in the Wembley Growth area will need to include high proportions of residential units. Furthermore, this is considered to be an appropriate location for high density development as the site has good public transport access and numerous facilities will be provided locally.

The application proposes up to 3,000 m<sup>2</sup> of community floorspace and 5,000 m<sup>2</sup> of leisure and entertainment floorspace. This will complement the floorspace already consented and provided in the area. The Council has aspirations for the provision of another "Major Attractor" as set out within the Wembley Vision and Wembley Masterplan SPD. However, it is considered that this is more appropriately situated on land to the east of Olympic Way.

There is no identified need for an additional railway station and three stations are already located in the general area. Your officers are uncertain whether prevailing night time light conditions will be appropriate for an observatory. Nevertheless, there is no requirement in planning policy or guidance for such facilities, a holocaust memorial or a cemetery.

LDF Core Strategy Policy CP22 addresses the provision of Travellers sites. The pre-amble specifies that:

*A key consideration in determining the specific suitability of the potential site(s) will be the prospective residents' ancillary requirements for space and facilities to undertake the range of employment and entrepreneurial activities often associated with or resorted to by Travellers, Gypsies, Roma and Sinti. This range of mixed use activities effectively requires a site (or sites) capable of satisfactorily accommodating a 'low rise, low density work-live' development. Travelling Show people are likely to require proportionately larger sites owing to their greater equipment storage needs.*

Given the location of the site, the public transport accessibility, and the Mayor of London's targets for minimum density, the provision of a Travellers site within this application area would be considered to be an underdevelopment of the site which would hinder the Council's ability to ensure that targets for housing and employment are met. This site was not identified as a location for a Travellers site within the Wembley Masterplan SPD or the LDF Core Strategy 2010.

Your officers consider that electricity, water, sewerage and refuse facilities are more appropriately located in areas with more favourable relationships with sensitive uses such as residential dwellings, with the exception of the basic infrastructure required to serve the development set out

within the supporting documents for this application.

## **Transportation and Movement**

### **Transport Assessment**

A Transport Assessment (TA) accompanied the submission, the scope of which had previously been agreed with the Applicant, Quintain Estates and Development PLC (QED), and Transport for London (TfL).

The TA provides an over arching Transport Strategy which comprises 6 components: Land Use, Walking, Cycling, Public Transport, Travel Demand Management and Highway Improvements.

Within this strategy, individual strategies/ assessments have been undertaken:

- Parking supply, operation and management
- Travel Plan Requirements and Framework
- Delivery and Servicing Strategy
- Construction Logistics Plan (CLP)
- Event Day Strategy
- Highway Mitigation
- Public Transport Capacity Assessment

The TA makes reference to National Planning Policy, the London Plan (2008) and its draft replacement (2009), the Mayor's Transport Strategy (2010), the Brent UDP (2004) and Local Development Framework Core Strategy (2010), Wembley Masterplan SPD (2009) and Brent and TfL applicable Parking Policies. The general policy approach taken on transport matters is consistent with this guidance and development framework although certain detailed aspects of the NWL proposals require further consideration with reference to the above guidance and development framework and also design guidance adopted with particular reference to the DfT's Manual for Streets.

It should be noted that as an Outline Application, Means of Access have been considered in outline only and would be dealt with as Reserved Matters detailed submissions at the appropriate time. Nevertheless, it is important to establish the feasibility of the proposed access points and arrangements and with reference to the key Parameter Plans which seek to establish site dimensions including access routes and their intended usage. As such, junction assessments have been undertaken for key access routes into the site with outline drawings submitted to show how they would work subject to detailed design.

The Key Parameter Plans which have a bearing on Transport matters are:

- 0601/P04 Proposed Plot Extent
- 0601/P06 Proposed Circulation Plan
- 0601/P07 Proposed Access Plan
- 0601/P014 Proposed Car Parking Extent
- 0601/P015 Proposed Critical Dimensions

These are supported by outline circulatory diagrams from the TA Appendices:

- Figure 3.2 Pedestrian and Cycle Access and Egress
- Figure 3.3 Residential Car Park Access and Egress Routes
- Figure 3.4 Non-residential Car Park Access and Egress Routes
- Figure 3.5 Service Vehicle Access and Egress Routes

These all relate to non-event day activity and corresponding circulatory diagrams for vehicle access on an event day are shown in Figures 16.3, 16.4 and 16.5. of the TA Appendices.

The TA has been undertaken on a First Principles Model assessment which is an approach which establishes trip generation characteristics based on demographic information, land use and modal

split over time. This has been applied to the NWL development proposals and cross reference against established trip generation databases such as LATS and TRICS has been carried out to establish validity of this approach. Trip assignment has been undertaken on a zonal basis with key committed developments taken on board. These include the QED Stage 1 proposals, the LDA lands at South Way, the new Civic Centre and the Ark Academy. It is important to understand the nature, timing and implications of the committed developments which collectively place pressure on certain parts of the highway network and for which some mitigation is accounted for. As full TA traffic generation figures have been taken from the committed development proposals with little or no allowance for trip internalisation or diversion, the approach taken by the Applicant is considered to be a robust assessment. In some cases this approach will overstate the expected impact from committed development for which a subsequent assessment has been provided by the Applicant.

The highway assessment tests have considered the AM and PM peak periods and a typical Saturday peak bearing in mind the substantial retail elements of the NWL proposals. Additional tests of traffic assignment have been undertaken to ensure the adequacy of traffic assignment and to verify the likely impact of the NWL proposals. These are commented on later.

The TA contains operational assessments of key junctions along the Western Highway Corridor from Wembley Triangle to Forty Lane and provides outline junction mitigation and/or access arrangements at Fulton Road/ Empire Way and Fulton Road/ Wealdstone Road (site reference name), Wembley Park Drive/ Empire Way gyratory, Empire Way/ Wealdstone Road, Engineers Way/ Exhibition Way (site reference name) and Forty Lane/ Bridge Road/Barnhill. The TA also references through Parameter Plan P06 the proposed use of Olympic Way for limited access including buses, mobility impaired drivers/passengers and cyclists. This was subsequently been revised to exclude buses, (Plan P06 Rev A). Although not specifically referenced, time limited service access and coach access for frontage blocks has been promoted. The Wembley Triangle/ South Way junction complex has also been assessed for improvement in outline both with and without the LDA committed development proposals.

### Highway Assessment

The NWL development proposals will generate a predicted 490, 810 and 1100 private vehicle trips per hour, on the local road network during the AM, PM and Saturday peak periods respectively and which will access the sites parking facilities off Engineers Way, Empire Way and Fulton Road either inbound or outbound. However, there will be diversion of trips from current centres of attraction e.g. Wembley High Road, ASDA, Brent Cross and further afield and also internalisation of trips on the network given the mixed use make up of the development proposals. As such, only some 50% to 70% of the predicted private vehicle trips can be considered to be wholly additional on the local road network.

The greatest impact will be felt closest to the site's main points of entry along Fulton Road (retail car parking) and along Engineers Way (residential and commercial car parking). Assessments of junction operation at the Empire Way/ Fulton Road junction indicate that this junction will be under pressure once all committed development has been completed and will require modification to accommodate the NWL development related traffic. The requirement for works to this junction and the base design were established within the Wembley Masterplan SPD and supporting documents. Land has already been reserved from the Malcolm House/ Fulton House hotel development site on the corner of Fulton Road/ Empire Way which it is proposed to be used to facilitate a significant improvement to this junction allowing enhanced traffic operation incorporating a right turn into Fulton Road plus a 2 lane approach southbound along Empire Way. Pedestrian crossing facilities are proposed on Empire Way (south) and on Fulton Road at this junction mirroring those that are already provided.

Various detailed investigations will be required to ensure that the outline junction arrangements are deliverable. In particular there is an existing short stretch (approx 15m to 18m) of free off-peak



on-street parking/ servicing fronting the Empire Parade shopping frontage, which has been noticed being occupied by up to 3 private cars, although the purposes of their use is indeterminate. This will require modification or relocation which if proven incapable of resolution may require removal. However, in this eventuality, Empire Parade does have rear servicing facilities albeit that the rear of the premises appears, on the basis of the site visit, to be well used with other vehicle access permitted (including a service garage) and that alternative public car parking will be provided in the new multi-storey car park accessed off Wealdstone Road. The design, assessment and implementation of this junction improvement will be required as part of a S106 obligation. Further local enhancements are proposed at the Wembley Park Drive/ Empire Way gyratory to improve lane discipline and usage.

The Applicant had originally proposed that all movements would be permitted at the new access junction with Wealdstone Road to the proposed main service yard and 600 space multi-storey car park governed by a KEEP CLEAR arrangement. Given that there will be opportunity for this arrangement to be abused by drivers exiting into and entering from Fulton Road in close proximity to the main Empire Way/ Fulton Road junction, it has been agreed to adjust this access arrangement such that all car park traffic and frontage development traffic along Wealdstone Road will be forced south along Wealdstone Road to exit onto Empire Way at an improved priority T junction prior to the Engineers Way/ Empire Way signal controlled junction. In addition, a yellow box junction marking is now proposed at the mouth of Wealdstone Road on Fulton Road governed by CCTV camera enforcement to help ensure compliance.

Tests of the priority junction arrangement proposed in outline at Empire Way/ Wealdstone Road indicate that the right turn exit from Wealdstone Road will operate close to capacity in the PM and Saturday peak periods although this is based on a very peaked theoretical traffic profile which is unlikely to occur in practice and traffic along the main route will arrive in platoons from the Engineers Way/ Empire Way junction such that gaps will occur to assist exiting traffic. Further protection will be provided by incorporating a yellow box junction at the mouth of Wealdstone Road on Empire Way, again which can be enforced by CCTV camera control. Although impact along Empire Way will be limited, it is nevertheless prudent to ensure that the Wealdstone Road exit can operate satisfactorily and safely in the future. Thus the development of a signal scheme at the Empire Way/ Wealdstone Road junction will be tested following the opening of the Multi-Storey Car Park on NW10 to determine whether traffic light controls at the junction of Wealdstone Road and Empire Way would improve highway capacity or safety at this location. If this is considered to be beneficial, Brent Council may choose to implement the improvements, funded by the Area Wide contribution set out within the Section 106 details above.

The Engineers Way/ Empire Way junction is shown to work satisfactorily in its current configuration in all peak periods with the highest degrees of saturation predicted in the PM peak period along Empire Way southbound (88.6%) and Engineers Way right turn exit (89.6%). Maximum predicted queue lengths occur along Empire Way southbound during the PM peak period at 22 car lengths which will not interfere with the next major junction at Empire Way/ Fulton Road. Capacity enhancements have also been secured through the Stage 1 consent.

The proposed outline residential/ commercial parking access at the Engineers Way/ Exhibition Way (site reference name) is predicted to operate satisfactorily as a priority junction under development traffic conditions with no adverse impact during peak traffic periods.

Further afield, the Applicant has assessed the main junctions along the Western Highway Corridor. In addition, officers requested that sensitivity tests be undertaken on traffic assignment to reflect less reliance on the A406NCR/ Great Central Way corridor and a potentially greater use of the A404 Harrow Road and A4088 Neasden Lane/ Forty Avenue corridors for certain key areas feeding these corridors. Under this scenario, some 30 to 40 trips inbound and outbound will divert to the Neasden Lane/ Forty Avenue corridor during peak periods, some 60 to 110 trips will divert to the Harrow Road corridor with a consequent reduction on the NCR/ Great Central Way corridor of some 60 to 130 trips during peak traffic periods. Applying these modifications to tested junctions

will imply greater pressure on the Western Highway corridor but a consequent easing of pressure particularly at the Great Central Way/ Drury Way junction to the east.

