

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

11 December, 2024
05
24/1841

SITE INFORMATION

RECEIVED	2 July, 2024
WARD	Wembley Park
PLANNING AREA	Brent Connects Wembley
LOCATION	Crescent House, 130-140 Wembley Park Drive, Wembley, HA9 8HP
PROPOSAL	<p>Demolition of the existing building and redevelopment of the site with a residential-led (Use Class C3) building with flexible commercial/community floorspace (Use Class E/F) at ground level; new basement excavation; cycle stores and blue badge parking; refuse stores and plant rooms/equipment; hard and soft landscaping including part-naturalisation of the Wealdstone Brook; new play space; and all associated engineering and ancillary works.</p> <p>Further explanation (not forming part of the formal description of development set out above):</p> <p>The proposed development includes the construction of two linked buildings of 18-storeys and 31-storeys to provide 307 residential dwellings (Use Class C3). The development proposes 179sqm (GIA) of commercial floorspace (Class E) and 216sqm (GIA) of flexible commercial/community floorspace (Classes (E/F2). Basement accommodation is proposed for plant and cycle storage.</p>
PLAN NO'S	see Condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_169439</p> <p><u>When viewing this as an Hard Copy</u> .</p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "24/1841" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

Grant planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

S106 and Conditions

1. That the Committee resolve to **GRANT** planning permission subject to:
 - (i) The prior completion of a legal agreement to secure the following planning obligations:
 1. Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
 2. Notification of material start 28 days prior to commencement;
 3. Not to commence development until new College building (ref: 23/0578) has been substantially implemented
 4. Secure provision of 85no. affordable housing units, comprised of:
 - 85no. (100%) Social Rented units;
 - 100% nomination rights for the Council; and
 - Early and late-stage review mechanisms
 - Benchmark Land Value of £55 million and capital contribution to college costs: £50 million (total: £105 million)
 - Developer profit rates of:
 - Private sale – 17.5%
 - Build to rent – 15%
 - Affordable– 6%
 - Commercial – 15%;
 5. Training and employment of Brent residents - Prior to a material start:
 - to inform Brent Works in writing of the projected number of construction jobs and training opportunities and provide a copy of the Schedule of Works;
 - to prepare and submit for the Council's approval an Employment Training Plan for the provision of training, skills and employment initiatives for residents of the Borough relating to the construction phase and operational phase of the Development with a financial contribution towards any shortfalls in targets as set out within Brent's Planning Obligations SPD
 6. Financial contribution of **£99,000** to Brent Works for job brokerage services

7. Financial contribution of £**TBC** towards the implementation of a Controlled Parking Zone in the vicinity of the site for non-event days;
 8. Financial contribution (TfL) of £**TBC** towards bus service enhancements in the vicinity of the site;
 9. Financial contribution (TfL) of £**TBC** towards Wembley Park Station improvements;
 10. Financial contribution of £**TBC** towards Healthy Streets improvements in the vicinity of the site;
 11. A 'car-free' agreement withdrawing the right of future residents to on-street parking permits within any CPZ that is introduced in the future;
 12. Financial contribution of £**76,750** towards a pedestrian crossing/pedestrian crossing improvements on Wembley Park Drive fronting the site
 13. Provision of three years' free membership for residents of a Car Club
 14. The approval and implementation of a modified Travel Plan incorporating:
 - Contact details for an Interim Travel Plan Co-ordinator if a full-time Co-ordinator has not yet been appointed;
 - Greater support for Car Club membership; and
 - The creation of, and funding for, a bicycle user group
 15. Safeguarding of an open boundary for pedestrians to any future development of the Fulton Quarter;
 16. Detailed design stage energy assessment:
 - Initial carbon offset payment (estimated to be around £**206,442**) to be paid prior to material start if zero-carbon target not achieved on site;
 - Post-construction energy assessment. Final carbon offset payment upon completion of development if zero-carbon target not achieved on site; and
 - 'Be seen' energy performance monitoring and reporting
 17. Biodiversity Net Gain (BNG)
 - Submission of a Biodiversity Gain Plan together with a Habitat Management & Maintenance Plan and Statement of Community, and any required off-site provision and/or credits.
 - Survey and Monitoring Report for Net Gain for a 30 year period
 18. Indexation of contributions in line with inflation
 19. Any other planning obligation(s) considered necessary by Committee and the Head of Planning
- (ii) That the Head of Planning, or other duly authorised person, is delegated authority to negotiate the legal agreement indicated above or to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Local Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement within 6 months of the resolution to grant permission.
- (iii) That the Head of Planning, or other duly authorised person, is delegated authority to issue the planning permission and impose conditions and Informatives to secure the following matters:

CONDITIONS

Compliance

1. TIME LIMITED (THREE YEAR RULE)
2. APPROVED DRAWINGS AND DOCUMENTS
3. QUANTUM OF RESIDENTIAL UNITS
4. QUANTUM OF COMMERCIAL FLOORSPACE
5. DISABLED PARKING
6. COMMUNAL AMENITY SPACE
7. REFUSE STORAGE
8. NON-ROAD MOBILE MACHINERY
9. WATER CONSUMPTION
10. BASEMENT IMPACT ASSESSMENT
11. OVERHEATING STRATEGY
12. TREE PROTECTION

Pre-commencement

13. CONSTRUCTION LOGISTICS PLAN
14. CONSTRUCTION METHOD STATEMENT
15. CONSTRUCTION ECOLOGICAL MANAGEMENT PLAN
16. FLOOD DEFENSES
17. BRIDGE DESIGN
18. WEALDSTONE BROOK BUFFER ZONE
19. CONTAMINATED LAND

Post-commencement

20. PILING METHOD STATEMENT
21. DIGITAL CONNECTIVITY
22. DISTRICT HEAT NETWORK CONNECTION
23. CROWD MANAGEMENT (EVENT DAYS)

24. COUNTER TERRORISM MEASURES
25. EXTERNAL MATERIALS
26. WIND MITIGATION
27. ACCESSIBLE HOMES
28. CYCLE PARKING
29. COMMERCIAL BIN STORAGE
30. HARD AND SOFT LANDSCAPING
31. WILDLIFE AND NESTING FEATURES
32. FLOOD WARNING AND EVACUATION PLAN
33. INTERNAL NOISE LEVELS
34. DELIVERY AND SERVICING PLAN
35. THAMES WATER
36. EXTERNAL LIGHTING
37. WHOL LIFE CARBON
38. CIRCULAR ECONOMY
39. PLANT AND EXTRACTION SYSTEMS
40. EMERGENCY PLANT
41. EXTRACTION AND VENTILATION FROM COMMERCIAL KITCHENS

INFORMATIVES

1. CIL LIABILITY
2. PARTY WALL INFORMATION (STANDARD WORDING)
3. BUILDING NEAR BOUNDARY INFORMATION (STANDARD WORDING)
4. LONDON LIVING WAGE NOTE (STANDARD WORDING)
5. FIRE SAFETY ADVISORY NOTE
6. FLOOD RISK ACTIVITY PERMIT


7. ANY OTHER INFORMATIVE(S) CONSIDERED NECESSARY BY THE HEAD OF PLANNING

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

(v) That, if by the "expiry date" of this application (subject to any amendments/extensions to the expiry date agreed by both parties) the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

(vi) That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

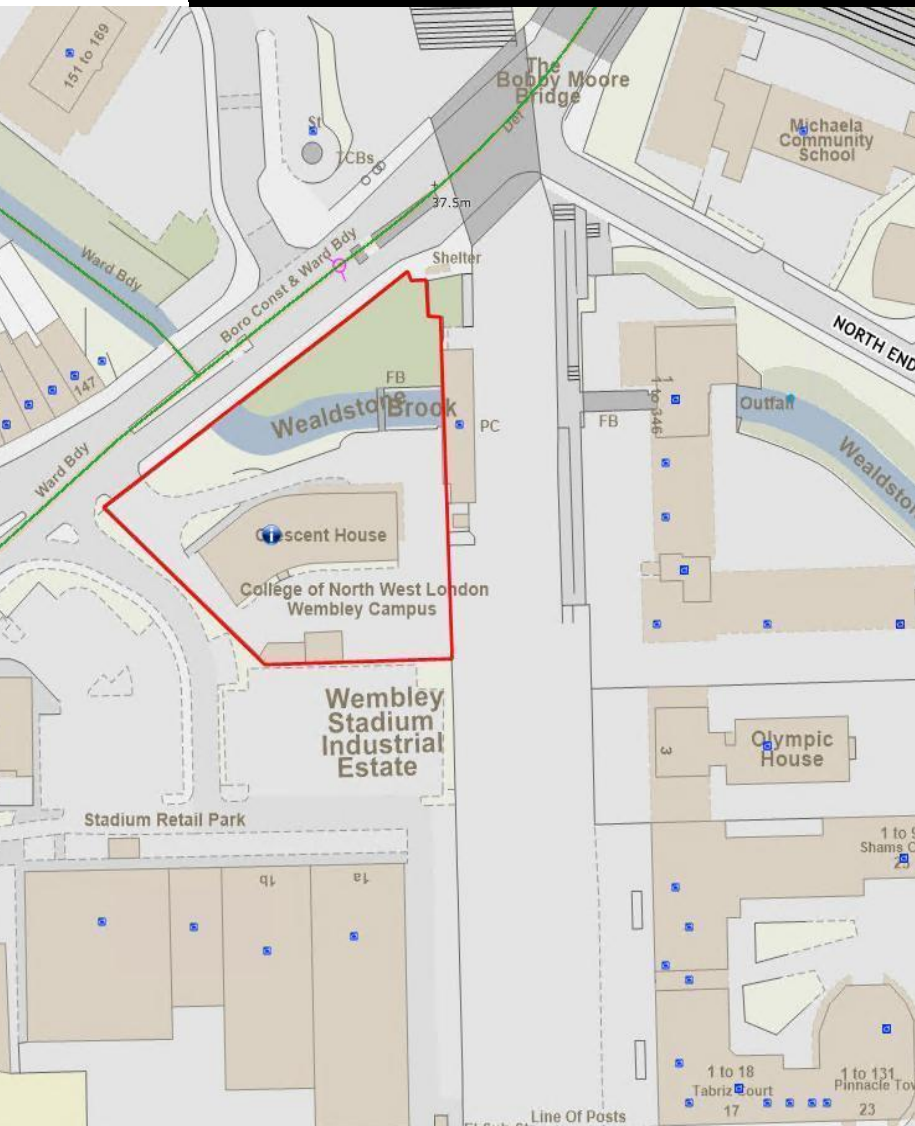
SITE MAP



Planning Committee Map

Site address: Crescent House, 130-140 Wembley Park Drive, Wembley, HA9 8HP

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This map is indicative only.

