

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

16 July, 2019
04
19/1387

SITE INFORMATION

RECEIVED	12 April, 2019
WARD	Tokynghon
PLANNING AREA	
LOCATION	Olympic Way and land between Fulton Road and South Way including Green Car Park, Wembley Retail Park, 1-11 Rutherford Way, 20-28 Fulton Road, Land south of Fulton Road opposite Stadium Retail Park, land opposite Wembley Hilton, land opposite London Design
PROPOSAL	<p>Details pursuant to conditions 19a (materials), 20e (hard landscape works) and 20i (maintenance of landscape works) in relation to Olympic Way, Zone B (ii) relating to Hybrid planning application reference 15/5550 dated 23/12/2016 (as amended by 17/0328 dated 26/05/2017), accompanied by an Environmental Impact Assessment, for the redevelopment of the site including; -</p> <p>Full planning permission for erection of a 10-storey car park to the east of the Stadium comprising 1,816 car parking spaces of which 1,642 are for non-residential purposes, up to 82 coach parking spaces and associated infrastructure, landscaping and vehicular access.</p> <p>And</p> <p>Outline application for the demolition of existing buildings on site and the provision of up to 420,000 sqm (gross external area) of new floorspace within a series of buildings comprising:</p> <ul style="list-style-type: none">• Retail/financial and professional services/food and drink (Use Class A1 to A4) up to 21,000 sqm;• Commercial (Use Class B1) up to 82,000 sqm;• Hotel (Use Class C1): up to 25,000 sqm;• Residential (Use Class C3): up to 350,000 sqm (up to 4,000 homes) plus up to 20,000 sqm of floorspace for internal plant, refuse, cycle stores, residential lobbies, circulation and other residential ancillary space;• Education, healthcare and community facilities (Use Class D1): up to 15,000 sqm;• Assembly and leisure (Use Class D2): 23,000 sqm;• Student accommodation (Sui Generis): Up to 90,000 sqm. <p>And associated open space (including a new public park) and landscaping; car and coach parking (including up to 55,000 sqm of residential parking and 80,000 sqm non-residential parking) and cycle storage; pedestrian, cycle and vehicular accesses; associated highway works; and associated infrastructure including water attenuation tanks, an energy centre and the diversion of any utilities and services to accommodate the development.</p> <p>Subject to a Deed of Agreement dated 23 December 2016 under Section 106 of the Town and Country Planning Act 1990, as amended'.</p>
PLAN NO'S	<p>The Light Lab Letter (Dated 22/03/19) 11145-LA-401 Rev 00 20-ZB-301 Rev C Wembley Bobby Moore Bridge CGI</p> <p style="text-align: right;"><i>DocRepF</i> Ref: 19/1387 Page 1 of 13</p>

11145-LA-400 Rev 00
WYG Planning Condition 19 (a), 20 (e), 20 (i) Letter (Dated 12 April 2019)

Background documents
Statement of Significance
Addendum to Statement of Significance

**LINK TO DOCUMENTS
ASSOCIATED WITH
THIS PLANNING
APPLICATION**

When viewing this on an Electronic Device

Please click on the link below to view **ALL document associated to case**

https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_144852

When viewing this as an Hard Copy .

Please use the following steps

1. Please go to pa.brent.gov.uk
2. Select Planning and conduct a search tying "19/1387" (i.e. Case Reference) into the search Box
3. Click on "View Documents" tab


RECOMMENDATIONS

That the Committee resolve to approve the details submitted pursuant to conditions 19a, 20e and 20i of planning consent reference 15/5550 as varied by consent reference 17/0328 in relation to Olympic Way Zone B (ii).