The Applicant has concluded that further mitigation is required at the Forty Lane/ Bridge Road/ Barn Hill junction post conclusion of committed development. Outline options for improvement have been proposed including the prospect of making Barn Hill one-way entry only thus removing a signal stage and also providing an enhanced flare arrangement on Bridge Road northbound together with a bus gate facility to preserve bus priority on the approach to the traffic signals. Both outline options may be worthy of further investigation but further detailed assessment will be required with particular reference to involvement of the local community where restrictions on access and alternative arrangements are to be considered. As a result, it is not possible to conclude on the best approach to be taken at this stage but that a suitable financial contribution is sought for scheme development and implementation that is commensurate with the scale of impact and improvement required.

At Brent officers' request an assessment was carried out of the operation of the Great Central Way/ Drury Way junction to ensure that the key junction feeding traffic to and from the east can be accommodated satisfactorily under committed development and NWL development conditions. The tests indicate that only in the PM peak period does the junction exceed 90% saturation on the Great Central Way (east) and Drury Way arms of the junction. Queue lengths have been plotted on the critical approach arms which indicate that traffic can be satisfactorily accommodated within existing lane configurations.

The Wembley Triangle/ South Way junction complex has been tested under two scenarios, 'With' and 'Without' the LDA development proposals, the former incorporating a suggested modification in line with that is secured through the LDA S106 Agreement. The suggested modification is considered an outline proposal and would require further detailed investigation as to its adequacy and relationship to the LDA development proposals. Nevertheless, it is considered a suitably representative means to assess the impact of the NWL development proposals under the two scenarios tested.

Under the 'Without LDA' scenario and under existing junction arrangements, the tests indicate that this junction complex will be under pressure with the addition of committed development traffic with degrees of saturation during peak traffic periods (AM, PM and Saturday) exceeding 100% on certain key arms including High Road and Harrow Road approaches to the Triangle. With the inclusion of the NWL development traffic, further pressure is exerted on this junction complex with a worsening of degrees of saturation ranging between -3% in the AM, -11% in the PM and -32% on Saturday. Whilst it is known that degrees of saturation and ensuing delay and queuing increase dramatically once a junction is over capacity, nevertheless it is considered that the addition of the NWL development traffic will exacerbate peak period conditions at this critical junction if considered without improvement.

Under the 'With LDA' scenario and with an outline junction improvement scheme incorporated, this key junction complex is shown to work considerably better although even under this scenario certain critical arms approach or marginally exceed capacity on a Saturday. The Applicant considers, and LBB agrees, therefore that the junction improvements, yet to be subject to detailed investigation, associated with the LDA development proposals, will largely mitigate overall development traffic impact including the NWL development related traffic. However, the timing of the LDA development proposals is indeterminate and there is a clear requirement to improve this junction complex in the event that the LDA development proposals do not come forward or indeed come forward in a changed format. In this respect and recognising that current commitments will already add to congestion at this key junction, it is considered that provision is made to allow the Council to consider beneficial modifications as part of an overall transport infrastructure programme throughout the Wembley Masterplan area to which NWL development proposals should contribute.

The alterations to traffic assignment as noted above will have an impact which will place greater pressure on those key junctions along the Western Highway corridor post completion of committed development and NWL development proposals. However, the over estimate of committed development traffic, which has been assessed at some 25% overall will mean that, subject to viable infrastructure improvements coming forward as part of an overall transport infrastructure programme for the Wembley Regeneration Area, the accommodation of traffic associated with committed development, the NWL development proposals and other significant developments in the Wembley regeneration area should be achievable.

### Parking

The Applicant proposes residential parking at an overall 0.5 spaces per residential unit which is considered acceptable and which aligns with the adopted Wembley Masterplan SPD. For a provision of 1300 residential units this would equate to a total of 650 spaces. These are proposed to be accessed via Exhibition Way either directly beneath residential blocks or beneath the new Square.

It is considered that spaces for Affordable housing should be provided residential parking spaces. This will be discussed further in the Supplementary Report.

Parking for disabled users is proposed in accordance with Council and GLA guidance for both residential and non-residential uses.

Principal retail parking is proposed in a new 600 space multi-storey car park with access directly off Wealdstone Road from Fulton Road. This figure has been determined by block design requirements and parking accumulation analysis, and equates to the Council's adopted standard of 1 space per 50m<sup>2</sup> GEA for 30,000m<sup>2</sup> GEA (although up to 34,000m<sup>2</sup> GEA has been tested in the TA). This car park would be the prime focus for visitor attraction as a public town centre car park which should be charged in accordance with that purpose to act as a deterrent for long-stay commuter parking.

A further 200 commercial spaces are proposed to be located under the new Square allocated to office, hotel and leisure facilities although the split between these particular uses has not been determined. Given that the actual space allocation for these use classes may vary, it is considered that any surplus provision that may result could be considered for supplementary retail overspill parking outside normal working hours and at weekends. This would be particularly appropriate as tests on parking accumulation indicate that with maximum food retail provision tested (7,000 m<sup>2</sup> GEA), the multi-storey car park would be approaching capacity on a Saturday peak period. Based on 30,000m<sup>2</sup> GEA and the same food/ non-food split, such space provision would still be below the London Plan maximum provision of up to 855 spaces.

It is considered that it would be appropriate to require a parking management plan that defines the design, allocation, access, control and operation of private and public parking within the site, the principles of which are set out within Chapter 15 of the TA. In particular, it establishes the requirements for visitor/ mobility impaired/ shopper and worker parking. Charged spaces for public parking would be charged in accordance with a regime that deters long stay commuter parking. However, precise details of this mechanism are not provided within the TA. With regard to the specific operation of the proposed multi-storey and basement Square car parks, these will need to be agreed at the time development plots come forward. As a minimum, it is considered that the multi-storey car park should have a two lane barrier entry and exit arrangement to ensure satisfactory throughput.

Motorcycle parking is proposed at 5% of total supply which would equate to some 40 spaces, which is considered acceptable.

Cycle parking is proposed to be provided in accordance with Draft London Plan standards for both residential and non-residential uses which is considered acceptable.

### Public Transport

Broad public transport capacity assessments have been undertaken for rail, bus and underground. In addition TfL London Buses has reviewed the implications of the development proposals on existing bus services and committed and proposed bus service enhancements. The assessments have concluded that capacity enhancements to rail and underground services are not required given the current spare capacity on existing lines and at existing interchanges. However, London Buses does consider that service enhancements beyond those committed or proposed as part of other committed development proposals is required which might be applied to Route 297 and for which a contribution of £450,000 has been sought.

TfL London Underground has also requested a further £100,000 contribution for accessibility improvements at Wembley Central station on the basis of enhancing social inclusion on the public transport network.

The Wembley Masterplan (and as incorporated in part in the QED Stage 1 proposals) envisaged that bus services should be permitted to use the new Boulevard and northwards via Olympic Way. However, the potential use of Olympic Way for bus services is now being reconsidered by the Council in consultation with TfL and the Applicant as to its appropriateness and that viable alternative routes may be preferable e.g. Rutherford Way. Moreover, the Boulevard itself within QED Stage 1 and to the south of NWL will not be available for use for some years until the further plot developments come forward and the restriction on height access for buses along the Boulevard is removed when the temporary car park on Plot W10 is replaced with the new permanent parking facility.

### Pedestrians and Cyclists

The site is predominantly a pedestrianised environment with access provided to public cycle parking facilities. Capacity assessments of peak pedestrian usage have been undertaken which indicate that the prime shopping street of West Olympic Way will function adequately based on proposed width and usage. No indication is given of predicted cycle use or demand but it is not expected to pose any particular difficulty. However, as the site will become a prime visitor attraction, additional improvements/ enhancements to surrounding pedestrian walkways and cycle routes will be required. In particular, good quality signage will be required to assist the visitor both in identifying key points of attraction/ interest and also key transport facilities and interchanges such as Wembley Park. To assist this, it is proposed that a contribution of £100,000 is made towards Legible London via TfL such that a co-ordinated scheme for incorporation of Legible London signs in the vicinity of the site can be implemented.

### Access and Circulation

The Parameter Plans P04 Rev A, P06 Rev A, P07 Rev A, P14 and P15 Rev A establish the key constraints related to site access, internal circulation, servicing and parking. They have recently been modified in certain instances including definition of parking and servicing access points to individual plots, changing the width definition of the middle section of Wealdstone Road to a minimum 3.5m wide to ensure localised widening to accommodate service traffic can be accommodated and removal of the definition of a public transport corridor and blue badge on-street parking along Olympic Way. Olympic Way is a key event and non-event access route and is covered under later commentary. In addition, additional tracking plans along West Olympic Way of medium and large service vehicles have been provided. These proposed key Parameter Plans ( and their indicative circulatory Figures 3.2 – 3.5 on non-event days) are broadly acceptable but detailed observations are as follows:

- The tracking plans provided indicate that only Wealdstone Road and West Olympic Way are suitable under a one-way operation to accommodate large articulated vehicles. Hence a restriction on use of other side streets and access ways must be considered.
- Both Wealdstone Road (from a point immediately south of the south western corner of Plot NW09 and southwards to Empire Way) and West Olympic Way (from Fulton Road to Engineers Way) are shown indicatively as one-way southbound. These need to be formalised and include a revised requirement for Wealdstone Road (north of the proposed multi-storey car park exit at a point yet to be determined) to be incorporated
- Apart from Wealdstone Road, West Olympic Way and Olympic Way, no vehicle greater than 12m in length should be permitted on other site access routes without special authorisation as incorporated in an agreed site servicing and car parking management plan.
- Frontage pedestrian access to adjacent premises along Wealdstone Road should be permitted where required and as approved in consultation with the Council.
- Wealdstone Road from Fulton Road to and including the proposed multi-storey car park exit at a point yet to be determined should be offered to the Council for adoption; in this respect an obligation must also be made by the Applicant to ensure that 24 hour vehicular access along the length of Wealdstone Road is maintained
- Adoption of other access points as they meet the public highway will require detailed consideration as they come forward for implementation particularly where there will be a requirement for parking and access control e.g. signing of a one-way control backed by an appropriate traffic order. This would apply, for example, to the southern ends of Wealdstone Road and West Olympic Way.
- A detailed site servicing and car parking management plan should be prepared for submission to and approved by the Council.

#### Olympic Way and Event Day Strategy

The amended use types permitted for Olympic Way are broadly acceptable in principle but will require strict definition, design and control which cannot be fully determined at this stage. In addition, it is understood that there is an ongoing discussion over the eventual use and ownership of Olympic Way, both as a private street and public highway. Whilst certain limitations are proposed on service vehicle access, coach access, blue badge pick up/ drop-off and cycle access, these have yet to be considered in detail and in particular an event related strategy has yet to be fully determined other than closure of Olympic Way to general vehicular access. The eventual design of the public/ private highway for Olympic Way must not compromise current event day management and control and will need to be agreed with the Metropolitan Police.

In addition, the broad event day circulatory and access Figures 16.3 – 16.5 have yet to be formally responded to by the Metropolitan Police and as such can only be considered as an indicative arrangement until all the various stakeholders have responded.

Hence, it is considered that amended Parameter Plan P06 Rev A and the Development Specification which identifies particular uses allowed for Olympic Way should recognise that there will be strict requirements in terms of design, control, enforcement and hours of operation which will limit those permitted uses to specified access. In particular the arrangements for each use permitted must only reflect those development blocks where such use is required.