PROPOSAL IN DETAIL

Full planning permission is sought for the demolition of the existing College of North West London building (Use class D1) and the erection of two mixed-use linked blocks, A and B, which would be respectively 31 and 18 stories (including mezzanine level). The eastern part of the site which fronts Olympic Way would contain the tallest block, Block A. The development would provide 307 residential units (Use Class C3) along with flexible commercial/community use at ground level (Use Class E/F2), basement excavation, shared external amenity space, blue badge parking, cycle parking, refuse stores, plant rooms/equipment, and hard and soft landscaping including the part naturalisation of Wealdstone Brook, a Grade II SINC.

Block A

Block A would be 31 stories (c.102m) and provide 222no. residential units, occupying all of the upper levels from mezzanine level upwards. It would be sited approximately 6.26m from the emerging Fulton Quarter Development (at the nearest point). All of the residential units would be at market rate and the size of the units would include a mix of studios, 1-bed, 2-bed and 3-bed dwellings.

Fronting Olympic Way, along the full length of the block would be 179sqm of flexible commercial space, with the remainder of the floor given over to ancillary residential accommodation: residential entrance lobby, cycle store lift, refuse stores, substations, switch room, and stair and lift cores.

The proposed basement would house the main cycle store, together with space for a future DHN substation and a smoke extract plantroom.

Block B

Block B would be 18 stories (c.62.26m) and provide 85no. residential units from mezzanine level upwards. It would be sited approximately 1.77m from the common boundary with the emerging Fulton Quarter Development at the closets point. All of the residential unit would be at affordable rate. The size of the units would include a mix of 1-bed, 2-bed, and 3-bed units.

At ground floor level, two flexible commercial / community spaces (216sqm) will be provided fronting the southern, south-west and north-west frontages, and a residential lobby would be located in the north-east corner, opening towards Wembley Park Drive. The remainder of the ground floor would be occupied by a cycle store lift, refuse store, and stair and lift cores.

The proposed basement would house the main cycle store, together with commercial and sprinkler rooms, wet riser tank room, and a standby diesel tank room.

External Spaces

A total of 1,452m² communal amenity space would be provided for residents and the public. It should be noted that Officers have excluded the Wealdstone Brook (266sqm) from the overall calculation because it is not useable amenity space.

The landscaping scheme would make use of the existing tree planting to the north, south-west, and south of the site. This would be enhanced through the additional planting of trees, including signature trees, native trees and ornamental/flowering trees. A further mix of riparian planting would be provided around the Wealdstone Brook and ecological floating islands would be introduced along the brook. The rest of the site would include a mix of ornamental, woodland, climbers, and wildflower meadow mix planting.

There would be a central courtyard. A mix of informal and formal play spaces would also be provided around the Wealdstone Brook, and a further informal play space to the South of the site. The on-site provision of play spaces would cater for the 0-4 age quantum. Children aged 5-11 would make use of off-site play provision, with three local gardens/park identified within walking distance.

One blue badge car parking space and a loading bay would be provided adjacent to the building frontage of

EXISTING



The site (0.38ha) is currently occupied by Crescent House, a part 7-storey, part 8-storey college building. It is bounded by Wembley Park Drive to the northwest, Olympic Way to the east and the Stadium Retail Park and the emerging Fulton Quarter Development secured under outline planning consent (ref: 17/3059) to the south (the outline planning consent is for a series of buildings ranging from 8-25 stories in height, with the buildings that would be sited directly adjacent to the Crescent House scheme being 22, 25 and 8 stories from east to west).

The Wealdstone Brook, a Grade II Site of Importance for Nature Conservation (SINC) runs through the site and is located towards its northern end, resulting in a significant portion of the site falling within flood zone 3a and 3b for fluvial and tidal flooding and 3a for surface water flooding.

The northern side of the brook, accessed via an existing pedestrian bridge, largely comprises of amenity grassland, shrubs, some woodland, and several trees. Access to this part of the site is restricted via a padlocked gate. At the northern end of the site, ground level is approximately 4.8m below street level.

Located c.96m from Wembley Park Station, the site has excellent access to public transport, with a PTAL level of 5/6a. It also forms part of the Wembley Growth Area, Wembley Town Centre, and Wembley Opportunity Area. The site is also within a Tall Building Zone and Air Quality Action Area. It is not located

within a Conservation Area, neither does it contain any designated or undesignated heritage assets.

AMENDMENTS SINCE SUBMISSION

1. The following amendments have been made since the original submission:
 - a. Cycle parking plans were revised.
 - b. Amendments made to the FRA to address EA concerns

SUMMARY OF KEY ISSUES

1. The key planning issues for Members to consider are set out below. Members will have to balance all of the planning issues and objectives when making a decision on the application, against policy and other material considerations.
 - a. **Principle:** The site falls within Local Plan Site Allocation BCSA11: College of North West London Wembley, and as such, is allocated for mixed-use residential-led development. The loss of the college use is accepted given that this will be re-provided in a new college building at No.8 Fulton Way, which has been approved under planning reference 23/0578. The proposed uses are considered to be consistent with the site allocation.
 - b. **Affordable Housing / Financial Viability:** The development would deliver 85no. affordable dwellings, or 30% by habitable room (246no. habitable rooms). All of the affordable dwellings will be at social rent levels, and all would be located within Block B. The submitted viability assessment has been independently reviewed by the Council's independent advisor and also by the GLA, which concludes that the scheme in isolation would be in deficit. The proposal is therefore delivering the maximum reasonable amount of affordable housing in line with policy. Early and late stage review mechanisms would be secured in line policy, but in this instance any uplift in affordable homes identified in the early stage review would be delivered within the redevelopment of the Dollis Hill Campus (LPA Reference:) and the viability review mechanism would be based on the BLV of both this site and the Dollis Hill campus site together with the capital contribution to college costs.
 - c. **Dwelling Mix:** A total of 307no. dwellings would be provided in the following mix: 14no. studio; 119no. 1-bed; 128no. 2-bed; and 46no. 3-bed. The proportion of family-sized dwellings (15%) is below the 1 in 4 homes that is normally sought by Policy BH6 of the Local Plan (76 homes), but it is acknowledged that the Policy does permit exceptions to the 2target if its inclusion would fundamentally undermine the development's delivery of other Local Plan policies. This has also been reviewed as part of the viability review.
 - d. **Heritage:** Although the site does not contain any designated / undesignated heritage assets, there are some within the wider area. While some less than substantial harm has been identified in relation to the Barn Hill Conservation Area and the Lawns Court Conservation Area, it is considered that there are significant public benefits that arise from the development to outweigh the identified harm.
 - e. **Design/Scale/Bulk:** The overall design, scale and bulk of the proposed development would be considered acceptable. The development site falls within a tall buildings zone and the existing and emerging context is one where numerous tall buildings are (or will be) situated.
 - f. **Quality of accommodation:** Each of the residential dwellings would meet with the relevant internal space standards, and have sufficient access to external amenity space (but noting that there is a shortfall of on-site amenity space compared to Brent standards), outlook, daylight, and sunlight.
 - g. **Neighbour Impact:** The potential impact of the development on existing and emerging developments, in terms of daylight and sunlight, distancing levels and loss of privacy has been considered. Although it is acknowledged that a development of the scale proposed will result in some loss of light, it must also be acknowledged that the site is within a tall building zone where it is recognised that not all rooms/windows would fully meet BRE guidance. It is also acknowledged that while the greatest impact would be to the consented Fulton Quarter scheme to the immediate south

of the development site, that permission is in outline form only, with the positioning of rooms and their layout, and windows not yet finalised. Notwithstanding, the potential impact on the Fulton Quarter development is considered to be acceptable.

- h. **Highway Impact:** The site is approximately 230m distant from the bottom of the stairs at Wembley Park Station, and as such, the site benefits from a high PTAL (public transport accessibility level) score of 5 to 6a. The development would be car-free except for the provision of 1no. on-site blue-badge space.
- i. **Flooding / Waterways:** The site falls within flood zone 2, 3a, and 3b both in terms of surface water and fluvial flooding, with Wealdstone Brook running through the site at its northern end. The applicant has addressed each of the concerns raised by the Environment Agency.

RELEVANT SITE HISTORY

Planning permission (ref: **08/2672**) was **granted on 30/032009** for the demolition of existing building and erection of 8- and 9-storey educational facility (Use Class D1) including performance space and ancillary hair and beauty salons, restaurant, 2 disabled parking bays, cycle parking and associated landscaping (as amended; and accompanied by Ecology Report; Energy Statement; Energy Statement Condensed; Environmental Noise Survey and Noise Limits; Existing Utility Services; Planning Statement, Design & Access Statement, Landscape Statement, Community Involvement Statement; Preliminary Arboricultural Report; Report on Phase 1 - Desk Study; Report on Phase 2 - Site Investigation; Sustainability Statement; Traffic Statement; Travel Plan, and Waste Management Reports) email received 27/11/08 regarding noise and letter received 28/11/08 regarding Secure by Design and Flood Risk; and the revised Flood Risk Assessment (FRA) for College North West London by Curtins Consulting last amended 12 February 2009 received 23/02/03 with revised pages 7 & 8 and Appendix B Plan 70348/D12 flood plain storage compensation table and cross sections) and subject to a Deed of Agreement dated 30th March 2009 under Section 106 of the Town and Country Planning Act 1990, as amended

Planning permission (ref: **12/1152**) was **granted on 27/06/2012** for a single storey infill extension to ground floor to form new reception area, installation of new boundary gates and formation of new pedestrian access on to Olympic Way.