That the Head of Planning is delegated authority to issue the decision:

That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to add informatives or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

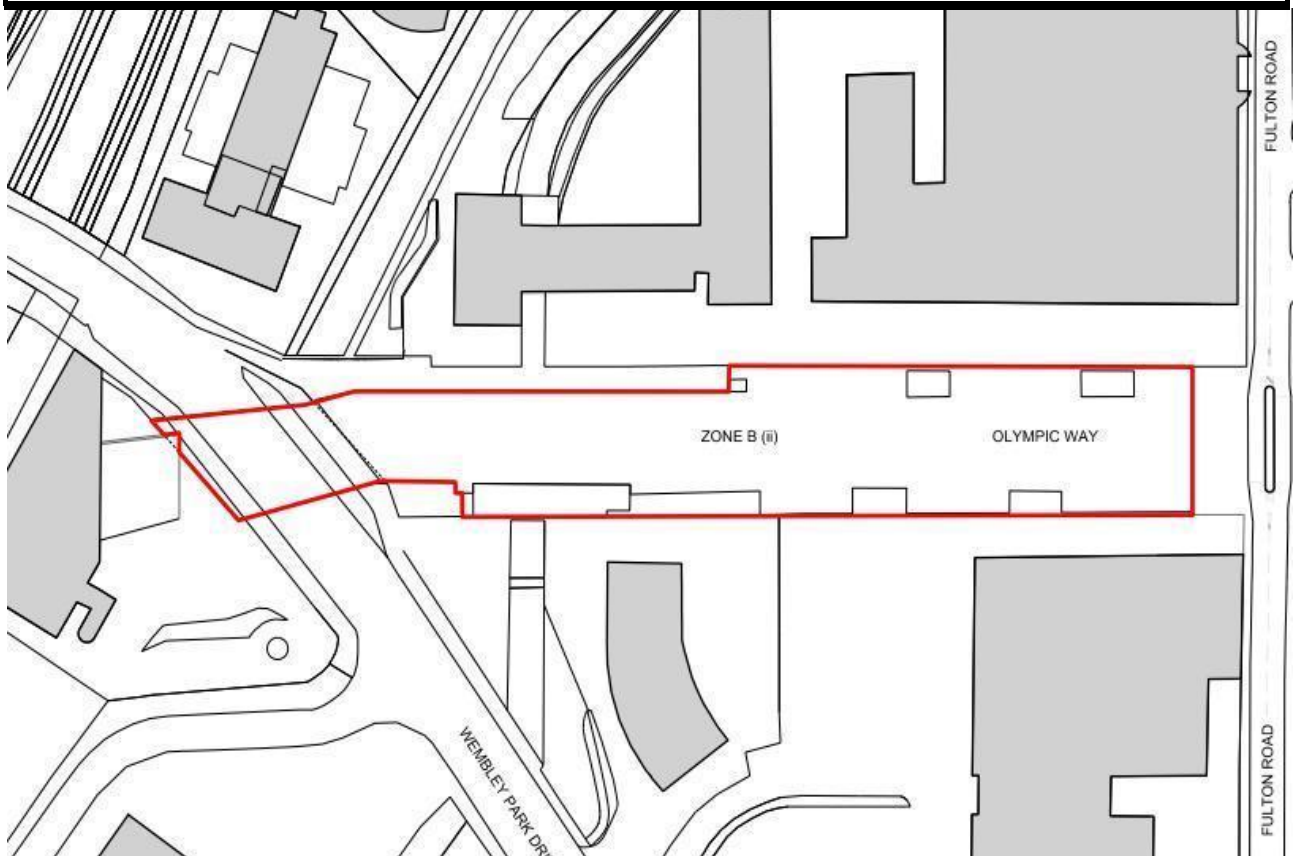
SITE MAP



Planning Committee Map

Site address: Olympic Way and land between Fulton Road and South Way including Green Car Park, Wembley Retail Park, 1-11 Rutherford Way, 20-28 Fulton Road, Land south of Fulton Road opposite Stadium Retail Park, land opposite Wembley Hilton, land opposite London Design

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This map is indicative only.

PROPOSAL IN DETAIL

The proposal is an application to discharge the following conditions:

- 19a (Materials)
- 20e (Hard Landscape Works)
- 20i (Maintenance of Landscape Works)

in relation to Olympic Way, Zone B (ii) (the zone between Fulton Road and the base of Wembley Park Underground Station Steps), specifically relating to the Bobby Moore Bridge and Underpass.