In addition, an Event Day Strategy recognising the opening up of the Olympic Way frontage to the NWL site and also from Engineers Way needs to be developed and agreed with the relevant stakeholders and agencies. The applicant has clarified that the obligation for the management of Stadium crowds falls with WNSL, with particular regard to Olympic Way, and that they will ensure that their proposals do not impede their access through the North West Lands site. However, your officers consider that a Strategy is required detailing any measures that are required to ensure that a satisfactory environment is maintained within the site (such as access to the internal streets within the development) and further detail regarding the 20 m clear zone on Olympic Way.

## Travel Plan Framework

The Applicant has submitted a Travel Plan Framework which meets the key ATTrBuTE tests as set out by TfL. Specific targets by each mode are not specified but reference is made to reducing car mode share to 27% in accordance with the LBB Core Strategy strategic objective. In addition, vehicle trip targets are recommended to align with those established by the TA as an upper end limitation. It is accepted that this is a general framework for establishing a viable travel plan for the site as a whole and as individual development parcels come forward. It will be a requirement for the Applicant as indicated to appoint a Travel Plan Co-ordinator and to develop a detailed implementation strategy prior to occupation.

## Servicing and Deliveries

The physical arrangements for servicing access and circulation have been commented on earlier. However, it has been agreed to adjust the times of acceptable on-street servicing along Olympic Way and Olympic Way West, to between 0630 and 1000 and between 2000 and 2200 on weekdays and Saturdays and between 0800 and 1100 on Sundays. For the main service yard for plot NW10 no such restriction will be applied but suitable arrangements to minimise environmental nuisance should be incorporated into the service yard design. The approval of a Delivery and Servicing Management Plan is recommended through condition, with details also including arrangements for Wembley Stadium Event Days.

## Transport Infrastructure Contribution

The NWL mixed use development proposals will represent a significant proportion of additional transport impact resultant from development proposed throughout the Wembley regeneration area, representing some 30%-40% of transport impact post that which arises from development which is already committed. Studies undertaken to identify an overall transport infrastructure package which have been considered to reflect the Wembley Masterplan and encapsulated in the Infrastructure and Investment Framework used to inform the Core Development Framework have concluded that an overall Council infrastructure package of some £18million to £20 million (excluding TfL) is appropriate and desirable of which an estimated £3.5m has been committed to date. Hence, some £14.5 million to £16.5 million is still required to complete the package. As such, and recognising that this cannot wholly be funded by development proposals alone and that contributions will be sought via government grant as well, it is considered that some £10 million to £12 million is sought via development contributions. Applying the relative impact of the NWL development proposals, a contribution from the NWL development proposals towards the overall transport infrastructure package of between £3.75 million to £4.0 million is considered appropriate. Brent Council would then be able, along with other forthcoming development contributions, to prioritise those transport infrastructure requirements that the Council deems the most pressing across the range of transport facilities required.

## Recommendations from Transportation

The Transportation Officers consider that this outline application can be supported in transportation terms subject to the following requirements being secured through conditions and/or a S106 Agreement:-

1. The Applicant will be required to submit for approval and implement prior to occupation of the NW10 Multi-Storey Car Park a scheme for the Fulton Road/ Empire Way junction substantially in accordance with Drawing 20082/037/028 Rev F and secure all necessary approvals and statutory consents and undertake consultation on any proposed legislative changes such as waiting/loading amendments which affect frontage properties. The full requirements in relation to these works are set out within the Transportation Comments.
2. The Applicant will be required to improve the Wembley Park Drive/ Empire Way gyratory in accordance with Drawing 20082/037/028 Rev F or as otherwise approved by the Council.

1. The Applicant will be required to pay a sum of £300,000 towards improvements to the Forty Lane/ Forty Avenue/ Bridge Road /Barn Hill junction.
2. The applicant will carry out a study within 3 years of opening the MSCP on NW10 to determine whether traffic light controls at the junction of Wealdstone Road and Empire Way would be required to accommodate peak demands in this location. If proved beneficial, such improvements may be implemented by LBB with funding from the Area Wide Contributions.
3. The Applicant will be required to pay a sum between £3.75 million to £4.00million towards transport infrastructure improvements and facilities within the Wembley Regeneration/Growth Area at times and in amounts to be agreed as part of a forthcoming S106 Agreement.
4. The Council notes the TfL requirements for infrastructure service provision which are:
  - £450,000 for additional bus service provision
  - £100,000 for accessibility improvements to Wembley Central Station
  - £100,000 for additional Legible London signage
  - £75,000 for a study of potential A406/IKEA junction improvements which if undertaken prior to a Stage 1 commitment would be offset against that particular commitment.
1. The Applicant will provide 600 public car parking spaces in the multi-storey car park as shown on Parameter Plan P14 Rev A which shall be implemented prior to first use of the retail element comprised in plot NW10.
2. The Applicant will provide 200 commercial car parking spaces in basement parking below the Square as identified on Parameter Plan P14 Rev A which shall be implemented prior to first occupation of: NW06, NW07, or the 5<sup>th</sup> plot, whichever is sooner;
5. Allocation of commercial car parking spaces within the Square basement parking will be in accordance with the Council's standards. Any residual parking will be made available as public short term charged parking and outside normal working hours and at weekends.
6. Residential parking shall be provided at no more than 0.5 spaces per residential unit overall. Spaces should be allocated to affordable residential units.
7. Cycle parking for residential and commercial uses will be provided in accordance with the London Plan standards. Provision of publicly accessible cycle parking will need to be agreed and provided prior to completion of any commercial development.
8. The developer should allow the use of some non-residential cycle spaces for a cycle hire scheme if one is to be implemented in agreement with the Council and TfL.
9. Motorcycle parking will be provided at a rate of 5% of overall parking space supply.
10. Disabled parking provision will be provided at 10% of allocation for residential parking spaces and 5% of allocation for commercial premises.
11. Car Club provision for up to 8 vehicles site wide should be provided, at a minimum of 1 space per plot where required by the operators (minimum of 2 spaces overall).
12. In order to ensure an efficient management and control regime, a car parking management, control, operation and charging plan for commercial parking will be prepared and agreed with the Council to ensure that the development complies with the Council's requirements for encouragement of short stay publicly available parking and deterrence of long stay commuter parking.
13. Wealdstone Road (south of a point - yet to be determined - immediately north of the proposed multi-storey car park exit) and West Olympic Way will be operated as one-way southbound at all times.
14. Wealdstone Road from its junction with Fulton Road to a point yet to be determined immediately south of the proposed car park exit should be offered to the Council under a S38 Agreement. This section of Wealdstone Road will be subject to a design, maintenance and control regime acceptable to the Council.
15. Adoption of areas of access points, other than Wealdstone Road north, as they meet the public highway will be determined subject to the requirements for relevant control such as one-way restrictions and associated signage and offered to the Council under a S38 Agreement.
16. Wealdstone Road will provide full 24 hour access for public use except at times and for

- periods agreed with the Council for exceptional and essential maintenance.
17. Frontage pedestrian access for premises adjoining the western side of Wealdstone Road will be made available free of charge.
  18. No service or other vehicles greater than 12m in length will be permitted on site access routes other than Wealdstone Road, Olympic Way and West Olympic Way.
  19. On-street servicing for Olympic Way and west Olympic Way will be limited to 0630 to 1000 hours and 2000 to 2200 hours Monday to Saturday and 0800 to 1100 hours on Sundays.
  20. Suitable arrangements to minimise noise and environmental nuisance including vehicle screening/ soundproofing where necessary should be incorporated into the off-street service yard for plots NW09/NW10.
  21. A detailed servicing plan will be prepared by the Applicant for the site as a whole for agreement with the Council incorporating permitted uses, numbers and types of vehicles involved, times of operation, permitted access routes and location and use of service bay/ lay-by facilities. The plan will also provide details of the mechanisms to be employed to enforce the approved arrangements.
  22. Agreement should be pursued between the Applicant and the Council on the legal status of Olympic Way and if changes are required as a result, the relevant changes to current legal statutes will be undertaken at the Applicant's expense.
  23. Olympic Way will be subject to a detailed design, operation, management, maintenance and control plan for both event and non-event scenarios which will be agreed by the Council in consultation with Emergency Services and other relevant stakeholders/ agencies as appropriate. Such a plan will define the use, type and number of vehicles permitted, periods of operation for such vehicles, control and enforcement mechanisms, and the design and location of vehicle access/ service/ drop-off points. In particular, permitted use will be strictly related to individual plots NW04, NW08 and NW11 only and as required by that particular plot.
  24. An Event Day Strategy will be prepared by the Applicant and approved by the Council, in consultation with Emergency Services and other relevant stakeholders/ agencies. This should detail Event Day measures, including further detail regarding the 20 m clear zone on Olympic Way and measures to ensure a satisfactory environment within the development.
  25. A detailed Travel Plan drawing from the Travel Plan Framework will be developed as individual RMAs come forward. A Travel Plan Co-ordinator will be appointed/ allocated by the Applicant who will prepare and discuss individual Travel Plan requirements with the Council's representative and in particular the requirements for baseline surveys, targets, monitoring and initiatives.
  26. A 'car-free' agreement will be required covering the overall development removing the right of all future residents and businesses to Residents, Visitors and Business Parking Permits within any existing or future Controlled Parking Zones (including the Wembley Stadium Event Day CPZ) operating on Brent Council maintained roads in the vicinity of the development.

These recommendations have been incorporated into the Development Specification, Section 106 Heads of Terms, and/or conditions.

### **Daylight and Sunlight - Impact on nearby dwellings**

The applicant has assessed the levels of daylight and sunlight received by nearby dwellings using the BRE publication "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice", which is a standard and accepted approach. As there are no areas of external amenity space or public open space for which the BRE guidance would be applicable that may be affected outside of the proposed, no tests have been undertaken regarding this.

The tests have accordingly been applied to the residential units within Raglan Court and Forum House that face the development. Both buildings are situated on Empire Way.

### **Daylight**

The findings of the report in relation to Raglan Court are as follows:



The submitted assessment sets out that 75% of the rooms in the eastern facade of Raglan Court only suffer minimal daylight loss. Those units that are affected currently benefit from an open vista as plot NW01 does not contain any buildings at present. Some windows will experience a reduction of daylight in excess of 20 %. However, the levels of Vertical Sky Component (VSC) and Average Daylight Factor (ADF) remain at levels typical for this type of location.

Interrogating the analysis proves difficult when room types are not known. However, it is acknowledged that it is often not possible to ascertain the precise functions of rooms unless detailed drawings are available. Of the 82 rooms tested, only 8 did not achieve either a daylight reduction of less than 20, a VSC of greater than 27, or an ADF of more than 2 (being the target levels of reduction, potential daylight and actual daylight). The resulting ADF for those 8 rooms ranged between 1.63 and 176 and as such, exceeded the target minimum levels for living rooms and bedrooms (1.5 and 1 respectively) fall below the target level for kitchens (2). On balance, given the urban nature of the area and the difficulties in obtaining information regarding the precise nature of rooms, your officers consider that the level of impact on the Raglan Court windows with regard to daylight is acceptable.

The findings of the report in relation to Forum House are as follows:

Only the lowest residential floor in the facing (northern) elevation was tested as these will experience the greatest level of impact. Two of the nine windows tested had a VSC of 27 % at present. All rooms, save but two, will have a VSC of greater than 20 %, and these two rooms retain well in excess of the ADF requirements. All rooms will remain very well lit and will see a negligible impact.