Other Relevant Planning History

Planning permission (ref: **23/0578**) was **granted on 15/03/2024** for the demolition of the Olympic Office Centre (8 Fulton Way) and the erection of a building for use as a purpose-built Further Education College Campus with associated plant at roof level, provision of hard and soft landscaping and cycle parking facilities, loading bay and accessible parking bays on Rutherford Road frontage and drop off bay on Fulton Road, subject to Deed of Agreement dated 14th March 2024 under Section 106 of Town and Country Planning Act, 1990 as amended

Outline planning permission (ref: **17/3059**) was **granted on 01/02/2021** in relation to all of the units at Stadium Retail Park, for the demolition of existing buildings on site and provision of up to 85,000 sqm (Gross External Area, GEA) of new land use floorspace (across 1.679 ha) within a series of buildings, with the maximum quantum as follows:

- A1-A4 Retail and/or B1 Office and/or D1 (Non-Residential Institutions) and/or D2 Leisure and Assembly: up to 6,600 sqm; and
- C3 Residential: up to 78,400 sqm gross (approximately 995 units);

No occupied residential accommodation will be at ground level or below.

The development will also provide associated open space and landscaping; car parking spaces and cycle storage; pedestrian, cycle and vehicle access; associated highway works; and associated infrastructure including water attenuation tanks, and the diversion of any utilities and services to accommodate the development. Internal plant, refuse, cycle stores, residential lobbies, circulation and other ancillary space will comprise a maximum of 10,000 sqm gross external in addition to the 85,000

sqm total set out above.

Subject to a Deed of Agreement dated 27 January 2021 under Section 106 of Town and Country Planning Act 1990, as amended.

Temporary planning permission(5-years) (**ref: 17/1621**) was **granted on 17/10/2017** for external alterations to the existing toilet block and the change of use to a cafe / restaurant (use class A3)(Blacksheep Café). The permission was renewed for a further 4-years under planning reference **21/2518** on **02/07/2021** through a variation of condition application (condition 2).

CONSULTATIONS

Statutory / Non-statutory Consultees

Consultee	Comments	Officer Response
Environment Agency	<p>The EA initially objected to the proposed development based on the details submitted in its present time-</p> <ul style="list-style-type: none"> • The current Flood Risk Assessment (FRA) does not meet requirements for site-specific flood risk assessments; • The proposed access ramp is considered to be incompatible with the current flood zone designation (3b - where only 'water compatible' or 'essential infrastructure' can be permitted); • The EA advises that they would unlikely grant a Flood Risk Activity Permit for a bridge crossing and development within 8m of a designated main river i.e., the Wealdstone Brook; • In light of the absence of a minimum 8m buffer zone adjacent to the Wealdstone Brook, concerns are raised over the detrimental impact that the proposed development would have on the ecological value of this water body; • The proposal has failed to include adequate information regarding the proposed measures to ensure that the bats and its foraging/commuting habitat would be protected in this location; • Absence of details in demonstrating that the proposed footbridge is suitable in its location owing to its potential impact on flood risk and ecological aspects; • The LPA is advised to include an informative within the Decision Notice that a Flood Risk Activity Permit would need be obtained for certain works; 	<p>Additional information provided to the EA has addressed the concerns of the EA, who have now withdrawn their objection.</p>

	<ul style="list-style-type: none"> The EA also notes that the mandatory 10% Biodiversity Net Gain requirement has not been met and further advises that the purchase of statutory credits should be used as a last resort. 	
Quintain	<p>The following comments have been made:</p> <ul style="list-style-type: none"> Concerns raised over the methodology of the submitted Daylight and Sunlight Report which appears to present a full representation of the daylight and sunlight impacts that the proposed development would have to the upcoming Fulton Quarter Development which secured outline planning consent (ref: 17/3059) in 2021; Quintain reiterates that they are not in support the potential link to the Southwest of the site with the Fulton Quarter development, and has cited particular concerns with operational, security and management; The applicant has identified that the future removal of the Black Sheep Coffee building once its temporary consent expires would bring opportunities for urban design improvements. Quintain highlights that they do not have any plans to remove the building and seeks to potentially engage with the LPA to secure planning permission for the building. 	<p>As noted, the planning permission at Fulton Quarter is in outline form with final room layouts and positioning of windows to be confirmed. In any event, the proposal has made an assessment on the likely impact</p> <p>Quintain's position regarding the potential link and the Blacksheep Coffee Building is noted.</p>
Active Travel England	<ul style="list-style-type: none"> No comments to make 	Noted
Health and Safety Executive Fire	<ul style="list-style-type: none"> It has been advised that HSE are content with the fire safety design as set out in the project description, to the extent it affects land use planning considerations. 	Additional information submitted by the applicant to HSE has also address the supplementary comments provided.
GLA Response Stage 1	<ul style="list-style-type: none"> Land use principles: The site forms part of a wider consolidation of CNWL facilities and would enable delivery of the new college campus at Fulton Road. The scheme is consistent with the site allocation and is supported in land use terms. Housing: 30% affordable housing (by habitable room) comprising 100% social rent is proposed, subject to grant. The scheme must follow the Viability Tested Route. GLA Officers are scrutinising the Applicant's financial viability assessment to ensure the maximum quantum of affordable 	These are noted and addressed within the report

	<p>housing is delivered.</p> <ul style="list-style-type: none"> • Urban design: The site is identified as suitable for tall buildings. Officers will conclude on the visual, functional, environmental and cumulative impacts of the proposed tall buildings at Stage 2. Both buildings would include a second staircase to floors with residential units. Further information is required on the fire strategy. • Transport: Further clarity is needed regarding cycle parking numbers and design. The quantum of Blue Badge Parking is not London Plan compliant. Additional information is required regarding the Active Travel Zone assessment and design. A contribution towards bus service enhancements is sought. • Other issues on heritage, sustainable development and environmental issues also require resolution prior to the Mayor's decision making stage. 	
Thames Water	<ul style="list-style-type: none"> • Concerns are raised over an inability of the existing foul water network infrastructure to accommodate the needs of the development proposal. In this instance, the LPA has been advised impose a condition to require the development to not be occupied until confirmation has been provided that either all foul water network upgrades required to accommodate the additional flows from the development have been completed or a development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied; • In light of the proposed development being within 15m of a strategic sewer, concerns are raised over piling which has the potential to have an impact on the local underground sewage utility. The LPA has therefore been advised to Thames Water has advised the LPA to secure a Piling Method Statement and piling layout through a condition with any grant in planning permission; • In the event of the sewerage network surcharging to ground level during storm conditions -the applicant is requested to incorporate the installation of a positive pumped device (or equivalent) as part of their proposed development. This should be in line with part H, paragraph 	<p>The applicant has been advised that Thames Water will need to be engaged at the earliest opportunity to agree to a housing and infrastructure phasing plan.</p> <p>The advised conditions are also noted by the LPA and would be imposed with any consent in planning permission.</p>

	2.36 of Building Regulations. The applicant should also be aware that a Groundwater Risk Management Permit from Thames Water would be required if the proposal requires the discharge of ground water to the public network as part of the basement level development;	
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Public Consultation

- Letters were sent to the occupiers of 421 neighbouring and nearby properties, in addition to statutory site and press publicity. One objection was received.

Comments	Officer Response
Strain on local social infrastructure from more than enough high density housing schemes	The development, if approved would be CIL liable, with money collected to be used towards infrastructure identified on the Council's Regulation 123 List.
The townscape has been greatly changed with an inevitable effect on local heritage	The development has been assessed against the potential impact on heritage assets. While some harm has been found in relation to the Barn Hill and Lawns Court Conservation Areas, some substantial public benefits have been identified to outweigh the harm. See the Heritage Considerations section below.
The scheme is being funded by a private building firm, so the flats are highly unlikely to be genuinely affordable	The affordable housing proposed will be at social rent levels, a genuinely affordable product
Fire safety must be another major consideration especially with the tower block fires across Greater London	Fire safety is an important consideration. See discussion below.