EXISTING

This application relates to Olympic Way, Zone B (ii) which comprises the northern section of Olympic Way between Fulton Road and the foot of the Wembley Park station steps. As existing beneath the Bobby Moore Bridge there are tiled murals attached to both sides of the underpass beneath the coffered ceiling. The site is not within a conservation area and there are no listed buildings within the site's curtilage.

SUMMARY OF KEY ISSUES

This conditions discharge application is presented for determination by the Planning Committee owing to the number of representations received. The key planning issues for Members to consider are set out below. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application:

1. **Principle of development:** Planning consent has already been granted and this application relates solely to the approval of details pursuant to conditions attached to the consent, namely the materials, hard landscaping works and landscape maintenance. The installation of the light boxes on the walls of the underpass and the installation of advertising panels on the northern and southern parapets of Bobby Moore Bridge have been previously consented. The principle of installing the light boxes and parapet advertising panels in their currently proposed positions has therefore already been established and approved. The current application provides further details of the materials to be used and the construction methods to be employed in installing them.
2. **Representations received:** A number of representations have been received objecting to this application for a variety of reasons - objections from 5 individuals, a petition with 283 signatures (at least 65 of which are likely to be from Brent residents) and an ePetition with 44 signatures. Officers consider that the proposals are acceptable and that none of the grounds upon which objectors oppose the proposals are sufficient to warrant refusing the proposals on planning grounds. The Wembley History Society has voiced support for the proposals.
3. **Protection of tile murals under proposed scheme:** Objectors have expressed concerns that the installation of the light boxes could damage the tile murals underneath. Officers are satisfied that adequate measures would be put in place to ensure that the tiles are protected.
4. **Details of materials, hard landscaping and landscape maintenance:** The details of the materials and the maintenance regime are considered to be acceptable and suitable to ensure that the appearance and maintenance of the approved development will be of a high standard.

RELEVANT SITE HISTORY

19/1474 - Advertisement Consent Under consideration - to be determined by Planning Committee

Installation of 2 internally illuminated LED advertisement displays attached to the northern and southern parapets of Bobby Moore Bridge. Use of the light boxes to east and west wall beneath Bobby Moore Bridge approved under planning consent 17/3840 for advertising purposes.

17/3840 – Granted 31/01/2018

Reserved matters application relating to condition 1 (layout, scale, appearance, access and landscaping) pursuant to outline planning permission 15/5550 for the northern section of Olympic Way (between Fulton Road and the foot of the Wembley Park station steps). This area is referred to as Olympic Way, Zone B(ii). The proposal includes: New paving; New lighting columns which can incorporate advertising banners; Minor changes to levels to achieve an improved cross fall; Introduction of carefully selected trees; Flood attenuation measures below ground along with the co-ordination of utilities; New pedestrian seating; Identified locations for future wayfinding signage; Retention of CCTV columns; Water and electric points for markets and events; Replacement of existing coffered ceiling below the Bobby Moore bridge with new lighting; Re-cladding of the southern abutments to the Bobby Moore bridge; Demolition of the former Olympic Way toilet block in due course.

The application seeks to discharge the following conditions for Zone B (ii):

19(a): Materials; 19(c): Highway and footpath layout, sub surface details, surfacing materials and street furniture; 19(h): Wind; 19(l): Access; 20(a): Planting Plan; 20(b): Subsurface treatments and root management systems; 20(c): Details of walls/fences; 20(d): Contours and ground levels; 20(e): Areas of hard landscape works and external furniture and proposed materials; 20(g): Ecology; 20(i): Landscape Maintenance

15/5550 WEMBLEY MASTERPLAN – Granted 23 December 2016

Hybrid planning application, accompanied by an Environmental Impact Assessment, for the redevelopment of the site including;-

Full planning permission for erection of a 10-storey car park to the east of the Stadium comprising 1,816 car parking spaces of which 1,642 are for non-residential purposes, up to 82 coach parking spaces and associated infrastructure, landscaping and vehicular access.