Again, room types are not specified in the table. However, where rooms will experience a reduction of greater than 20 %, the ADF levels remain above 2 (above minimum guidance levels for all rooms) for all but one room. The levels of daylight for one room fall by more than 20 % and the resulting ADF score for that room is 1.61. Whilst the room types have not been specified and the level is below the minimum recommended for kitchens, your officers are aware that all facing units on this floor of Forum House have kitchen-diners rather than separate kitchens, with the living room element adjacent to window. As such, your officers would treat all adjoining rooms as bedrooms or living rooms with regard to daylight, and the resulting levels of ADF are above the minima.

#### Sunlight

The submitted report does not discuss levels of daylight received by adjoining blocks. However, the results of the testing have been provided and your officers have interrogated these results. The test only relates to those windows that are within 90 degrees of south. Therefore, the tests would not be applicable to Forum House or the north-eastern facades of Raglan Court.

A total of 15 (24 %) of the 62 windows tested experienced reductions in sunlight below BRE guidance levels. These levels are calculated as percentages of the total unobstructed likely hours of sunlight (1486 hours), with targets of 5 % APSH for winter and 25 % total APSH. However, 9 of the 15 still received total levels of sunlight that meet or exceed the minimum guidance levels while a further 5 of these with total APSH levels within 3 % of this target and the remaining 2 within 5 % of the target. This demonstrates that the majority of the impact will be experienced during winter months. Given the urban nature of development envisaged within the Wembley Regeneration/Growth Area, your officers consider the loss of sunlight to be at acceptable levels.

#### Dexion / Howarine House

No assessment has been made of the impact of the proposed development on the residential and leisure scheme for which planning permission has been granted on the Dexion / Howarine House site, or on the impacts of that site, being a potential development site. The existing buildings are still in place and the scheme has not commenced. Furthermore, an alternative scheme has been

submitted to the Council which includes Student Accommodation and leisure uses. The Planning Committee has resolved to grant planning permission for this revised development (6 April 2011) subject to the stage 2 referral to the Mayor of London and the completion of a Section 106 legal agreement.

The initial scheme was submitted in anticipation of the redevelopment of the Quintain North West Lands site, and in fact included windows in close proximity to this site (approximately 2 m) and relies on the provision of an access road by Quintain to the rear of the site. As a revised scheme has been submitted for this site, it is considered likely that the latter scheme will be delivered rather than the housing proposal. However, it remains possible that the housing scheme could be delivered.

Given the high density urban nature of the Dexion House proposal and the Quintain North West Lands scheme, and the lack of certainty regarding the delivery of the residential led scheme on the Dexion House site, your officers do not object to the failure to analyse the potential impacts on this site.

### **Microclimate – Wind Environment**

A boundary layer wind tunnel study of the proposal and surrounding buildings has been undertaken to assess the pedestrian wind environment. This examines the potential impacts of the proposed development taking into account existing surrounding buildings together with the cumulative effects with other consented developments in the locality.

The impacts of the proposed development are as follows. These comments apply to both the proposed development itself and the cumulative impact except where the cumulative impact is specifically referred to.

- The north-west corner of Quality Hotel is unsuitable for pedestrian comfort and safety, however, this is not as a result of the development.
- Away from the Quality Hotel sufficient comfort conditions generally exist for pedestrian passage, ingress and egress.
- Conditions will be too windy for pedestrian comfort at north west corner of NW08 and within the north east pocket. However, when taking into account the cumulative impacts, the southeast area of this pocket is suitable for cafe seating and this may also be addressed through further mitigation at detailed design stage
- In general, residential entrances are suitable for pedestrian ingress and egress. However, some residential entrances may require recessing or localised protection via screens.
- Shop front areas are generally suitable for window shopping/pedestrian ingress/egress. However, conditions will be too windy in some isolated locations.
- Generally, the open spaces are suitable for the intended uses.
- The raised courtyards are generally acceptable for outdoor seating, play space and access. However conditions could be enhanced through soft landscaping
- Introduction of the wider Masterplan to the east of the development is not expected to result in further significant cumulative impacts.
- The northern entrance to Olympic Office Centre does not achieve comfort levels for pedestrian passage and egress. However, this is not a significant cumulative effect of the development.
- The Civic Centre garden will be generally suitable for outdoor recreational uses, such as outdoor seating.

This report highlights the need for mitigation measures to ensure appropriate conditions within localised areas of the application site. However, these can be addressed at detailed design stage and the proposal does not have a significant adverse effect on sites in the vicinity.

### **Air Quality**

The application site falls within an Air Quality Management Area (AQMA). This designation relates to the levels of nitrogen dioxide which exceed statutory air quality objectives. The

submitted report assesses the impact of the proposal in relation to air quality having regard to the effects associated with construction, road traffic and the CHP and boiler plant.

The assessment sets out that the construction based effects will primarily be related to the demolition of the demolition of the Palace of Industry building. Mitigation measures are proposed and the report sets out that the effects will be minor.

The assessment highlights increase in concentrations of nitrogen dioxide associated with the road traffic associated with this development, with levels exceeding the air quality objective. However, the impact is isolated to the ground floor facade of NW01 and the effects are reported to be insignificant. Traffic generated by cumulative schemes (i.e. including both the proposed development and other consented schemes), results in nitrogen dioxide levels in excess of the objective both at first floor level for plot NW01 at the junction of Empire Way and Engineers Way and at the ground floor north facing facade of NW09. The report sets out that mitigation measures are not necessary as objective levels are only marginally exceeded and this is based on worst case assumptions that are unlikely to be experienced.

The Combined Heat and Power (CHP) and boiler plant is to be located in NW09, with the associated flue terminating above roof level of one of the tallest buildings in the proposed development. As such, the effects are reported to be negligible and insignificant.

Environmental Health agree with the findings of the Air Quality Assessment, but recommends that the approval of details of the CHP unit and boilers is secured through condition to ensure that these design assumptions are achieved.

### **Groundwater, Soils and Contamination**

Potential sources of contamination have been assessed through a desk-based study of groundwater soils and contamination and a site walk-over survey, and the assessment evaluates the potential pathways and associated impacts. The report highlights the possible presence of contamination and recommends mitigation measures to address both the construction and operational effects, which are generally anticipated to be negligible or minor adverse without mitigation. However, all impacts are considered negligible when mitigation measures are implemented.

With regard to land contamination, recommended mitigation measures include a site investigation, remediation strategy and the implementation of good practice procedures both in construction and health and safety during remediation works and site development.

Environmental Health agrees with the findings of the report and recommends the standard condition regarding contamination.

### **Water Resources and Flood Risk**

This section of the Environmental Statement examines the potential effects of the development (both construction and operational) on the quality and quantity of surface water in terms of the discharge to the network / Wealdstone Brook, the risks of flooding of the site and the likely discharge rates and capacity within the waste water system.

With regard to ground water, this report highlights the existing conditions and potential effects on groundwater to identify the links between groundwater and surface water effects. However, this matter is covered in the section on groundwater, soils and contamination.

### **Flood Risk**

The site is in Flood Risk Zone 1 (low risk of flooding). However, the site area is in excess of one Hectare and as such, a Flood Risk Assessment is required to ensure that the proposal does not result in an increased flooding downstream of the development. The proposal commits to reducing the rate of surface water discharge from the drainage system to Greenfield runoff rates.

Given the nature of the site which at present is predominantly hard surfaced, this will result in a significant reduction in discharge rates into the network. The mitigation measures have been designed to provide attenuation levels sufficient for a 1:100 year rainfall event including a 30 % tolerance for climate change. The Flood Risk Assessment proposes the implementation of Sustainable Urban Drainage Systems (SUDS) in accordance with current best practice, selecting the most appropriate measures for the prevailing site conditions. Potential measures include the use of green/brown roofs, permeable paving and rainwater harvesting. Below ground storage tanks will also be used for attenuation purposes.

Other SUDS measures such as ponds, basins and infiltration devices were evaluated, but were not considered feasible or viable.

The Environment Agency, a statutory consultee in relation to the Flood Risk Assessment, consider the Flood Risk Assessment to be acceptable subject to the inclusion of specified conditions should planning permission be granted.

### Waste water

This application has been accompanied by a drainage strategy, utilities report and details of the existing and proposed surface and foul water, including:

- The private foul and surface water drainage layouts and proposed connection points into the public sewers;
- The requirement for abandonments and diversions of Thames Water's foul and surface water sewers;
- The proposed discharge rates into the Thames Water sewers.

Thames Water have commented that there is insufficient capacity within their waste water network and that they are concerned about the ability of the network to serve the development.

They are currently funding and undertaking a local drainage infrastructure study to understand the impact of this and other proposed developments on the local drainage network. Until this work has been undertaken, Thames Water consider that an effective drainage strategy for this development could not be produced.

Thames Water have recommended that a condition is attached requiring the approval of a drainage strategy prior to the commencement of development.

### Demolition and Construction

The Demolition and Construction element of the Environmental Statement largely brings together other elements of the application submission, and makes commitments to the demolition and construction process.

A sequence of development is set out, which envisages the completion of the development by Quarter 4 of 2020. The applicants must look at potential delivery patterns and phasing when assessing the impacts of this proposal. However, in reality, this will be dictated by the market and funding, and this consent would allow the commencement of works up to a maximum of 17 years from the date of consent (15 years time limit for the submission of Reserved Matters and 2 years from the final approval of Reserved Matters to the commencement of that building).

The report highlights the constraints and considerations associated with the construction and demolition process, including infrastructure, impact on neighbours, highway impact and the 2012 Olympic Games.

Commitments relating to Construction Logistics including the hours of operation, construction traffic management/routing, emergency evacuation, liaison with neighbours, and noise from plant and equipment are captured in the Development Specification. Energy and sustainability during demolition and construction are considered, with the commitments including (but not limited to):

- The use of low embodied energy materials;
- Use of the WRAP toolkit for recycled content;

- Local sourcing of materials where possible;
- Maximising the use of secondary, recycled and reclaimed content to set targets (20% material by value, 25% of aggregate/fill by weight);
- Minimum of 80 % non-recycled timber from FSC sources;
- Use of ICE's Demolition Protocol;
- Compliance with the London Best Practice Guide on the control of dust and emissions from construction and demolition;
- Adherence to the Consider Contractor Scheme.

Commitments are also made to measures associated with Local employment and training, to be secured through the Section 106 agreement.

### **Archaeology**

The findings of a Desk Based assessment are presented and discussed within the submitted reports. The assessment sets out that the archaeological fieldworks undertaken within the Stage 1 site found that significant levels of disturbed ground were present and that this will have resulted in the removal of any potential archaeological deposits. The likely presence, in parts, of the foundations of the Palace of Arts and Palace of Industry buildings (de-listed in 2004) has been highlighted. However, the significance of this is reported as minor.

The report specifies that the effects of the proposed development will be of negligible significance and it considers that there is no need for an archaeological mitigation strategy.

Your officers agree with the findings of this report.

### **Ecology and Nature Conservation**

An assessment of the site and surrounding area was undertaken, comprising a desk based survey using Greenspace Information for Greater London (GiGL), the Multi-Agency Geographic Information for the Countryside (MAGIC) database and Nature on the Map. This was accompanied by a Habitat Survey and an Extended Phase I survey.

The assessment found that the site is currently of extremely low ecological value. Neither the presence of nor the habitat for protected species were not found on site. The assessment accordingly concluded that any effects of the development will be of no ecological significance.

As the proposal significantly increases the levels of planting on site, and includes the provision of green roofs, brown roofs and bird boxes, the proposal is likely to increase the ecological value of the application site.