POLICY CONSIDERATIONS

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of this application should be in accordance with the development plan unless material considerations indicate otherwise. The development plan is comprised of the London Plan (2021) and the Brent Local Plan (2022). Key policies include:

The London Plan

- GG1: Building strong and inclusive communities
- GG2: Making the best use of land
- GG3: Creating a healthy city
- GG4: Delivering the homes Londoners need
- GG5: Growing a good economy
- GG6: Increasing efficiency and resilience
- SD1: Opportunity areas
- SD6: Town centres and high streets
- D2: Infrastructure requirements for sustainable densities
- D3: Optimising site capacity through the design-led approach
- D4: Delivering good design
- D5: Inclusive design
- D6: Housing quality and standards
- D7: Accessible housing

D8:	Public realm
D9:	Tall buildings
D11:	Safety, security and resilience to emergency
D12:	Fire safety
D14:	Noise
H1:	Increasing housing supply
H4:	Delivering affordable housing
H5:	Threshold approach to applications
H6:	Affordable housing tenure
H7:	Monitoring of affordable housing
H10:	Housing size mix
H11:	Build to Rent
S:3:	Education and childcare facilities
S4:	Play and informal recreation
E9:	Retail, markets and hot food takeaways
HC1:	Heritage, conservation and growth
HC3:	Strategic and local views
G1:	Green infrastructure
G5:	Urban greening
G6:	Biodiversity and access to nature
G7:	Trees and woodlands
S11:	Improving air quality
S12:	Minimising greenhouse gas emissions
S14:	Managing heat risk
S15:	Water infrastructure
S16:	Digital connectivity infrastructure
S17:	Reducing waste and supporting the circular economy
S112:	Flood risk management
S113:	Sustainable drainage
T2:	Healthy streets
T3:	Transport capacity, connectivity and safeguarding
T4:	Assessing and mitigating transport impacts
T5:	Cycling
T6:	Car parking
T6.1:	Residential parking
T6.5:	Non-residential disabled persons parking
T7:	Deliveries, servicing and construction
T9:	Funding transport infrastructure through planning

Local Plan

DMP1	Development management general policy
BP1	Central
BCGA1	Wembley Growth Area
BCSA11	College of North West London Wembley
BD1	Leading the way in good urban design
BD2	Tall buildings in Brent
BH1	Increasing housing supply in Brent
BH2	Priority areas for additional housing provision within Brent
BH3	Build to rent
BH5	Affordable housing
BH6	Housing size mix
BH13	Residential amenity space
BE1	Economic growth and employment opportunities
BE4	Supporting strong centres
BE5	Protecting retail in town centres
BE7	Shop front design and forecourt trading
BS11	Social infrastructure and community facilities
BHC1	Brent's Heritage Assets
BGI1	Green and blue infrastructure in Brent
BGI2	Trees and woodlands
BSUI1	Creating a resilient and efficient Brent
BSUI2	Air quality

BSUI3	Managing flood risk
BSUI4	On-site water management and surface water attenuation
BT1	Sustainable travel choice
BT2	Parking and car free development
BT3	Freight and servicing, provision and protection of freight facilities

Other Relevant Policy Considerations

National Planning Policy Framework (NPPF)
National Design Guide (2019)
Mayor of London - A City for all Londoners
LB Brent S106 Planning Obligations Supplementary Planning Document (2022)
LB Brent Design Guide for New Development (SPD1)
LB Sustainable Environment and Development SPD (2023)
LB Brent Residential Amenity Space and Place Quality Supplementary Planning Document (2023)
LB Brent Waste and Recycling Storage and Collection Guidance for Residential Properties SPG (2013)
LB Brent Air Quality Action Plan 2017-2022
Community Infrastructure Levy Regulations 2010
London Cycling Design Standards

DETAILED CONSIDERATIONS

Land Use

Presumption in favour of sustainable development

1. The NPPF sets the presumption in favour of sustainable development, and this is reflected in Brent Local Plan (Local Plan) Policy DMP1 and the other policies of the Local Plan. Policy DMP1 confirms the acceptability of developments subject to it satisfactorily addressing the broad issues identified, in order to secure development that improves the economic, social, and environmental conditions in Brent.

Making effective use of land

2. Chapter 11 of the NPPF promotes the effective use of land and para. 119 states:

Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

3. This is carried forward in various policies in the London Plan. Policy GG2 (Making the best use of land) seeks to enable development of brownfield land, among other areas, prioritise sites which are well connected by public transport, and explore the potential to intensify its use to support additional homes, workspaces, and higher densities.
4. Policy D2 of the London Plan advises that the density of development proposals should consider and be linked to the provision of future planned levels of infrastructure rather than existing levels. Where there is currently insufficient infrastructure capacity to support proposed developments, boroughs are advised to work with applicants and infrastructure providers to ensure that there will be sufficient capacity at the appropriate time.
5. London Plan Policy D3 (Optimising site capacity through the design-led approach) seeks to optimise site capacity by ensuring that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth.

Land use principles

6. The site falls within Local Plan Site Allocation BCSA11: College of North West London Wembley, and as such, is allocated for a mixed-use residential-led development. In addition, as stated above, it also falls within the Wembley Park Town Centre boundary, Wembley Growth Area, and the Wembley Opportunity Area. The proposed residential and non-residential uses would therefore accord with the site allocation.

Loss of Education

7. The site falls within Local Plan Site Allocation BCSA11: College of North West London Wembley and is allocated for a mixed-use residential-led development, with an indicative capacity of 155 homes. The site allocation highlights that the loss of the site to non-educational uses is on the basis that the education use is being provided elsewhere in the Borough. As set out above in the planning history section, a new college facility for the College of North West London has been secured at No.8 Fulton Way, which has been approved under planning reference 23/0578. As the provision of the new college is a requirement that is set out within planning policy to enable the release of this site for alternative purposes, a legal obligation will be captured within the Section 106 agreement to ensure that the proposed development cannot come forward unless the new college facility is being delivered and works have commenced on that facility. The loss of the education facility within the site is therefore considered acceptable and considered to be consistent with the site allocation.

Residential Use

8. Policy H1 of the London Plan (Increasing housing supply) confirms that Brent has a 10-year target for net housing completions of 23,250 new dwellings. In order to achieve this, the policy advises that Local Plans should, amongst other criteria, allocate sites suitable for residential and mixed-use development and intensification, and optimise the potential for housing delivery on suitable and brownfield sites that have good public transport access levels which are located within 800m distance of a station or town centre boundary.
9. The provision of 307no. dwellings within a highly sustainable area, would contribute towards the Borough's 10-year housing target, thus satisfying Policy H1 of the London Plan and would be consistent with the site allocation.

Non-residential Uses

10. As noted above with the site allocation, the development proposes 395sqm of flexible commercial/local community floorspace within the ground floor of the development. The main commercial floorspace (179sqm) fronts onto and Olympic Way at the base of Block A, and this space is anticipated to be occupied as either a shop or restaurant. Two additional units are provided in the base of Block B (216sqm), one of which fronts onto and activates Wembley Park Drive.
11. The non-residential units within Block B, due to their siting, would be less prominent than that in Block A, however, have they will face onto a new pedestrian link at the southern end of the site, between Wembley Park Drive and Olympic Way, thus helping to activate the public realm. A flexible use is proposed to maximise prospects to create an active and engaging use on this part of the building.

Housing

Affordable Housing

12. London Plan affordable housing policy (Policies H4, H5 and H6) sets out the Mayor's commitment to delivering 'genuinely affordable' housing and requires the following split of affordable housing provision to be applied to development proposals: a minimum of 30% low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent or London Affordable Rent); a minimum of 30% intermediate products; 40% to be determined by the borough based on identified need.
13. Brent's Local Plan policy (BH5) echoes while supporting the Mayor of London's Threshold Approach to applications (Policy H5), with schemes not viability tested at application stage if they deliver at least 35% (or 50% on public sector land / industrial land) and propose a policy-compliant tenure split.

14. Policy BH5 sets a target of 70% of those affordable homes being for social rent or London Affordable Rent and the remaining 30% being for intermediate products. This split marries up with the London Plan Policy H6 by design, with Brent having considered that the 40% based on borough need should fall within the low cost rented homes category, bringing Brent's target split across newly adopted policies as 70% for low cost rented homes (social rent or London Affordable Rent) and 30% for intermediate products.

Table 1: Affordable housing policy context

Policy Context	Status	% Affordable Housing Required	Tenure Split		
London Plan	Adopted	Maximum reasonable proportion	30% Social / London Affordable Rent	30% Intermediate	40% determined by borough
Local Plan	Adopted	Maximum reasonable proportion	70% Social / London Affordable Rent	30% Intermediate	

15. In assessing the proposed affordable housing offer, consideration is given to the cumulative approach which includes the re-development of the other existing College campus at College Green, and this is summarised in the Table 2 below:

Table 2: Affordable housing proposal for cumulative College schemes

	Affordable Housing commitment (habitable rooms)	AH tenure split by unit	%AH family homes (by unit)
College Green site-wide application	18.1%	64% intermediate 36% social rent	50% (123 homes)
Crescent House application	30%	100% social rent	19% (85 homes)
Average across both sites	20%	51% social 49% intermediate	42%
College Green Phase 1	9.3%	100% social rent	62% (43 homes)
College Green Phase 2	34.8%	91% intermediate 9% social rent (illustrative scheme)	45% (83 homes) within illustrative scheme

16. The Crescent House scheme is proposing 85no. affordable dwellings (246no. habitable rooms), all located within Block B, and provided at social rent levels. This equates to 30% affordable by habitable room.
17. The College Green proposals would deliver 6.4% affordable housing (all social rent) on a unit basis in Phase 1 and 9.3% on a habitable room basis which reflects the number of family sized homes. A greater proportion of affordable housing would be provided in Phase 2 – 34.8% on a habitable room basis – although this would be weighted towards intermediate homes (31.8% by habitable room). This is below the 50% threshold for the fast-track approach on public sector land, which is set out in Policy BH5, at 18% on this site. The proportion of affordable housing is also weighted towards intermediate homes (shared ownership) – at 64%:36% across both phases - and therefore is in conflict with the 70:30 tenure split weighted towards lower cost homes (either Social Rent or London Affordable Rent)

which is expected by both London Plan policy H5 and Policy BH5 of the Local Plan.