And

Outline application for the demolition of existing buildings on site and the provision of up to 420,000 sqm (gross external area) of new floorspace within a series of buildings comprising:

- Retail/financial and professional services/food and drink (Use Class A1 to A4) up to 21,000 sqm;
- Commercial (Use Class B1) up to 82,000 sqm;
- Hotel (Use Class C1): up to 25,000 sqm;
- Residential (Use Class C3): up to 350,000 sqm (up to 4,000 homes) plus up to 20,000 sqm of floorspace for internal plant, refuse, cycle stores, residential lobbies, circulation and other residential ancillary space;
- Education, healthcare and community facilities (Use Class D1): up to 15,000 sqm;
- Assembly and leisure (Use Class D2): 23,000 sqm;
- Student accommodation (Sui Generis): Up to 90,000 sqm.

And associated open space (including a new public park) and landscaping; car and coach parking (including up to 55,000 sqm of residential parking and 80,000 sqm non-residential parking) and cycle storage; pedestrian, cycle and vehicular accesses; associated highway works; and associated infrastructure including water attenuation tanks, an energy centre and the diversion of any utilities and services to accommodate the development.

Subject to a Deed of Agreement dated 23 December 2016 under Section 106 of the Town and Country Planning Act 1990, as amended

CONSULTATIONS

It should be noted that there is no statutory requirement to carry out consultation on a discharge of conditions application. This is because it is not a planning application. The LPA does however carry out internal consultation with relevant departments within the Council/external consultees to seek their expert views on certain matters e.g. environmental health for conditions on noise assessment.

As part of this discharge of conditions application, consultation was carried out with the following internal department:

Environmental Health - no objections were raised.

External

No formal consultation has been carried out. However, a number of objections have been received from the public. Objectors generally submitted comments in relation to the proposals as a whole rather than

differentiating between the advertisement consent application and the conditions discharge application. Therefore the objections submitted for both applications are presented below.

Most of the comments below relate to the principle of the development that already has consent. Comments relating to the fixing of the light boxes (i.e. how they are fixed to the walls) have been considered pursuant to the materials condition submission.

Wembley History Society – support proposals

The Society state that this is a matter they have discussed at some length and made representations on, to both the Chief Executive of Brent Council and Quintain Limited. As a result, Quintain met them to discuss their objections to the complete lack of visibility of the Tiled Murals. Quintain sent representatives to one of the Society's meetings in 2018. The Society raised a number of objections which Quintain considered. After further discussions, Quintain modified their original plans and agreed to make the main mural, depicting famous footballers playing, visible for most of the year. The other murals would be exposed occasionally. The lighting of the whole area under the bridge would also be upgraded, considerably improving the experience for the public and fans. The Society state that in light of these changes, they overwhelmingly agreed to accept these proposals.

Petition received with 283 signatures

At least 65 of which are likely to be from Brent residents based on postcodes recorded. The petition is headed by the statement, 'I would like to see all of the Bobby Moore Bridge tile murals put back on permanent public display.'

ePetition received with 44 signatures

The ePetition's accompanying text states that the undersigned petition the council to put the tile murals in the Bobby Moore Bridge subway at Wembley Park back on permanent public display to be enjoyed by residents and visitors to Wembley. It states that the tile murals are a major piece of public art, reflecting the historic and cultural importance of Wembley Park as "the Venue of Legends".

Representations received from 6 individuals objecting to the proposals.

The key objections raised are summarised in the below table:

The murals are public art and of cultural importance and should be on permanent public display. They promote pride in local public art and greet those emerging from Wembley Park station with a sense of arrival	Please see 'Tile Murals within the context of the current proposals' section of 19/1474 report
The advertisements would not be in scale or in keeping with the tile murals as a feature of the locality	Please see 'Tile Murals within the context of the current proposals' section of 19/1474 report
In order to protect 'the Special Character of Olympic Way' (WAAP), all of the Bobby Moore Bridge tile murals need to be put back on permanent public display	Please see 'Tile Murals within the context of the current proposals' section of 19/1474 report
Installing light boxes may damage the tiles underneath	Please see 'Tile Murals within the context of the current proposals' section of 19/1474 report
The adverts on the northern parapet would be distracting to those on the steps of Wembley Park station and therefore a risk to public safety	Please see 'Pedestrian Safety' section of 19/1474 report
The adverts on the southern parapet would obscure views of the stadium for some people in wheelchairs and young children	Please see 'LED Advertisement Displays on Bridge Parapets' section of 19/1474 report
As the low level views down Olympic Way would be	Please see 'Pedestrian Safety' section of 19/1474