Natural England has commented that the site is within an Area of Deficiency for Access to Nature, and they are pleased that this is recognised in the Environmental Statement. The proposed provision of open spaces with "soft/green" landscaping together with brown/green roofs is welcomed and encouraged.

### **Utilities**

The submitted utilities report looks at the design criteria and potential options for utilities, including any potential diversions, locations for new internal infrastructure and connections to the wider networks and projections of demand/discharge.

The report concludes that the primary utility assets normally found in the public realm have been identified adjacent to, and within, the Application Site. The applicant has confirmed that, following communication with the utilities companies, the initial design proposals to meet utility demand requirements are feasible, and that sufficient capacity exists within the existing networks. It confirms that preliminary design work for all utilities will be further developed in the next work stage.

With the exception of the discussions of Waste Water (previously discussed in this report), no concerns have been raised from utilities operators.

### **Operational Waste Strategy**

This report looks at the provisions for waste in the completed development, including storage, collection and likely means by which it is dealt with off-site.

The application proposes either the use of a standard waste collection system or connection to the Envac system that is in place on the Stage 1 site. The standard system involves the provision of suitably sized waste storage areas (designed to Brent Council standards) within the buildings in locations suitable for collection by refuse vehicles. This is the system that is currently implemented for all buildings in the borough with the exception of Forum House and Quadrant Court which form part of the Quintain Stage 1 consent.

Quintain may choose to extend the Envac system from the Quintain Stage 1 area to the North West Lands site. The Envac system moves waste through a series of pipes to a collection point in Stage 1 plot W05. Quintain has confirmed that this system has sufficient capacity to accommodate the North West Lands proposals. However, as the cost of the pipe network is significant, they cannot commit to this extension. As the traditional system described is considered acceptable across the borough, your officers consider that either option would be acceptable.

If Envac is implemented, further discussions are required regarding the segregation of residential from commercial waste or any associated charging mechanism as the Council does not collect commercial waste. However, as the Envac centre is already in place for Stage 1, these discussions can take place after the determination of the North West Lands application.

### **Site Waste Management Plan**

The applicant has submitted an Initial Site Waste Management Plan. Whilst the Operational Waste Management Strategy deals with the on-going operational aspects of the building, the SWMP deals solely with the construction process.

The report specifies this is not a static document, but rather one that evolves over the life of the development. It specifies a requirement for the Principal Contractor to update it at least every six months once on-site with information on the waste which is taken away for disposal, recording the strategy for minimising waste during design and construction process.

London Plan Policy 4A.28 (Construction, excavation and demolition waste) specifies that “DPDs should require developers to produce site waste management plans to arrange for efficient materials and waste handling, and require waste to be removed from the site, and materials to be brought to the site, by water or rail transport wherever that is practicable” and the Preferred Options version of the Development Policies DPD includes policies DP SD5 (Resource Efficiency –Sustainable Materials & De/Construction) which sets out the requirement for a Construction Management Strategy and/or includes a Site Waste Management Plan and sets targets for maximising recovery and the re-use of materials from demolition and minimises materials waste during construction. However, the Development Policies DPD has not been adopted as yet.

The approval of a SWMP is also a statutory requirement for all construction projects with an estimated value greater than £300,000 under the Site Waste Management Plan Regulations 2008 and therefore is a requirement of this development. However, the Local Planning Authority has no authority to determine the SWMP under these regulations.

The Submitted Site Waste Management Plan must therefore demonstrate that the proposal has considered and is in accordance with the principles, policies and regulations relating to waste minimisation and management policies. Given the status of the LDF Development Policies DPD, your officers have considered this report on the basis of Policy BE12 of the UDP 2004 and SPG 19

which relate to the consideration of the potential for the reuse of materials, the environmental effects of building materials and methods to maximise recycling and re-use, as well as minimising waste during demolition and construction.

A commitment is provided to use the WRAP SWMP Template. The SWMP Regulations require the provision of estimates of waste quantities at the different project stages.

The report considers waste minimisation measures, including:

- Prefabrication;
- Use of sustainable materials;
- Reuse of demolition waste as aggregate; and
- Take back of packaging by suppliers.

These measures have been estimated to reduce waste levels by 4,270 tonnes (from 35,440 tonnes). It is also reported that it is possible to recover 30,670 tonnes of construction waste through good practice recovery rates with segregation, reducing the quantity to 4,770 tonnes with a recovery rate of 85%.

The report recommends that, through the design process, the following steps are implemented:

- Ensure that the WRAP SWMP template is kept up to date with design decisions;
- Make this document and the WRAP template available to the Principal Contractor as and when they are appointed.

Your officers consider that the SWMP provides sufficient information to demonstrate that the proposal has adequately considered the re-use of demolition material and measures to minimise waste during construction in accordance with Policies BE12 and SPG19.

#### **Statement of Community Involvement (SCI)**

The submitted statement sets out the pre-application community consultation process that was undertaken by the applicant.

They describe the process, which was undertaken in two phases, as follows:

- *Phase One, April 2008: Included letters and promotional activities to announce the start of public consultation; a public exhibition held in April 2008; a dedicated consultation booklet, website and free-post comments cards; meetings held with local groups; media work; ongoing dialogue with the London Borough of Brent ("LBB") together with other statutory consultees, and a range of other people and organisations. The materials set out the progress which had been made on the Stage 1 Development, and QED's emerging Masterplan ideas for the land to the north of this, known as the Northern Lands.*
- *Phase Two, July 2010: Included a second round of public announcements, letters and promotional activities around the second public exhibition held in July 2010; a second dedicated consultation booklet, website and comments book; further ongoing dialogue and meetings with LBB, statutory consultees and local groups, and media work. The materials updated people on the progress which has been made delivering the Stage 1 Area, the publication of LBB's 'Wembley Masterplan SPD 2009' and the planning approval for the new Civic Centre. It then focused on the plans for the North West Lands, providing more detail on all elements of the scheme – the community park and setting for the new Civic Centre, the new retail street, improvements to Olympic Way, high quality family homes, new affordable workspace as well as access and transport improvements.*

The statement confirms that a high level of responses were received, and that every suggestion was considered and where appropriate, incorporated into the plans. Many of the comments related to issues such as specific features, such as wanting to see public toilets or a drinking fountain included in the plans. These issues can be adequately considered in future detailed design stages.

Meetings were also held with key stakeholders, including Transport for London, the Greater London Authority, the Environment Agency, CABE, LBB Officers and the Brent Design Review Panel.

The submitted SCI is considered to be acceptable.

### **Alternatives**

This application has been accompanied by an assessment of alternatives to the development proposed. The assessment looks at both a 'no development' scenario and alternative designs and site layouts for the application site.

No alternative sites have been evaluated by the applicants as the site has been identified for regeneration within the Brent UDP 2004, the LDF Core Strategy 2010 and the Wembley Masterplan 2009 and alternative sites would not achieve the regeneration aspirations of the Council. Furthermore, the 'no development' scenario has been ruled out for these reasons.

In relation to alternative layouts, the assessment refers to core objectives for this area set out within the Wembley Masterplan SPD. These, together with policy CP7 of the LDF Core Strategy, set a framework within which the development proposals should be developed. A number of options and amendments have been worked through during the pre-application and application processes associated with this application and these are discussed in the assessment of alternatives and the Design and Access Statement. The submitted assessment accordingly demonstrates that a number of alternatives have been considered whilst developing this application.

### **Cumulative Effects**

The applicant has provided an assessment of Cumulative Effects as part of the Environmental Statement. Cumulative effects take into account the effects of the development and the committed (i.e. consented) developments in the locality. This chapter of the ES brings together and summarises the findings of the assessments of cumulative effects that are contained within the individual chapters of the ES.

### **GLA Stage 1 comments**

The applicant has provided the following responses to these issues and the view of your officers on these issues. These have been discussed elsewhere in the report and are highlighted within this section for reasons of clarity.

Housing: The Valuation Office has confirmed that the maximum proportion of Affordable Housing has been secured, but has recommended that a claw-back or review mechanism is implemented due to the low proportion achieved. A review mechanism has been secured and is discussed in the Affordable Housing section of this report.

Housing Design: The minimum sizes for residential units have been revised to meet the minimum standards set out within the draft replacement London Plan. A basic design criterion for one-person units has been set out within the Development Specification.

Design: Further indicative detail has been provided regarding the cladding system options for the multi-storey car park. A commitment has also been to a minimum spend of £1.5 million on the cladding system. Further detail has been provided regarding play space, whilst additional indicative images have been provided of the buildings and Environment along Olympic Way.

Access: A commitment has been made to an increased level of Wheelchair accessible and adaptable student and hotel accommodation to levels recommended by the GLA.

Transport: Further information regarding car parking, including further detail in relation to the relevant standards. The proportion of residential parking spaces with electric charging infrastructure has been increased, and a contribution is proposed to 'Legible London' signage. A PERS audit has been undertaken whilst commitments have been made to the Section 106 contributions requested by TfL.

Energy and climate change: Further clarification regarding and commitments towards the provision



of a single energy centre and measures to address the likely cooling requirements of the development. The level of photovoltaic panels has been specified whilst the green roofs and SUDS are secured through the Development Specification.

**Noise:** Sufficient information has been provided to demonstrate that the design levels for noise to mitigate against noise from the Stadium and other sources can be achieved within the development.

Your officers consider that the applicant has adequately addressed the issues raised by the Greater London Authority within their Stage 1 response to this application.

### **Other matters raised by Wembley National Stadium Limited**

Wembley National Stadium Limited (WNSL) have commented on a number of aspects of the proposal. Some of these have already been discussed within this report. However, a summary is provided below:

**The Pedway:** WNSL have expressed concern that the proposal may consent the removal of the Pedway without proposing any alternative. Your officers can confirm that this is not the case, and the Development Specification makes firm commitments in respect to this, specifying that the eastern element of NW04 and south eastern element of the adjoining pocket cannot be delivered until the Pedway has been removed. It also confirms that it will not be removed until an application has been approved for an alternative Stadium Access and alternative access measures have been implemented. Such new proposals would be brought forward in consultation with stakeholders.

**Olympic Way:** WNSL wish to ensure that the 20 m access way to the stadium along Olympic Way is maintained free of all obstructions and that the Police and WNSL should have the opportunity to comment on the design and layout. They also consider design guidelines should be submitted and approved with this application. The proposal provides a firm commitment to the 20 m corridor within the Development Specification and that the development will respect WNSL's access requirements to and along Olympic Way on Event Days. The applicant is required to submit a strategy which will ensure that WNSL's management of Stadium's visitors is unimpeded and that any measures or design constraints that are required to ensure that the proposed development remains acceptable on Event Days are incorporated into the scheme. The MET Police have been consulted with regard to this application. However, no response has been received to date.

**Noise:** WNSL recommend that the design criteria for noise levels within residential units are also applied to hotels and student accommodation. Your officers have structured the noise condition to include student accommodation. However, your officers have not applied this condition to hotel uses.

**Construction / phasing:** WNSL recommend the use of conditions to address construction issues similar to those used for the Stage 1 consent (conditions 33 to 45 of application 03/3200). This application is accompanied by a Construction Logistics Plan which your officers consider to be acceptable as an overarching strategy. It is considered appropriate to require a plot specific plan which uses the assumptions of the Construction Logistics Plan but provides plot specific detail.

**Design and Massing:** Concern has been expressed regarding the scale of the buildings that line Olympic Way and the impact on the views to the Stadium along this processional route. As discussed above, this proposal results in a reduction in the amount of arch and the space between the Stadium roof and arch that is visible when compared to both the current views and the views that were envisaged within the Wembley Masterplan SPD. However, your officers considered that the views to the stadium are acceptable.