18. The applicant has stated that a number of factors have changed affecting development viability, most notably significant increases in construction costs and finance rates, together with new Building Regulations requirements to incorporate second staircases into all residential cores of 18m (7 storeys) or higher, which have come into force since early pre-application discussions.
19. Importantly, the applicants have also highlighted that the redevelopment of the two existing CNWL sites is contingent on the delivery of the new college facility in Wembley Park (with planning permission already granted) which is required through the Council's planning policies. As such, the applicant highlights that the development of the existing Dudden Hill and Wembley college sites for alternative uses would only accord with policy if the new College facility is delivered. This plan-led approach is indeed set out within the Council's planning policies, with the Fulton Road site identified as the location for the new college facility and the two existing college sites identified for residential led mixed use development contingent on the delivery of the new college facility.
20. Due to the assessment involving the provision of a college the Benchmark Land Value has been set as a combination of the EUV (plus premium) of £55m and the Capital contribution to college costs of £50m, for the Financial Viability Assessment and review mechanism. Despite this, officers consider that the viability of the scheme must be tested on a conventional EUV+ basis in line with adopted policy and guidance, and as such a Financial Viability Assessment has been submitted which looks at both this site and the Crescent House scheme in the round. This has been independently assessed by external consultants, BNP Paribas (BNPP), who have been instructed directly by the Council.
21. The applicant's initial FVA concluded that, using a conventional EUV+ approach, the Crescent House scheme would be in a deficit by £24.09 m, with the maximum viable amount of affordable housing able to be provided on the site being approximately 5.7% rather than the 30% offered. BNPP's initial review of this FVA disagreed with a number of the parameters, but nevertheless agreed that the scheme would be in deficit by £12,052,338 based in a residual land value of £3,283,612 and a BLV of £15,336,000. BNPP initially concluded that the College Green scheme instead generated of approximately £39.2m using the conventional approach and stated that even when factoring in a deficit of approximately £12.05m on the Crescent House scheme, this would still generate a surplus of c. £27m on the combined sites which could be put towards affordable housing.
22. However, subsequent discussions between the applicants' viability consultants and BNPP have clarified a number of assumptions made, and sensitivity tests have been carried out on a number of key parameters, including residential and commercial rental values, finance rates and construction costs. More detailed estimates for S106 costs and CIL costs have also been accounted for. Following this, BNPP have concluded that the scheme (without a capital contribution to college costs) would now experience a deficit of approximately £ 13.06 m, which although not as great a deficit as initially calculated by the applicants, is still a deficit and demonstrates that the proposed affordable housing offer is the maximum reasonably viable on the site.
23. Viability is normally considered on an application-by-application basis. However, in this instance, funding from both the Crescent House and Dudden Hill sites is required to deliver the new college facility, and the policy requirement discussed above applies to both sites. When evaluated on an EUV+ basis, BNPP considered that the Dudden Hill scheme would generate a surplus of £19.93 m, and the combined schemes (Crescent House and Dudden Hill) would therefore result in a surplus of £ 6.86 m on a traditional EUV+ basis.
24. Notwithstanding the above, the applicants have also set out the costs involved in providing the new college facility and set out the viability scenario where the receipts from the delivery of the two sites for residential purposes goes towards the delivery of the college. The FVA sets out that despite receiving funding from the GLA, Brent Council and the Department for Education, there would be a funding shortfall of £107m which would need to be made up by receipts from the proposed development. The applicants FVA states that if this is taken into account, the combined schemes at Crescent House and College Green are in a financial deficit of c. -£147,713,255.
25. BNPP, acting on behalf of the Council, consider that while the level of deficit for the combined schemes wouldn't be as high as initially stated by the applicants, a significant deficit of £43.2 m (across the two schemes) would be encountered when taking into account the college delivery. Therefore, BNPP have concluded that if taking this into account, the affordable housing offer would exceed the

maximum viable amount of affordable housing that could be provided.

26. Officers have carefully weighed up the conclusions drawn by the viability assessment and the policy requirement for the delivery the new college facility in order to enable the release these two sites for development. Officers also have attached weight to the benefits associated with the delivery of the new college. Officers consider that the inter-relationship between these two schemes and the delivery of the new college facility is material to the consideration of this application, and a Section 106 obligation will prevent the implementation of these two applications unless the construction of the new College building is going ahead.
27. It is therefore considered reasonable and appropriate for the Council to place weight on the financial contribution that the sale of these two sites will make towards the delivery of the new college building and officers have also evaluated the scheme on this basis. However, it is for the decision maker to determine what weight should be applied to the facilitating role that the sale of these sites play in the delivery of the new college facility.
28. Officers consider that this should be given substantial weight given that the new college facility cannot be delivered without the sale of these sites to the College, not only for financial reasons (as the sale is required to fund the college) but also for planning policy and legal reasons (as Section 106 obligations will prevent the implementation of these two applications, if approved, unless the new college facility is going ahead).

FURTHER SENSITIVITY TESTING AND REVIEW MECHANISMS

29. Overall, officers conclude that the 30% affordable housing offer at this site and 20 % across the two sites is considered to represent the maximum reasonable level of affordable housing on the site at this stage, and therefore accords with Policy BH5 of the Local Plan and Policies H5 and H6 of the London Plan. As discussed above, the proportion of Social Rent falls below that set out within policy (70:30 in favour of Social Rent). However, given the proposal would deliver significantly beyond the maximum viable amount of Affordable Housing (with a deficit of £43.2 m), the scheme would provide a policy compliant proportion of affordable housing with additional intermediate homes provided beyond that. A section 106 agreement will be entered into to secure the affordable homes in perpetuity and will also secure early and late stage reviews to ensure further affordable housing can be captured, if possible, within the development process. The review mechanism would be on the basis of the agreed inputs to include a Benchmark Land Value and capital contribution to college costs, together with developer profit rates of private sale (17.5%), Build to rent (15%), Affordable (6%) and commercial (15%).

Family Housing

30. Local Plan Policy BH6 (Housing size mix) confirms that 25% of new housing should be family-sized dwellings (i.e., 3-beds or greater). Exceptions to the provision of family sized dwelling are allowed where the applicant can show that the location of the development will not be able to provide a high-quality family environment, or its inclusion will fundamentally undermine the development's delivery of other Local Plan policies.
31. The number of 3-bedroom homes that would be required to meet the policy target is 76 whereas the scheme would deliver 46 with 16 of the social rented homes as family sized. The applicant advises that the provision of further family sized homes would affect scheme viability and result in a lower proportion of Affordable Housing being viable on the site. Officers agree that the level of Affordable Housing that is viable is likely to be lower if the number of family sized private homes increases (noting that the scheme is in a deficit) and when balancing the benefit of providing additional affordable homes with the harm associated with the under provision of total family sized homes, officers consider that the proposed housing mix is acceptable on balance.

Table 3: Housing mix summary

Dwelling Size	Block A	Block B	Total
Studio	-	14	14
1-bed	25	94	119

2-bed	44	84	128
3-bed	16	30	46
Total	85	222	307

Accessible and Adaptable Dwellings

32. Policy D7 of the London Plan requires that 90% of new dwellings meet with Building Regulation requirement M4(2) (accessible and adaptable) and 10% are wheelchair user dwellings (M4(3)), that is, they are designed to be wheelchair accessible or easily adaptable. A recommended condition seeks to secure the levels of accessibility across the development, in accordance with adopted policy.

Employment

33. Brent's Local Plan policy BE1 'Economic Growth and Employment Opportunities for All' states an Employment and Training Plan will be required for all major developments, to be prepared in partnership with Brent Works or any successor body.
34. A commitment to submit an 'Employment and Training Plan' to the Council for its approval prior to the material start of the development will be secured by way of a Section 106 obligation. This obligation is required of all major development schemes within the borough which comprise of 50 or more dwellings or at least 5,000sqm of floor space.
35. As set out in Brent's Planning Obligations SPD (2022), the obligations in this respect require that 1 construction job (for a minimum period of 26 weeks) for an unemployed Brent resident is secured per ten C3 homes delivered and per each 500sqm of commercial floorspace delivered, and that 50% of those jobs should be secured as apprenticeships for Brent residents, for a minimum period of 52 weeks. It also requires that a minimum of 20% of the operational phase jobs within commercial uses should be secured for Brent residents. The operational job requirements are set out in the Homes and Communities Agency Employment Density Guidance 3rd Edition (2015), requiring 1 operational job per 15-20 sqm of commercial floorspace.
36. When applying these standards to the proposed development, it is projected that 31.5 construction jobs, plus an additional one per each 500sqm of commercial floorspace delivered (4.5 operational jobs), should be secured for unemployed residents, with at least half of these jobs being in the form of apprenticeships for Brent residents. In addition, reasonable endeavours must be used to secure a minimum of 20% of jobs, one operational, for Brent residents. Projected construction and operational phase jobs shall be set out in an accompanying Employment and Training Plan, secured via s106 agreement, together with a support fee of £99,000.
37. The SPD also sets out a requirement for financial contributions to deliver support fees for each of the Brent resident's jobs to be secured of £2,750 per job. This would apply to each construction job and each operational phase job created, for a total contribution towards employment and training. The applicant has confirmed they are willing to agree to a partial contribution, the precise amount is to be agreed.
38. If the job targets are not met, an additional payment of £5,000 per the number of jobs below the target is to be secured to help secure other job opportunities for Brent residents. If the applicant fails to meet the job targets but can demonstrate that reasonable endeavours were undertaken to seek to meet the job targets, an increase in the base contributions will not be required. On the other hand, if the number of apprenticeship positions delivered for Brent residents exceeds the apprenticeship target, a reduction in the base contribution of £1,000 per additional apprenticeship would be applied.

Design Considerations

39. There is clear guidance on the approach to the matter of design. The NPPF (section 12) confirms that the Government attaches great importance to the design of the built environment, with good design being a key aspect of sustainable development. Poor design, which doesn't improve the character and quality of the area and the way it functions should be refused but where the design of a development

accords with clear expectations in plan policies, we are advised at paragraph 130 that design should not be used as a valid reason for objection.

40. Policies D1-D3 and D8 of the London Plan and the Mayor's Housing SPG apply to the design and layout of development and set out a range of urban design principles relating to the quality of public realm, the provision of convenient, welcoming and legible movement routes and the importance of designing out crime by optimising the permeability of sites, maximising the provision of active frontages and minimising inactive frontages. London Plan Policy D8 sets out a range of key design principles relating to the public realm. This requires development proposals to ensure that the public realm is well-designed, welcoming, inclusive, well-landscaped and supports urban greening, active travel and benefits from natural surveillance.