obscured by the proposed screen, a young child could climb on the railings in an attempt to view the stadium and fall	report
Current application may be invalid because it seeks to renew a previous consent, but this cannot be done more than 6 months before the date on which the previous consent is due to expire	The current application seeks consent for a replacement scheme rather than the renewal of the existing scheme and so the application is not invalidated on this basis
Wembley History Society did not overwhelmingly agree with the current proposals, they just agreed that having one scene on public display was better than having none at all	The Chair of the Wembley History Society has written the Council specifying that “our Society overwhelmingly agree to accept these much improved proposals”
A condition should be attached to requiring cleaning and repair of the mural.	The exposed part of the mural would be carefully cleaned. This application seeks to discharge a condition, a condition could therefore not be attached and would not be considered necessary or reasonable as set out within the National Planning Policy Framework’s guidance on conditions for the 19/1474 advertisement consent.
The tile joints are 10mm and not 12mm wide, which causes concern with drilling accuracy.	Please see ‘Tile Murals within the context of the current proposals’ section of 19/1474 report
If there is damage to the tiles by the fixings of the existing spirit-flex system then this should be repaired.	This comment is noted, however, it is not relevant to the current applications. The addendum confirms that Quintain ‘fully commit to repair any damage that is caused by the installation of the light boxes should this occur’.
The historical, cultural and educational interest of the murals should be considered. Tile murals were previously used to educate children about Wembley and its history	This comment is noted, and the historic and cultural value is discussed later in this report. Whether or not the murals have educational value in itself is not considered to affect whether the details of materials, hard landscaping or landscape maintenance are acceptable

In addition, one of the individuals objecting to the proposals, an amateur local historian with a particular interest in the Wembley area, submitted an ‘Alternative Heritage / Significance Statement’. This sets out additional information and illustrations relating to the history of this part of Olympic Way and the tile murals, and the significance of different parts of the murals.

POLICY CONSIDERATIONS

National Planning Policy Framework 2019
Brent Local Development Framework Core Strategy 2010
Brent Development Management Policies 2016

Wembley Area Action Plan 2015

DETAILED CONSIDERATIONS

1. Planning conditions 19(a), 20(c) and 20(i) were previously discharged with the reserved matters approval for Olympic Way Zone B (ii) (ref: 17/3840). The approved works for Olympic Way Zone B(ii) includes

works beneath Bobby Moore Bridge comprising of a replacement coffered ceiling lighting and the introduction of light boxes on the walls. This condition seeks to discharge additional details in relation to the lighting elements at Bobby Moore Bridge. Of the previously approved applications there are no documents to be superseded from application 17/3840.

2. As with the details approved under reference 17/3840, this application proposes works to the ceiling and walls of the Bobby Moore bridge subway to provide new lighting strips and advertising panels. New ceiling strip lights are proposed across the structure at spacings of about 3.6m, along with recessed downlighters. These would be supplemented by vertical LED node lights on the walls of the underpass. Lights would be able to alter colour to match any advertising themes that are proposed. The applicants have confirmed that maintenance would be undertaken by specialist lighting contractors on behalf of Wembley Estates, so would not become a burden to Brent Council.
3. This application is to be determined in conjunction with an application for advertisement consent currently under assessment ref no 19/1474. The applications are related in as far as the works proposed would seek to partially uncover 9.4m of the Bobby Moore Bridge Murals which have been covered with vinyl wraps for several years with the remainder of the underpass walls being covered with advertisement light boxes. This application concerns the physical works which have been carefully designed and would be monitored closely following any subsequent consent to ensure that physical damage does not occur to the tiles in situ. The Addendum submitted confirms that the agents 'fully commit to repair any damage that is caused during the installation of the light boxes should this occur'.