**Access / Transport / Servicing:** WNSL consider that the required works to the Fulton Road – Empire Way junction should be tied to the first phase of development. However, as the majority of the impact occurs as a result of the Multi-Storey Town Centre car park in plot NW10, your officers consider it more appropriate to tie the completion of these works to the completion of car park.

WNSL also recommend an ongoing review mechanism for the levels of driver delay at the Empire Way – Engineers Way junction. Your officers do not consider such a review to be necessary and junction works are secured through the Stage 1 consent.

WNSL has specified that the Framework Travel Plan is too generic and makes no mention of the Stadium on Event or non-Event Days. The applicant has commented that the level of detail provided is considered sufficient for an outline application and that the operation of the National Stadium on Event Days is part of the Baseline consideration. Your officers have highlighted the nature of the Travel Plan, and consider that it is acceptable as a general framework subject to the development of a detailed implementation strategy and appointment of a Travel Plan Co-ordinator prior to occupation.

Comments have also been made regarding the level of detail within Parameter plans in relation to access, and some conflicts in the specified detail. The “building and services entrances” that WNSL refer to do not relate to vehicle access, whilst the vehicle accesses that are referred to in the eastern facades of NW04, NW08 and NW11 have now been removed.

WNSL considers that a servicing management plan is required. Your officers concur with this view and have recommended that one is secured through condition.

## **Summary and Conclusions**

### **Key strategic objectives**

The proposal represents comprehensive mixed use development scheme which will form a key element in the regeneration of Wembley. The Proposal is considered to be in conformity with the development plan, and will deliver (or will help to deliver) many of the core objectives for the Wembley Growth Area as set out within the LDF Core Strategy 2010 and the Wembley Masterplan 2009. This includes:

- Up to 1,300 new homes contributing towards the Core Strategy target of 11,500;
- Significant Employment opportunities;
- Significant key junction improvements, including a new Fulton Road – Empire Way junction layout in time for the opening of the Multi-Storey town centre Car Park
- Funding that could be used towards other junction improvements or new road connections, triggered at 2 year intervals from 2012 to 2020 (providing the development commences)
- Significant contributions towards the provision of school or nursery places, and the option to use these contributions to purchase land to provide a new school within the Growth Area, with the option to purchase the school available within one year of the consent or the contributions tied to the completion of 400, 600 and 800 residential units.
- The provision of a 0.4 Ha open space (the Square) to form part of the target total of 2.4 hectares of new public open space within the Growth Area, to be delivered with block NW06 or NW07.
- Sports facilities, comprising a MUGA to be delivered on the roof of the Multi-Storey Car Park.
- A multi-use community hall, to be delivered by completion of the 5<sup>th</sup> plot or 800<sup>th</sup> residential unit.
- The provision of new play areas within each plot, on the roof of the Multi-Storey Car Park and in the Square;
- The provision (and in part, contribution towards the provision) of 151 of the target of 1,000 trees, and significant improvements in the soft landscaping and biodiversity in this locality;
- Site wide Combined Heat and Power plant to be delivered by completion of 780 residential units;
- A new shopping street with 30,000 m<sup>2</sup> of retail (Use Class A1-A5) floorspace;
- Significant improvements and upgrades to Olympic Way to be delivered within one year of completion of two of the three proposed buildings fronting Olympic Way;
- A reduction in the surface water runoff through the implementation of measures which include SUDS to be delivered as the individual plots are brought forward;

- The construction of a “Town centre” car park (the Multi-storey car park) within the northern element of the Growth Area to be delivered with the “Anchor retail unit”, NW10.

## **Summary of conclusions**

### **Scale Massing and Layout**

**Environment and context:** The proposal represents a high density mixed use urban redevelopment proposal. The heights of some buildings are higher than those indicated in the Wembley Masterplan SPD, but mitigation is incorporated through design and layout consideration and architectural devices. Ground floor uses help to dictate character and ensure activity, even in the “quieter” streets.

**The Multi-Storey Car Park:** A multi-storey car park within the upper floors of a building necessitates a carefully considered and high quality design solution and external facade treatment. The submitted indicative information and the commitment to a minimum level of spend on the facade treatment provides your officers sufficient reassurance that an appropriate external treatment can be secured at Reserved Matters Stages.

**Setting of the Grade II Listed Wembley Arena:** Your officers concur with the findings of the submitted assessment and consider that the proposed development will not have an adverse effect on the setting of this Grade II listed building providing the quality of final design and materials is sufficient.

**Views, including protected views:** With regard to views along Olympic Way to the Stadium, the proposal provides a level of balance from the protected view from Wembley Park Station when considering committed developments. The amount of the Stadium arch and the space between the roof and arch that is visible along the “Processional Route” (Olympic Way) is reduced in comparison with current views and those envisaged within the Wembley Masterplan SPD. However, your officers consider that the level of prominence of the Stadium remains acceptable. It is considered that the proposal does not have an adverse effect on other protected views to the Stadium.

**Landscaping – Public Areas:** The proposal includes significant improvements to public realm landscaping, including the planting/contributions towards a total of 151 trees, £4 million worth of improvements to Olympic Way, the provision of a 0.4 Ha park and four “Pocket” open spaces and other areas of public realm. The detailed design of these spaces can be secured through the Reserved Matters applications.

**Residential Accommodation (Use Class C3):** The provision of 815 to 1,300 new residential units is in accordance with the Council’s targets of 11,500 new homes in the Wembley Growth Area by 2026.

### **Unit Mix – Tenure, Size and the Affordable Housing Cascade**

**The level of Affordable Housing:** The level of Affordable Housing (10% calculated by gross external floorspace) is considered low, but has been justified as the maximum that is financially viable by the independent assessment of the Financial Appraisal undertaken by the Valuation Office Agency. Given the low value, a review mechanism has been secured which may increase the level of Affordable Housing to 12.5 % or 15 % based on actual sales values of Private Units, to be assessed at a specified point in time.

**The Affordable Housing Cascade:** A detailed cascade mechanism has been secured due to uncertainty regarding the funding of future Affordable Housing. Your officers consider the Cascade to be a good mechanism to address this uncertainty, and the associated levels of Affordable Housing for each option are currently being independently reviewed by the Valuation Office Agency.

**Size mix of units:** The proposed mix of units within each tenure is considered to be acceptable.

**Residential Quality – Minimum floorspace:** The proposed minimum floorspace levels meet Brent Council and draft London Plan standards.

**Residential Quality – External Amenity Space:** The total quantum of external amenity space is likely to be lower than levels set out in Supplementary Planning Guidance. This is considered acceptable given the location and nature of the development. However, this necessitates a very high quality of design and detailing for the open spaces.

**Play, Recreation and Sports:** A Multi-Use-Games-Area is proposed whilst the Community Hall to be delivered as part of this scheme can be used for purposes such as yoga and badminton.

Further Section 106 contributions towards sports have not been recommended by your officers as the total package of improvements secured through this scheme is considered to be acceptable and other committed developments in the area include significant sports infrastructure.

**Residential Quality – Accessible Housing:** All units will be built to Lifetime Homes standards whilst 10 % will be wheelchair accessible or easily adaptable.

**Residential Quality – Daylight and Sunlight:** The proposal commits to acceptable levels of daylight whilst single aspect north facing units have been minimised through layout and design to sunlight to units.

**Residential Quality – Outlook and Privacy:** Commitments have been made to minimum distances between facing habitable rooms and separation between rooms and public or communal spaces.

**Residential Quality – Noise and vibration:** The mitigation of the effects of noise (sources including Stadium, Arena and roads) has been addressed through commitments to design criteria whilst the submitted information demonstrates that these criteria are achievable. The implementation of these measures can be secured through Reserved Matters and condition submissions.

**Residential Density:** Density has been calculated using the methodology recommended by the GLA. The development is within the appropriate range set out within the London Plan Density Matrix.

**Education:** Section 106 contributions are to be made towards the provision of nursery and school places. Given the need to provide a new school within the Wembley Growth Area (LDF Core Strategy Policy CP7), the Council will be offered an option on land within the vicinity of this site for use as a school. The Section 106 contributions may be drawn down to put towards the purchase of this site.

**Retail, financial and professional services and food and drink floorspace (Use Class A1 to A5):** The principle of the provision of 30,000 m<sup>2</sup> of new retail floorspace is established within the LDF Core Strategy. The Wembley Masterplan SPD highlights the subject site as the potential location for a new Retail Street adjoining the “Boulevard” within the Stage 1 consent area. The UDP 2004 restricts the level of convenience retail units to a maximum of 2,500 m<sup>2</sup>. However, the Site Specific Allocations allow the relaxation of this restriction subject to the tests set out within PPS4, notably the availability of sequentially preferable sites within the Wembley Town Centre. Commitments are accordingly made within the Section 106 to limit the maximum size of a convenience retail unit to April 2019. This limit increases to 7,000 m<sup>2</sup> after this date subject to conditions set out in the S106 Heads of Terms.

**Business (Use Class B1), including Low Cost Employment Space (LCES):** The subject site is considered an appropriate location for Business floorspace. This application secures up to 2,400 m<sup>2</sup> of “Low Cost Employment Space”, to be leased and operated by approved providers and let at affordable rates.

**Community floorspace (Use Class D1):** The proposal commits to the provision of a 300 m<sup>2</sup> community hall, managed by an approved organisation (such as an RSL) with hall hire costs at rates comparable with Local Authority provision.

**Healthcare:** The proposal is considered to have a minimal impact on the provision of Healthcare facilities. The Quintain Stage 1 consent has provided floorspace for a Primary Care Clinic. However, it is specified that the Brent PCT have currently chosen not to take this floorspace. Additional healthcare floorspace, or contributions towards it, are accordingly not considered necessary.

**Hotel (Use Class C1), Student accommodation / serviced apartments / apart-hotels (Sui Generis) and Leisure and Entertainment (Use Class D2):** The subject site is considered an appropriate location for hotel, leisure and entertainment uses, and this is supported by the UDP 2004, Brent LDF Core Strategy and London Plan.

**Student Accommodation:** The proposed student accommodation is considered acceptable. It is considered that the overall quantum of floorspace within committed or commenced developments is not at a level which affects the provision of housing or results in an unbalanced community at this point in time.

**Noise in relation to Hotel and Student Uses:** Your officers concur with the recommendation

made by WNSL that the noise criteria for residential uses should also be applied to student accommodation and hotel floorspace.

**Comments received regarding the mix of uses:** Your officers consider that the proposal represents an adequately balanced mix of uses that achieves acceptable levels of density.

**Transportation:** The Council's Transportation officers consider the proposals to be acceptable in principle subject to a number of recommendations regarding the measure, works and contributions that should be secured to support the development through condition and Section 106 agreement, and subject to the detailed design of the plots, roads and spaces which can be secured through the Reserved Matters application.

**Daylight and Sunlight Impact on nearby dwellings:** The proposal will impact the levels of daylight and sunlight received by some rooms within Raglan Court, however, levels of daylight are likely to remain above BRE minimum design criteria. Sunlight may fall below BRE design levels in some instances. However, given the urban nature of the development envisaged within the Wembley Regeneration Area, your officers consider the loss of sunlight to be to acceptable levels. An assessment has not been undertaken on the impacts of the proposed development of Dexion / Howarine House. However, given the high density urban nature of the Dexion House scheme and the uncertainty regarding the delivery of the housing scheme due to the receipt of the revised student housing proposals, your officers do not object to the failure to assess the potential impacts on this site.