Layout and Access

41. The proposed layout is a result of a number of site constraints, such as Wealdstone Brook running through the northern part of the site; and the extant outline permission for Fulton Quarter. The decision to flip the existing crescent form away from the Brook is a response to these constraints and in doing so, creates a combined amenity area of a harder landscaped courtyard to the south of the Brook and retaining a soft and enhanced garden to the north of it.
42. The two-winged approach to the blocks allows a taller tower block to sit in the prime position on Olympic Way, framed within the Wembley Arch from key views (particularly from Barn Hill). Block A incorporates a series of setbacks, which have helps to provide a more slender form and maximising dual aspect.
43. At ground floor level, flexible commercial units (3no.) are proposed in accordance with the site allocation. Although tenants are unknown at this stage, it is anticipated that the larger of the three units, which fronts Olympic Way, could be used for a shop or restaurant.
44. Access into the site will continue to be from Olympic Way to the east and Wembley Park Drive to the west. Submitted plans also show a potential future connection with the Fulton Quarter to the south, should this opportunity arise in future.

Height, Scale, Massing and Bulk

45. LP Policy D9 states that individual boroughs should define what is considered a tall building and determine if there are locations where tall buildings may be an appropriate form of development. Policy BD2 of the Local Plan defines a tall building as one over 30m in height. It directs tall buildings to the locations shown on the policies map as being within a Tall Building Zone.
46. Block A has a maximum proposed height of approximately 103m and Block B has a maximum height of approximately 62m. Both constitute a tall building for the purposes of the London Plan and the Local Plan. The site is located within a Tall Building Zone and therefore the principle of a tall building is acceptable in this location subject to comply with other development plan policies including policy D9 of London Plan 2021 and policy BD2 of Brent's Local Plan.
47. Part C of London Plan Policy D9 sets out matters to be considered when assessing tall buildings including immediate, medium, and long distance visual effects, functional impacts, environmental effects and also cumulative impacts from impacts of proposed, consented and planned tall buildings in an area. It advises that proposals should take account of, and avoid harm to, the significance of London's heritage assets and their settings. These considerations are reiterated in the Local Plan. Consideration of the proposal's compliance with Part C of London Plan Policy D9 is given in Table 4 below:

Table 4: Assessment against London Plan Policy D9: Tall Building Policy D9

London Pan Policy D9(C)	Comments on scheme response
1: Visual Impact	
(a) the views of buildings from different distances (long range, mid-range,	Officers have assessed the views and consider the impacts acceptable. See separate analysis in views narrative at Section

immediate views)	XX.
(b) whether part of a group or stand-alone, tall buildings should reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding	The development will be seen in the context of surrounding and emerging tall buildings.
(c) architectural quality and materials should be of an exemplary standard to ensure that the appearance and architectural integrity of the building is maintained through its lifespan.	Officers consider the proposal to meet this requirement. See separate analysis in design narrative below.
(d) proposals should take account of, and avoid harm to, the significance of London's heritage assets and their settings. Proposals resulting in harm will require clear and convincing justification, demonstrating that alternatives have been explored and that there are clear public benefits that outweigh that harm. The buildings should positively contribute to the character of the area.	The settings of heritage assets have been fully assessed by the applicant and officers. Officers are satisfied that whilst some less than substantial harm is identified, there are significant public benefits that would outweigh the harm. See separate analysis of heritage considerations.
(e) buildings in the setting of a World Heritage Site must preserve, and not harm, the Outstanding Universal Value (OUV) of the World Heritage Site, and the ability to appreciate it.	N/A
(f) buildings near the River Thames, particularly in the Thames Policy Area, should protect and enhance the open quality of the river and the riverside public realm, including views, and not contribute to a canyon effect along the river.	N/A
(g) buildings should not cause adverse reflected glare.	The use of brickwork for the primary exterior material/ finish would minimise glare.
(h) buildings should be designed to minimise light pollution from internal and external lighting.	A condition is recommended requiring further details of external lighting, to ensure light pollution is minimised.
2: Functional Impact	
(a) the internal and external design, including construction detailing, the building's materials and its emergency exit routes must ensure the safety of all occupants.	This requirement is considered to be met. See section relating to elevations and materials.
(b) buildings should be serviced, maintained and managed in a manner that will preserve their safety and quality, and not cause disturbance or inconvenience to surrounding public realm. Servicing, maintenance and building management arrangements should be considered at the start of the design process.	This requirement is considered to be met. See sections relating to design and transport considerations. A Delivery and Servicing Plan is being secured via a condition.
(c) entrances, access routes, and ground	This requirement is considered to be met.

floor uses should be designed and placed to allow for peak time use and to ensure there is no unacceptable overcrowding or isolation in the surrounding areas.	Building entrances are appropriately located and there is sufficient space for users around the building. In addition, future potential connectivity with Fulton Quarter is indicated.
(d) it must be demonstrated that the capacity of the area and its transport network is capable of accommodating the quantum of development in terms of access to facilities, services, walking and cycling networks, and public transport for people living or working in the building.	This requirement is considered to be met. See sections relating to transport considerations.
(e) jobs, services, facilities and economic activity that will be provided by the development and the regeneration potential this might provide should inform the design so it maximises the benefits these could bring to the area, and maximises the role of the development as a catalyst for further change in the area	This requirement is considered to be met. The proposal optimises the potential of the site in accordance with the site allocation for a mixed-use development that would bring economic, social and environmental benefits.
(f) buildings, including their construction, should not interfere with aviation, navigation or telecommunication, and should avoid a significant detrimental effect on solar energy generation on adjoining buildings.	This requirement is considered to be met. It falls below the threshold that would trigger an automatic consultation with Gatwick Airport, and it should not unduly impact telecoms and solar energy infrastructure.
3: Environmental Impact	
(a) wind, daylight, sunlight penetration and temperature conditions around the building(s) and neighbourhood must be carefully considered and not compromise comfort and the enjoyment of open spaces, including water spaces, around the building.	This requirement is considered to be met. See sections relating to wind microclimate and daylight/sunlight.
(b) air movement affected by the building(s) should support the effective dispersion of pollutants, but not adversely affect street-level conditions.	This requirement is considered to be met. See section relating to wind microclimate.
(c) noise created by air movements around the building(s), servicing machinery, or building uses, should not detract from the comfort and enjoyment of open spaces around the building.	Noise impacts from the development would be acceptable subject to the recommended conditions. See section relating to noise impacts.
4: Cumulative Impacts	
(a) the cumulative visual, functional and environmental impacts of proposed, consented and planned tall buildings in an area must be considered when assessing tall building proposals and when developing plans for an area. Mitigation measures should be identified and designed into the building as integral features from the outset to avoid retro-fitting.	The cumulative impacts have been considered.

48. The massing of the proposed development comprises of two elements; the 30-storey Block A which

will primarily front Olympic Way, and the 18-storey Block B. Whilst further consideration is given to this element in relation to the potential impact on protected views and neighbour amenity below, it must be acknowledged that the proposal is significantly greater in scale than the existing building. However, through good architectural design and materials, the bulk and massing is suitably broken down.

Protected Views

49. Policy HC3 (Strategic and Local Views) of the London Plan states that strategic views include significant buildings, urban landscapes or riverscapes that help to define London at a strategic level. The Policy also advises that where local views are identified, they should be protected and managed in a similar manner as Strategic Views, following the principle of Policy HC4 (London View Management Framework).
50. London Plan Policy HC4 states that development proposals should not harm but should seek to make a positive contribution to the characteristics and composition of strategic views and their landmark elements and preserve the ability of the viewer to recognise their features. Development in the foreground, middle ground and background of a designated view should not be intrusive, unsightly or prominent to the detriment of the view. Where existing buildings currently detract from or block the view, this should not be used as justification for new development to likewise exceed the threshold height of the Landmark Viewing Corridor.
51. Policy BHC2 (National Stadium Wembley) identifies 17no. views towards the National Stadium where development must not be to the detriment of the particular view.
52. The proposed development does not impact any strategic views. Although the development would be seen in a number of locally protected views, this does not necessarily lead to harm because of distancing levels and/or cumulative developments diminishing the prominence of the proposed buildings. There are, however, three locally protected views that should be considered:
53. Barn Hill (View 1);
 - Wembley Park Station (View 6); and
 - The Bobby Moore Bridge (no View provided).

Barn Hill

- The HTVIA considers that the Fulton Quarter permission partially occludes the Arch and the proposed development “sits comfortably within this emerging composition, reinforcing the legibility of Wembley Park and, importantly, providing a transition in scale towards areas of finer grain development to the west”. It also considers that within the cumulative context, the magnitude of effect would remain Low and the likely significant effect would be Minor Beneficial. The HTVIA considers that the proposed development would preserve the architectural integrity of the National Stadium in the view.
54. Officers do not agree with the HTVIA assessment that the magnitude of effect is low and that there would be a minor beneficial effect on significance. The proposed tower is significantly more prominent than any other development and clearly demonstrates the proximity of the top of the tower (Block A) to the top of the Wembley Arch, with the proposed block prominent even within the context of the cumulative developments. From this View, more of the Stadium is obscured by the proposed development, and it is therefore considered that there is some harm arising from it.
 55. Policy HC4 D 3) of the London Plan advises that Linear Views should be managed so that the ability to see specific buildings, or groups of buildings, in conjunction with the surrounding environment, including distant buildings within views, is preserved.
 56. Having regard to Policy HC4, it is noted that this View is already partially obscured by vegetation, with a Silver Birch tree just to the right of the tower obscuring views of some of the Stadium and proposed development. While Silver Birch trees are deciduous, and the impact becomes more evident during the winter months it is also recognised that this View is static and the experience of a view towards the Stadium will change depending on the perspective of the viewer. There will still be views of the Stadium and its arch with the proposed development in situ and amongst the cumulative schemes.

Wembley Park Station

57. In its assessment of View 6, the HTVIA acknowledges that the cumulative schemes will only be partially visible on either side of the Stadium. It considers that the magnitude of impact is Medium and would give rise to a Moderate Beneficial likely effect to visual receptors and preserving the architectural integrity of the Stadium in the view.
58. The proposed development would dominate the view from Wembley Park Station, however as it is it would be to the west of Olympic Way thus not unduly impacting the view to the Stadium.