Condition 19(a) of Planning Permission Reference 15/5550 reads as follows:

"Prior to the commencement of works to the superstructure on relevant part of the development as hereby permitted, details of the following as they relate to that part of the development shall be submitted to and approved in writing by the Local Planning Authority, either within the Reserved

Matters applications (if specifically referenced within that submission) or under separate cover, with the exception of plot E05 which shall only be subject to the submission and approval of paragraphs a) to j) below.

a) Details of materials for all external surfaces, including samples which shall be made available for viewing on site or in another location as agreed;

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, in the interest of residential amenity, design quality and visual appearance, highway flow and safety and sustainable development."

Condition 20 (e) and 20 (i) of Planning Permission Reference 15/5550 read as follows:

"Prior to the commencement of works on the superstructure on the relevant part of the development hereby approved, scheme for the landscape works and treatment of that part of the development shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the earlier of first occupation or first use 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:-

e) areas of hard landscape works and external furniture, and proposed materials;

i) Details of the proposed arrangements for the maintenance of the landscape works.

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."

4. The lightboxes subject of this application have been approved under planning permission 17/3840. The lightboxes comprise 22 panels to the west wall and 15 panels to the east and could support large format digital display or illuminated vinyl wraps. Further drawings have been provided which demonstrate that the installation of the lightboxes would not compromise the existing murals.
5. Three additional forms of lighting to the soffit are proposed, these are linear strip lights, recessed

downlights and emergency downlights, the information submitted in relation to these lights has been reviewed and they are considered acceptable visually.

6. The proposed materials are considered to be acceptable, resulting in a high quality finish to the consented lightboxes.
7. Based on the information provided and the above assessment and separately with regard to the advertisement consent (LPA:19/1474), the Wembley History Society and Brent's Principal Heritage Officer are satisfied that the proposals seek to adequately protect the murals and display the history of Wembley Stadium through the uncovering of the section of the mural showing England footballers playing in the "twin towers" Wembley Stadium and including the plaque commemorating the opening of the Bobby Moore Bridge set into the mural. Moreover, Brent's Environmental Health Team and Brent's Transportation Team have reviewed the information provided within the submission and confirm that there are no objections to the discharge of the condition 19(a), or condition 20(e) and Condition 20 (i).

Equalities

8. In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).
9. It is therefore recommended that conditions 19(a), 20(e) and 20 (i) of Planning Permission Reference 15/5550 can be discharged in relation to Olympic Way Zone B(ii).



DECISION NOTICE – APPROVAL

Application No: 19/1387

To: Ms Carney
WYG
11th Floor
1 Angel Court
London
EC2R 7HJ

I refer to your application dated **12/04/2019** proposing the following:

Details pursuant to conditions 19a (materials), 20e (hard landscape works) and 20i (maintenance of landscape works) in relation to Olympic Way, Zone B (ii) relating to Hybrid planning application reference 15/5550 dated 23/12/2016 (as amended by 17/0328 dated 26/05/2017), accompanied by an Environmental Impact Assessment, for the redevelopment of the site including; -

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Subject to a Deed of Agreement dated 23 December 2016 under Section 106 of the Town and Country Planning Act 1990, as amended'.

and accompanied by plans or documents listed here:

The Light Lab Letter (Dated 22/03/19)
11145-LA-401 Rev 00
20-ZB-301 Rev C
Wembley Bobby Moore Bridge CGI
11145-LA-400 Rev 00
WYG Planning Condition 19 (a), 20 (e), 20 (i) Letter (Dated 12 April 2019)

Background documents
Statement of Significance

Document Imaged

Addendum to Statement of Significance

at **Olympic Way and land between Fulton Road and South Way including Green Car Park, Wembley Retail Park, 1-11 Rutherford Way, 20-28 Fulton Road, Land south of Fulton Road opposite Stadium Retail Park, land opposite Wembley Hilton, land opposite London Design**

The Council of the London Borough of Brent, the Local Planning Authority, hereby GRANT permission.

Date: 08/07/2019

Signature:

A handwritten signature in black ink, appearing to read 'G. Ansell', written in a cursive style.

Gerry Ansell

Interim Head of Planning, Transport and Licensing

Note

This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

Any person wishing to inspect the above papers should contact Nicola Blake, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5149