**Microclimate – Wind Environment:** The assessment highlights the needs for mitigation measure in key areas of the application site. It has been demonstrated that the proposals will not have a significant adverse effect on adjoining or nearby sites.

**Air Quality:** The proposals highlight potential areas within the site that may experience nitrogen dioxide levels over air quality objective levels. However, given the nature of uses within these locations and the likelihood of traffic levels being at the worst case levels tested, the effects are reported to be negligible. Environmental Health has recommended conditions regarding the CHP Plant and associated infrastructure (e.g. flues).

**Groundwater, Soils and Contamination:** Environmental Health agrees with the findings of the report and recommends the standard site investigation and remediation conditions.

**Water Resources and Flood Risk:** The Environment Agency considers the Flood Risk Assessment, which incorporates the use of SUDS and achieves Greenfield runoff rates, to be acceptable. Thames Water has recommended that a condition is attached as they have identified that there is insufficient capacity within their waste water network. They are currently undertaking a study to assess the infrastructural requirements and will be in a position to consider a Drainage Strategy once this work has been completed.

**Demolition and Construction:** An indicative phasing plan has been provided, and commitments are made to measures to address the potential effects of construction and demolition.

**Archaeology:** The report specifies that the effects of the proposed development will be of negligible significance and it considers that there is no need for an archaeological mitigation strategy.

**Ecology and Nature Conservation:** The site currently has extremely low ecological value, and the presence of or habitat for protected species were not found on site. The assessment accordingly concluded that any effects of the development will be of no ecological significance and the proposal is likely to increase the ecological value of the site.

**Utilities:** With the exception of Thames Water (detailed above), no concerns have been raised by infrastructure providers.

**Operational Waste Strategy:** Your officers consider that either option detailed within the supporting report (conventional waste storage and collection (i.e. bins) or the Envac system are considered to be acceptable. As the conventional system is considered acceptable throughout the borough and the high cost of extended the Envac system, it is not considered appropriate to secure the provision of Envac.

**Site Waste Management Plan:** Your officers consider that the SWMP provides sufficient information to demonstrate that the proposal has adequately considered the re-use of demolition material and measures to minimise waste during construction in accordance with Policies BE12 and SPG19.

**Statement of Community Involvement (SCI):** Your officers consider that the SCI confirms that the applicant went through a robust process of public consultation and engagement with key stakeholders, which included two phases of public liaison.

**Alternatives:** Your officers concur with the conclusion that the “no development” alternative or the provision of the development in an alternative location would not be appropriate given the designations associated with the site. The submitted report and Design and Access Statement details and describes the evolution of the scheme and the alternatives that were evaluated through the pre-application process.

Your officers consider the proposals set out within this Outline application to be acceptable and recommend that the Council resolves to grant planning permission subject to the referral to the Mayor of London and the completion of a satisfactory Section 106 agreement in accordance with the Heads of Terms specified within this report.

Your officers consider that the Heads of Terms meet the necessary tests for planning obligations set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010, namely that they are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.

**RECOMMENDATION:** Councillors minded to Grant

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

Brent Unitary Development Plan 2004  
Brent Local Development Framework Core Strategy 2010  
London Plan consolidated with alterations since 2004  
Planning Policy Statement 1 – Delivering Sustainable Development  
Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1  
Planning Policy Statement 4 – Planning for Sustainable Economic Growth  
Planning Policy Statement 5: Planning for the Historic Environment  
Planning Policy Statement 12 – Local Spatial Planning  
Planning Policy Guidance 13 – Transport  
Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation  
Planning Policy Statement 22 – Renewable Energy  
Planning Policy Statement 23: Planning and Pollution Control  
Planning Policy Guidance 24 – Planning and Noise  
Planning Policy Statement 25 – Planning and Flood Risk  
Draft PPS Planning for a Low Carbon Future in a Changing Climate  
Wembley Masterplan Supplementary Planning Document 2009

**CONDITIONS/REASONS:**

(1) The relevant part of the development as hereby permitted shall not commence until the Reserved Matters of the proposed development have been submitted to and approved in writing by the Local Planning Authority and that part of the development shall be carried out and completed in all respects in accordance with the details so approved before the building(s) are occupied. Such details shall include:-

- i) Layout;
- ii) Scale;
- iii) Appearance;
- iv) Access;
- v) Landscaping.

Reason: These details are required to ensure that a satisfactory development is achieved. For the avoidance of doubt, the definitions of Reserved Matters and contained within Circular 01/2006 and other conditions may require further information concerning details required.

- (2) All applications for Reserved Matters pursuant to Condition No. 3 shall be made to the Local Planning Authority, before the expiration of 15 years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 and since a period of 15 years is considered to be a reasonable time limit in view of the extent and timescale of the proposal.

- (3) The development to which this permission relates shall begin not later than whichever is the later of the following dates: (a) the expiration of 5 years from the date of this outline planning permission or (b) the expiration of two years from the date of approval for the final approval of reserved matters, or in the case of different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

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

Approved Drawings/Documents

P01	P09
P02	P10 Rev A
P03 Rev A	P11
P04 Rev A	P12
P05	P13
P06 Rev A	P14
P07 Rev A	P15 Rev A
P08 Rev A	1382.006 D

Development Specification Final, dated 31 March 2011

Other documents submitted to support this application:

- 1.01 Environmental Statement Volume 1 (Part 1) Core Document, dated November 2010
- 1.02 Environmental Statement Volume 1 (Part 2) Appendices, dated November 2010
- 1.03 Environmental Statement Volume 1 (Part 3) Appendices, dated November 2010
- 1.04 Environmental Statement Volume 2 (Part 1) Transport Assessment Report and Appendices, dated November 2010
- 1.05 Environmental Statement Volume 2 (Part 2) Transport Assessment Report Appendices, dated November 2010
- 2.01 Design and Access Statement, dated November 2010
- 3.01 Supporting Reports (Part 1) Core Documents and Appendices, dated November 2010
- 3.02 Supporting Reports (Part 2) Appendices, dated November 2010
- 4.01 Applications Plans and Supplementary Materials
- Environmental Statement Non-Technical Summary, dated November 2010
- Volume 1: Response Report Changes to Scheme, dated 31 March 2011
- Volume 2: Response Report Matters Relating to Supporting Reports, dated 31 March 2011
- Volume 3: Response Report Environmental Statement November 2010: Further Information, dated 31 March 2011

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

- (5) No goods, equipment, waste products, pallets or materials shall be stored in any open area within the site and the loading areas indicated on the approved plans shall be maintained free from obstruction and not used for storage purposes (whether temporary or permanent) unless prior written approval has been obtained from the Local Planning Authority.

Reason: To ensure a satisfactory environment for future users.

- (6) All existing crossovers rendered redundant by this proposal shall be reinstated to footway at the applicant's own expense and to the satisfaction of the Council's Director of Transportation prior to the occupation of the relevant part of the development.

Reason: In the interests of traffic and pedestrian safety.

- (7) The relevant part of the development as hereby permitted shall not commence until details of the following as they relate to that part of the development have been submitted to and approved in writing by the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority:
- An indicative phasing plan, including projections for the commencement and completion of the elements of the development that have not already been completed;
  - Details of materials for all external surfaces, including samples where appropriate;
  - The internal layout of buildings and layout and detailed design of roof terraces or other areas of external space, including internal circulation areas, refuse-storage areas, any plant room(s), any other internal area and any areas of external space.
  - Highway, footpath and cycle way layout, within the relevant part of the development including connections and traffic management measures, sub-surface details, surfacing materials and street furniture;
  - Details of cycle storage, including structures, layout, equipment, access, security and weather proofing appropriate to the type of cycle storage;
  - Details of motorcycle and car parking provision, including layouts, allocation, cumulative (site-wide) parking provision and projected future provision;
  - Details of CCTV
  - Means of access for vehicles, pedestrians and cyclists to and from the relevant part of the development;
  - Details of external artificial lighting, including associated fixtures, infrastructure, lighting levels.
  - Details of the levels of daylight received for Habitable Room windows of any Residential Dwellings within the relevant part of the Development.
  - Measures incorporated to mitigate the impacts of wind within the development.
  - Details of the provision of Photovoltaic panels or other renewable energy technology, including the provision within the relevant part of the development, the total cumulative (site-wide) provision and indicative details of provision within future plots;
  - Details of the on plot connections to the site wide heat network and relative to the indicative or actual routing of the site wide network.



- The location of services, including the grouping of services where feasible;
- Details of the provision of private external amenity space for residential units, including the size, location of private balconies, terraces and gardens and access between the dwellings and their associated space(s).

The approved details shall be implemented in full prior to first occupation or use of the relevant part of the development.

Reason: To ensure a satisfactory development.

- (8) The relevant Residential and Student Accommodation within each (Use Class C3 or Sui Generis) relevant part of the development hereby approved shall not commence unless details are submitted to and approved in writing by the Local Planning Authority demonstrating that the aforementioned units will be in accordance with the noise criteria for residential accommodation specified within part 3.4 of the Development Specification hereby approved. The approved details shall demonstrate how compliance with these criteria will be achieved.

Reason: To safeguard the amenities of residents and other occupiers around the site.

- (9) The relevant part of the development hereby approved shall not commence until full details of proposed plant systems have been submitted to and approved in writing by the Local Planning Authority. The details shall include a) the siting, external appearance and any proposed screening of plant or associated infrastructure; b) proposed odour-control measures, fan location, duct-discharge positions and supplementary ventilation systems, and noise levels and noise attenuation measures that are required to achieve the criteria set out within part 3.8 of the Development Specification. The approved details shall be implemented in full prior to use of the equipment and the system(s) shall thereafter be maintained in accordance with manufacturers' specifications.

Reason: In the interests of the amenities of neighbouring properties and the area generally.

- (10) The relevant parts of the development hereby approved shall not commence unless details of the measures to mitigate against the transfer of noise from the Multi-storey car park, the on-street servicing areas and the servicing area within NW09 have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall demonstrate how the measures will mitigate against the impacts of noise on sensitive receptors, having regard to the potential or approved location of sensitive uses, the potential or approved mitigation measures incorporated into those units required by condition 6 and the associated design criteria for noise for those units.

Reason: In the interests of the amenities of neighbouring properties and the area generally.

- (11) Within 12 months of the commencement of the relevant part of the development as hereby permitted, details for the provision of play and recreational space, equipment and associated facilities and infrastructure within the relevant part of the development and indicative details of the draw down of the cumulative provision of play and recreational space and facilities across the whole site and the residual remaining shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to first residential occupation of the relevant part of the development, or in the case of submissions that do not include residential dwellings, prior to first occupation or use of the relevant part of the development, and shall thereafter be maintained (with the exception of the indicative

details).

Reason: In order to ensure the appropriate provision of play and recreational facilities.

- (12) The relevant part of the development hereby approved shall not commence unless a scheme for the landscape works and treatment has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to first occupation of the relevant part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-
- a) a planting plan, (including species, plant sizes and planting densities);
  - b) subsurface treatments, including details of root management systems for all trees;
  - c) proposed walls and fences, indicating siting, materials and heights;
  - d) details of screening for any plant and associated infrastructure such as vent outlets, flues, etc;
  - e) any proposed contours and ground levels;
  - f) areas of hard landscape works and external furniture, and proposed materials;
  - g) the detailing and provision of green/brown roof(s);
  - h) measures to enhance the ecological value of the site;
  - i) details of the proposed arrangements for the maintenance of the landscape works.