Bobby Moore Bridge

59. There is no view or assessment provided within the HTVIA from the Bobby Moore Bridge, however, View 16, taken from the east side of the pedestrian walkway beneath the Bobby Moore Bridge, provides an indication of what would be experienced. Similar to what would be experienced from Wembley Park Station. Whilst slightly nearer to the proposed development, it is considered that this View would not be harmed as a result of the proposed development.

Conclusion and Summary of Protected Views

60. The proposal has been assessed against the potential impacts on locally protected views and for the majority of the protected views, the development proposal would have an acceptable impact. In relation to the view from Barn Hill, whilst it is considered that there would be some harm from that locally protected view, the Stadium would still be seen amongst the cumulative developments.

Elevations and Materials

61. There is a requirement to achieve the highest quality of architectural and urban design (London Plan Policy D4 and Policy BD1 of the Local Plan).
62. The use of a considered brick palette is a positive response to local distinctiveness and meets Local Plan Policy BD1. A lighter brick palette and contrasting darker grey metal cladding for the external cladding is proposed. The verticality of Block A is emphasised with uninterrupted vertical lines on the north and south elevations. In contrast, the broader east and west facades adopt a horizontal approach, with a recessed darker brick-coloured facade framed by lighter bricks. The horizontal emphasis of Block B is a deliberate contrast to Block A but utilising using similar brick tones.
63. Corner balconies are used to soften the edges of the building, whilst the massing steps in towards the top of the building culminating in a crown, all of which have the visual effect of slimming the tower, particularly viewed in contrast to the horizontal emphasis of Block B.
64. In Block A, windows and doors for residential units, flexible commercial areas, and service zones will be made of dark grey metal, complementing the warmth of the darker brickwork, and contrasting with the lighter-coloured brick. Residential windows will feature a single brick reveal, responding to the block scale and creating a rhythmic pattern on the longer sides, enhancing the structure's sense of elevation. These windows are vertically proportioned and orthogonal. On the north and south facade, windows and doors onto the balconies enhance the tower's verticality but also maximise light within the dwellings. All windows are accessible from within the apartment for maintenance and cleaning purposes, equipped with a 1100mm transom or cill. Conversely, Block B incorporates horizontally oriented paired windows, introducing a contrasting sense of width and openness.
65. Although Block A would be taller than the surrounding development and it would appear as a prominent new townscape element in some local viewpoints, the proposed buildings are of a high quality that would add to the visual experience of the locality. Subject to conditions to secure its detailing, finishes and materials, to ensure they are high quality and durable, the proposed building is considered to be of high architectural quality, and it would make a positive contribution to the existing and emerging skyline.

Quality of Accommodation

Internal layout

66. Policy D6 (Housing quality and standards) and Table 3.1 of the London Plan reflect the adoption of nationally prescribed minimum space standards. Local Plan Policies DMP1 and BH13 confirm that dwellings need to meet the private internal space standards set out in London Plan Policy D6. The proposal should also comply with the guidance contained within Brent Design Guide SPD1.
67. All homes would meet the minimum space standards and provide adequate room sizes, storage space, and access to private balconies/external space that comply with minimum standards. With respect to floor to ceiling heights, the residential minimum standard is 2.5m for at least 75% of the GIA and section drawings provided confirm that the floor to ceiling heights would satisfy this requirement.
68. Adopted policies and guidance seek to maximise dual aspect dwellings within a development, although recognising that single aspect dwellings may need to be provided when it is considered a more appropriate design response when trying to meet with the requirements for optimising site capacity (London Plan Policy D3) providing that adequate passive ventilation, daylight, privacy, and overheating avoidance can be demonstrated. Of the 307no. dwellings, 278no. will be dual aspect (90.5%). In addition, none of the single-aspect dwellings would be north-facing.

Inclusive access

69. London Plan Policy D5 seeks to ensure developments achieve the highest standards of accessible inclusive design. London Plan Policy D7 requires that 90% of new housing meets Building Regulation requirement M4(2) 'accessible and adaptable dwellings'; 10% of new housing meets Building Regulation requirement M4(3) 'wheelchair user dwellings', i.e., is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. Policy DMP1(b) of the Local Plan requires that developments are satisfactory in terms of access for all.
70. Thirty one dwellings would be designed to M4(3) 'wheelchair user dwellings' standards, thus satisfying the 10% Policy requirement. It has also been confirmed that the remainder (90%) of the dwellings will be designed to M4(2) 'accessible and adaptable dwellings' standards, thus ensuring that the development achieves the highest standards of accessible and inclusive design. This element of the scheme will be secured by condition.
71. As stated above, there will be level access into the building, graded access from Olympic Way, with direct access to lifts from the lobbies and a blue-badge parking space is provided on site, with the potential for future blue-badge parking on the opposite side of Wembley Park Drive, subject to securing funding towards the provision of a pedestrian crossing to enable disabled users to safely cross Wembley Park Drive in an appropriate and convenient location. Conditions are recommended to secure the proposed level of accessibility across the development while the funding towards a pedestrian crossing would be secured in the s106 Agreement. Subject to the recommended conditions (see Conditions) and a suitably worded obligation in the legal agreement, this element of the proposed development accords with Policies D5 and D7 of the London Plan and Policy DMP1 of the Local Plan.

Privacy and Outlook

72. Policy DMP1 of the Local Plan states that "For those in the development and neighbours it is important that the development creates a high quality environment, addressing issues like spaces between buildings, privacy, outlook...".
73. The nearest residential development would be located at Fulton Quarter, to the south of the development site, with plans for the outline application indicatively showing a separation distance of approximately 18m between facing buildings. It is of course noted that being in outline form, the positioning of windows and rooms have not been finalised. Notwithstanding, an 18m separation would be sufficient to maintain good levels of privacy.
74. In relation to distancing levels to other developments, it is approximately 40m to the face of the buildings on the opposite side of Olympic Way and 30m to the nearest buildings on the opposite side of Wembley Park Drive. Due to the high level of distancing, there would be no concerns in relation loss of privacy and outlook.

Amenity Space Provision

75. Policy BH13 establishes that all new dwellings are required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This will normally be expected to be 50sqm for family housing (homes with 3 or more bedrooms) at ground floor level and 20sqm for all

other housing.

76. The requirement for external private amenity space established through BH13 is for it to be of a "sufficient size and type". This may be achieved even when the "normal expectation" of 20 or 50sqm of private space is not achieved. The supporting text to the policy clarifies that where "sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space". Proximity and accessibility to nearby public open space may also be considered when evaluated whether the amenity space within a development is "sufficient", even where a shortfall exists in private and/or communal space.
77. More recently, the Council adopted the Residential Amenity Space & Place Quality SPD. The SPD confirms that where the full area requirement cannot be provided, at least part of each dwelling's required amenity space will be private space and comply with London Plan policy as a minimum.
78. With regard to quality of the space, the supporting text to policy BH13 specifies that private amenity should be accessible from a main living room without level changes and planned within a building to take a maximum advantage of daylight and sunlight, whilst Brent SPD1 specifies that the minimum depth and width of the space should be 1.5m.
79. Policy D6 of the London Plan specifies that where there is no higher local standard, a minimum of 5sqm of private amenity space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. The minimum depth and width of 1.5m is reconfirmed in the policy.
80. As advised above, Policy BH13 advises that the shortfall in private amenity space should be provided in the form of communal amenity space. Table 5 below provides the total shortfall in amenity space. In terms of the private amenity space provision, the shortfall is acknowledged but the quality of the space provided is considered to be acceptable in that they are of size, shape and depth which would encourage them to be used. Moreover, with respect to the shortfall in private amenity space, there are a number of parks in the vicinity that could be utilised for more active recreation opportunities.

Table 5: Private amenity space provision

Floor	Dwelling Type	Number of dwellings by Type	Policy Requirement per dwelling (sqm)	Total Policy Requirement (sqm)	Total Provision (sqm)	Shortfall / Surplus
Mezzanine to 29	Studio	14	20	280	90	-190
	1-bed	119	20	2,380	775.3	-1604.7
	2-bed	128	20	2,560	1085.5	-1474.5
	3-bed	46	20	920	435.7	-484.3
Total		307		6,140	2386.5	-3753.3

81. With respect to communal space, this is primarily in the form of the soft-landscaped area north of Wealdstone Brook (c.733sqm) and the courtyard in the elbow of the building and immediately to the north of the building(345sqm). It is noted that the applicant's figures (1,452sqm) are higher than officers have calculated but this is because the watercourse should not be included as part of the calculation as it is not useable amenity space. A contribution towards nearby parks will be sought for the shortfall.

Table 6: Communal amenity space provision

	Policy Requirement	Private Balcony	Shortfall	Communal Spaces	Cumulative shortfall	% Of Req.
Total dwellings:	6,140	2,386.5	-3,753.3	1,078.37	2,675.13	56.4

Playspace

82. Play space provision to cater for a range of age groups should be made in accordance with the Mayor's 'Play and Informal Recreation' SPG and Policy S4 of the London Plan. A benchmark of 10sqm

per child should be provided. The total expected child yield for the proposed development, as indicated in Table 7 below, is 119.7, equating to a total onsite playspace requirement of 1,197sqm. The breakdown by age group is as follows:

Table 7: Playspace provision

Age Group	Child Yield	Playspace required (sqm)
0-4	56.3	563
5-11	40.5	405
12-17	22.9	229
Total	119.7	1197.2

83. As currently proposed, 343sqm of playspace would be provided for the 0-4 age group, which represents a shortfall of 220sqm. A contribution towards play provision would be sought. With limited external space, it is agreed that older children can utilise nearby parks, with Elvin Gardens, Union Park and Chalkhill Park all within or just over 400m from the development site.