Any planting that is part of the approved scheme that, within a period of five years after planting, is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species and in the same positions, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory appearance and setting for the proposed development, to ensure that it enhances the visual amenity of the area and to ensure a satisfactory environment for future residents, occupiers and other users.

- (13) The relevant part of the development shall not commence unless a Construction Management and Logistics Plan (CMLP) relating to the relevant part of the development has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

The details where applicable shall be in accordance with the submitted sitewide Construction Logistics Plan, the Site Waste Management Plan and the Demolition and Construction Commitments in the Development Specification and shall also include (where applicable to the relevant part of the development)

- The routing and timing of Construction Traffic, including specific details for Stadium Event Days;
- Details of the method of piling.
- Details of a scheme for the environmental monitoring of noise, dust, oxides of nitrogen and vibration, including details of the submission of annual reports to the Council during construction and demolition detailing annualised data, exceedences and relevant monitoring records.
- Identification of the most sensitive receptors, both residential and commercial where continuous assessment and monitoring of impacts will be undertaken as work progresses.
- Assessment of permitted noise levels emanating from the relevant part of the development site at the boundary at noise-sensitive façades.

- Engineering measures, acoustic screening and the provision of sound insulation required to mitigate or eliminate specific environmental impacts.
- Details of Wheel Washing Facilities;
- Details of lighting;
- Details of the location of hoardings
- Details of site access points and security arrangements;
- Siting of concrete crushers and screens;
- An Air Quality Management scheme for each period of enabling works within the demolition and construction process, including:
  - an assessment of the presence or absence of asbestos and suitable mitigation measures as appropriate;
  - the inclusion of suitable measures for the containment of dust, such as the use of debris screens and sheets, suitable and sufficient water sprays, enclosed chutes for dropping demolition materials to ground level;
  - the use of enclosures or shields when mixing large quantities of concrete or bentonite slurries;
  - details of the provision for the temporary storage of materials on site with preference to the storage of fine dry materials inside buildings or enclosures, or the use of sheeting as far as practicable with water sprays as appropriate;
  - consideration to the use of pre-mixed plasters and masonry compounds.

Reason: In the interests of highway free-flow and safety and the amenities of neighbouring and nearby properties, and the ongoing operation of adjoining and nearby businesses and organisations.

- (14) The relevant part of the development hereby approved shall not commence unless a site investigation is carried out and remediation strategy is prepared by an appropriate person to determine the nature and extent of any contamination present. The investigation and strategy shall be carried out in accordance with a scheme, which shall be submitted to and approved by the Local Planning Authority in consultation with the Environment Agency, that includes the results of any research and analysis undertaken as well as details of remediation measures required to contain, treat or remove any contamination found. Any proposed remediation must be sustained for the life of the development and this must be justified by the applicant. If during works new areas of contamination are encountered, which have not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the local planning authority;

Reason: To ensure the safe development and secure occupancy of the site proposed for use in accordance with UDP policy EP6.

- (15) The relevant part of the development hereby approved shall not be occupied or the use of the relevant part shall not commence unless a verification report shall be provided to the LPA by a competent person stating that remediation has been carried out in accordance with the remediation scheme approved pursuant to condition 12 and the site is permitted for end use.

Reason: To ensure the safe development and secure occupancy of the site proposed for use in accordance with UDP policy EP6.

- (16) The relevant part of the development hereby approved shall not be occupied unless a detailed car park management plan for non-residential and mobility impaired parking has been submitted to and approved in writing by the Local Planning Authority. The

management plan shall be in accordance with the Development Specification hereby approved, and shall include the means by which the spaces shall be allocated and enforced, and the mechanisms to prevent the use of the parking spaces for Wembley Stadium Event day parking. The approved plan shall be implemented in full for the life of the development, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory development that does not result in overspill parking within the surrounding area or conditions prejudicial to the free and safe flow of traffic on the highway network.

- (17) The non-residential floorspace in plots NW04, NW07, NW08, NW10 and NW10 shall not be occupied unless a Delivery and Servicing Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include the location and management of servicing areas and routes through the site, the maximum size of service vehicles and any exceptional servicing arrangements and the measures to enforce the servicing arrangements (including access). The approved plan shall be fully implemented for the life of the development, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory development that minimises any potential impacts on the road network.

- (18) The relevant part of the development shall not commence ("relevant part" includes the junction of Olympic Way and Fulton Road or Engineers Way; West Olympic Way and Fulton Road or Engineers Way; the south west corner of the Square or the vehicular access route situated between NW01 and NW06), unless details of the measures to control vehicular traffic, including any physical, management and enforcement measures, have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be fully implemented for the life of the development at the expense of the developer unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the safe and free flow of traffic and pedestrians, and an adequate environment for future users.

- (19) The relevant part of the development shall not commence ("relevant part" includes Plots NW04, NW08, NW11, West Olympic Way and Olympic Way) unless an Event Day Strategy has been submitted to and approved in writing by the Local Planning Authority.

Reasons: To ensure a satisfactory environment within the development on Wembley Stadium Event Days and to ensure that Wembley National Stadium Limited's management of Stadium visitors is unimpeded.

- (20) Works shall not commence in relation to plot NW09 until details of the Energy Centre, including the siting, size, noise attenuation measures and details of plant including the CHP Engine (including full specification and fuel), other boilers, and associated infrastructure such as flues and flue termination points have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full and shall thereafter be maintained in accordance with the manufacturers' specifications.

Reason: To ensure a satisfactory and sustainability development, having regard to visual amenity, environmental sustainability, air quality and the amenities of adjoining and nearby occupiers.

- (21) The relevant part of the development hereby approved shall not commence until an implementation strategy for the Sustainability measures set out within the Development Specification hereby approved will be incorporated into the relevant part of the development, where applicable. The approved details shall be implemented in full.

Reason: To ensure a sustainable development.

- (22) Development shall not commence until a sitewide drainage strategy, detailing any new drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. The works set out within the drainage strategy shall be completed in full, as set out in the drainage strategy.

Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

- (23) The relevant part of the development hereby permitted shall not be commenced until such time as a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority in consultation with the Environment Agency. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include, as detailed in the Wembley North West Lands Flood Risk Assessment (FRA) (Rev 04), dated November 2010 compiled by Buro Happold:

1. Restricting the surface water run off to the green field rate and attenuation of the 1:100 year storm event, with an allowance for climate change (FRA section 7.2.1.2, page 30).
2. Green / brown roofs on the majority of the communal external roof areas (FRA section 7.3.1, page 32).
3. Proposed permeable paving in flat lightly traffic areas such as courtyards (FRA section 7.3.5, page 34).

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants by ensuring the satisfactory storage and disposal of surface water from the site.

- (24) Piling or any other foundation designs using penetrative methods shall not take place unless details of the works are submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The submitted details shall demonstrate that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that any piling that is undertaken does not pollute the groundwater below the site.

#### **INFORMATIVES:**

- (1) For the surface water drainage scheme to be considered acceptable, the Environment Agency will require that the following information be provided:

1. A clearly labelled drainage layout plan showing pipe networks and any attenuation systems. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
  2. Where on site attenuation is provided calculations showing the volume of these are also required.
  3. Where an outfall discharge control device is to be used such as a vortex flow control device, this should be shown on the plan with the rate of discharge stated.
  4. Calculations should demonstrate how the system operates during a 1 in 100 year critical duration storm event. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths.
- (2) The Environment Agency advises that only surface water from roofs and paved areas not accessible to vehicles, should be discharged to any soakaway, watercourse or surface water sewer. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings susceptible to oil contamination shall be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

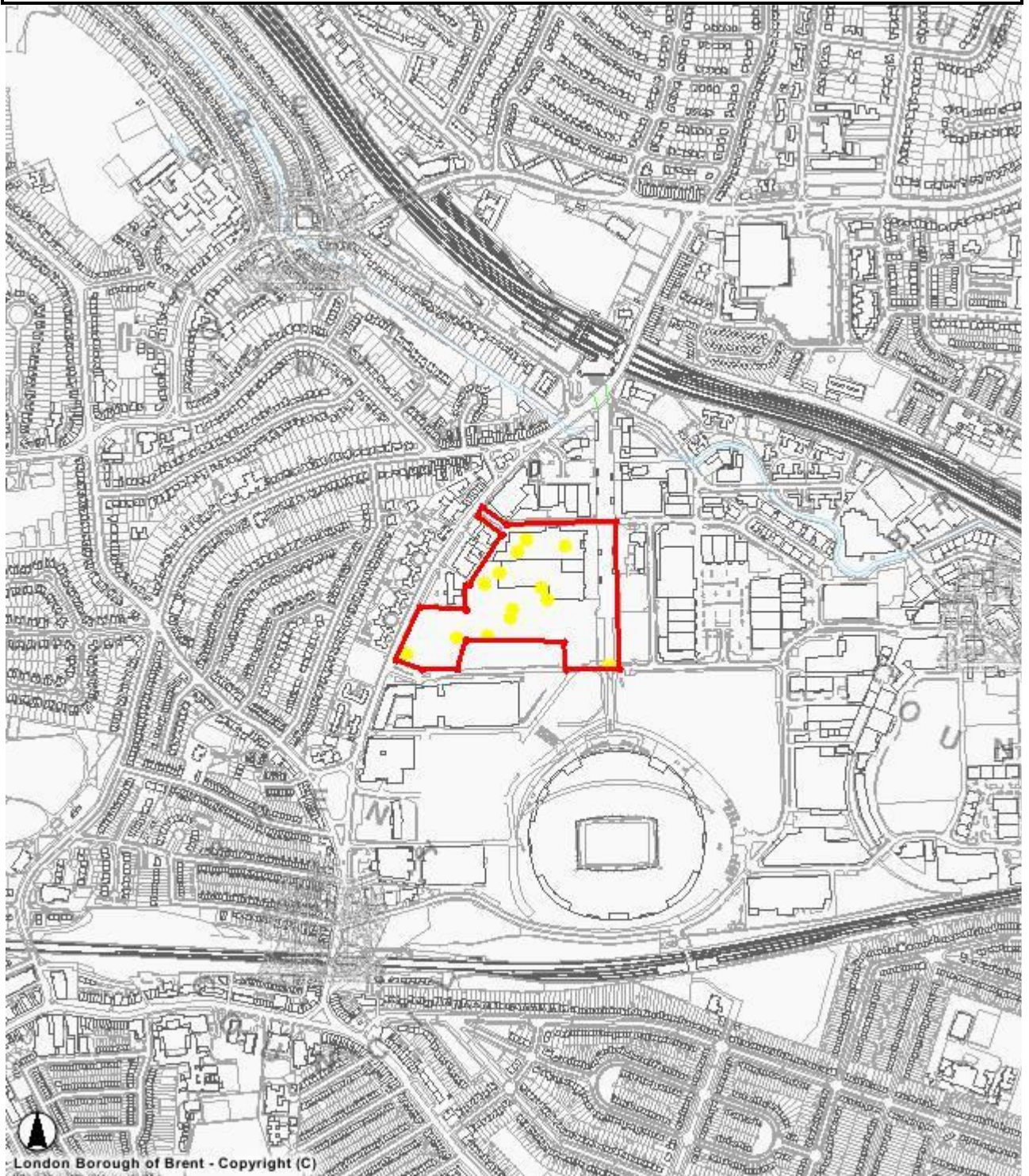
Any person wishing to inspect the above papers should contact David Glover, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5344



## Planning Committee Map

Site address: Former Palace of Arts & Palace of Industry Site, Engineers Way, Wembley, HA9

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