Internal Daylight and Sunlight

84. The UK National Annex gives specific minimum recommendations for habitable rooms in dwellings in the United Kingdom. These are intended for 'hard to light' dwellings, for example in basements or with significant external obstructions or with tall trees outside, or for existing buildings being refurbished or converted into dwellings. The National Annex, therefore, provides the UK guidance on minimum daylight provision in all UK dwellings.

85. The UK National Annex gives illuminance recommendations of:

86. 100 lux in bedrooms,

87. 150 lux in living rooms and

- 200 lux in kitchens.

- The above are the median illuminances, to be exceeded over at least 50% of the assessment points in the room for at least half of the daylight hours. All 819no. habitable rooms in the development, across 307no. dwellings, were tested in relation to internal daylight and sunlight levels. The tests were run on the basis of two scenarios:

- Non-cumulative scenario with existing neighbouring buildings; and

88. a cumulative scenario whereby the neighbouring consented future developments of Fulton Quarter and 3-5 Olympic Way are factored into the existing baseline conditions.

Daylight to new dwellings – non-cumulative scenario

Table 8: Summary of daylight illuminance - non-cumulative scenario (source: Daylight and Sunlight Report)

Block	Daylight illuminance		
	No. of rooms tested	No. meeting min. target	No. below min. target
Block A	574	470 (82%)	104 (18%)
Block B	245	228 (93%)	17 (7%)
Total	819	698 (85%)	121 (15%)

- Table 8 above demonstrates that of the 819no. rooms assessed, 698no. (85%) would satisfy a strict application of the guidelines (i.e., median illuminance of at least 200 lux in multi-purpose rooms containing a kitchen, e.g., LKDs). This compliance rate is considered to be outstanding, reflecting a

standard that meets or exceeds that of similar urban projects within dense city environments.

- The rooms that fall below the recommended BRE guidelines are primarily located on the lower floors, east and west of Block A. Within Block B, only one room on each floor, located on the Northeast side of the building, falls short of meeting the BRE guidelines (labelled R1 in the appendices attached to the Assessment).
 - The scheme needed to be adjusted to ensure compliance with the overheating requirements, which has reduced the glazed areas to some of the windows. There is a balance between the requirement to satisfy the BRE guidelines and compliance with the overheating regulations. Needing to comply with the overheating regulations reduces the overall level of adherence with the BRE recommendations.
89. It is considered inevitable when developing in an emerging urban context, that a number of rooms on the lower floors will have their ability to receive daylight obstructed by surrounding properties and will not meet the suggested BRE guidelines. Nonetheless, the scheme overall shows excellent adherence to the BRE guidelines, indicating that the proposed dwellings will benefit from acceptable levels of daylight that could be considered excellent for the location.

Sunlight to new dwellings – non-cumulative scenario

90. All rooms in the Assessment have been assessed for sunlight regardless of orientation or room use. Although results are included for all room types, the guidelines for flatted developments are that one habitable room per dwelling (preferably a living room) should meet the sunlight guidelines. In Appendix 4 of the Assessment and Table 9 below, the level of adherence to the BRE numerical guidelines for each of the rooms that were assessed are provided.

Table 9: Summary of sunlight exposure results - non-cumulative scenario (source: Daylight and Sunlight Report)

Block	Daylight illuminance		
	No. of rooms tested	Meeting target (>=1 room)	No. below min. target
Block A	574	310 (54%)	264 (46%)
Block B	245	160 (65%)	85 (35%)
Total	819	470 (57%)	349 (43%)

91. Of the 819no. rooms assessed, 470no. (57%) would satisfy the sunlight guidelines (i.e., can receive at least 1.5 hours of sunlight on 21 March). This is considered to represent a good overall adherence to the BRE guidance.
92. The compliance level achieved is considered fully satisfactory for a development of this scale and typology, especially considering that a considerable portion of the building's facades face within 90° of due north. Moreover, the incorporation of balconies compensates for the reduced direct sunlight penetration. This design consideration, alongside the need to mitigate overheating, contributes to a well-balanced approach to light in an urban context.

Daylight to new dwellings –cumulative scenario

Table 10: Summary of daylight illuminance - cumulative scenario (source: Daylight and Sunlight Report)

Block	Daylight illuminance		
	No. of rooms tested	No. meeting min. target	No. below min. target
Block A	574	428 (75%)	146 (15%)
Block B	245	161 (66%)	84 (34%)
Total	819	589 (72%)	230 (28%)

93. Table 10 above demonstrates that of the 819no. rooms assessed, 589no. (72%) would satisfy a strict application of the guidance (i.e., median illuminance of at least 200 lux in multi-purpose rooms

containing a kitchen, e.g., LKDs). This compliance rate is considered to be good, reflecting a standard that meets or exceeds that of similar urban projects within dense city environments.

94. The neighbouring developments are positioned in close proximity to the site, specifically to the east and south. Consequently, the compliance rate to the BRE daylight recommendations will naturally be lower in comparison to the non-cumulative results. This results in several rooms located on the lower floors of the east and south sides of Block A, as well as the south and south-west sides of Block B, to fall short of the BRE guidelines.
95. In accordance with the BRE guide, a flexible approach is recommended for the assessment of proposed developments within an urban regeneration area, particularly when aligning with the height and proportions of consented neighbouring schemes. However, the overall daylight results continue indicate a good level of adherence with BRE guidance.

Sunlight to new dwellings –cumulative scenario

96. The same considerations given to the non-cumulative scenario are applied here. Appendix 7 of the Assessment and Table XX below, provide the level of adherence to the BRE numerical guidelines for each of the rooms that were assessed.

Table 11: Summary of sunlight exposure results - cumulative scenario (source: Daylight and Sunlight Report)

Block	Daylight illuminance		
	No. of rooms tested	Meeting target (>=1 room)	No. below min. target
Block A	574	274 (48%)	301 (52%)
Block B	245	143 (58%)	102 (42%)
Total	819	416 (51%)	403 (49%)

97. Of the 819no. rooms assessed, 416no. (51%) would satisfy the sunlight guidelines (i.e., can receive at least 1.5 hours of sunlight on 21 March). This is considered a modest 7% reduction in adherence to the BRE guidelines when compared to the non-cumulative scenario and remains a good overall level of compliance with the BRE guidelines.

Sunlight to amenity areas – non-cumulative scenario

98. The results of the two-hour sun-on-ground assessment are shown in Table XX below. The results confirm the proportion of each amenity space that would retain at least two hours of sunlight on 21 March in the proposed condition, the factor of former value, and whether the results meet the BRE numerical guidelines (i.e., at least 50% or at least 0.80 times former value). All 3no. amenity spaces assessed, as indicated in Table XX, would satisfy the BRE guidelines for sun-on-ground.

Table 12: Sun-on-ground impacts – non-cumulative scenario (source: Daylight and Sunlight Report)

	Proportion sunlit >=2hrs		Ratio	Meets Bre?
	Existing %	Proposed %		
Olympic Way	100	100	1.00	Yes
Crescent House	96	69	0.73	Yes
Olympic Square	98	98	1.00	Yes

Sunlight to amenity areas –cumulative scenario

99. The results of the two-hour sun-on-ground assessment are shown in the table below. The results confirm the proportion of each amenity space that would retain at least two hours of sunlight on 21 March in the proposed condition, the factor of former value, and whether the results meet the BRE numerical guidelines (i.e., at least 50% or at least 0.80 times former value). In this scenario, of the 3no. amenity spaces assessed, 2no. would satisfy BRE guidelines.

Table 13: Sun-on-ground impacts – non-cumulative scenario (source: Daylight and Sunlight Report)

	Proportion sunlit >=2hrs		Ratio	Meets Bre?
	Existing %	Proposed %		
Olympic Way	97	91	0.94	Yes
Crescent House	90	42	0.52	No
Olympic Square	98	98	1.00	Yes

100. While Crescent House narrowly falls short of the BRE guidelines, Olympic Way and Olympic Square significantly exceed BRE compliance. Therefore, when considering the area holistically, officers agree with the findings within the Assessment that there will be good levels of sunlight, providing ample opportunity for utilisation. The Assessment considers that Crescent House would likely meet BRE compliance if an assessment was run during the summer months, when the space is likely to be utilised more frequently compared to March.

Daylight and sunlight summary

101. The assessment of internal daylight and sunlight levels for the proposed development demonstrates that occupiers would experience good levels of daylight and sunlight. Given the levels of distancing between the proposed development and existing developments, the internal non-cumulative daylight results demonstrate an excellent level of compliance. As expected, this does reduce slightly for the cumulative scenario, when the outline permission for Fulton Quarter in particular, is taken into account but still remains very high. Overall, proposed levels of daylight and sunlight received by the development is accepted by officers.
102. With regards to potential impact on amenity spaces i.e., sun-on-ground, the development would not have an unacceptable level on neighbouring amenity spaces. In relation to the site itself, the communal space north of the brook is impacted from the height and siting of the proposed building but as the Assessment surmises, levels of sunlight should be much improved over the summer months when the space is more likely to be utilised.
103. Overall, it is considered that the proposed development will result in acceptable levels of internal daylight and sunlight, and to amenity spaces.

Impact on Neighbour Amenity

104. One of the core planning principles in the NPPF is that decisions should “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”. London Plan Policy D6 states that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.

Distancing / Loss of Outlook / Overlooking / Loss of Privacy

105. Distancing levels to the nearest adjacent developments, existing and emerging was described above. Distancing levels to the nearest existing residential developments on Olympic Way (c.40m) and Wembley Park Drive (c.30m) are considered sufficient to not result in any loss of amenity in terms of loss of outlook, overlooking, and loss of privacy.
106. With regard to emerging developments, as discussed above, the extant outline scheme at Fulton Quarter indicatively shows a separation distance of 18m), which is also considered acceptable to not lead to unacceptable levels of overlooking and loss of privacy. This is notwithstanding that the location of windows and rooms on that development site have not yet been finalised.

Daylight and Sunlight

107. The applicant has submitted a Daylight and Sunlight Report (May 2024) prepared by Delva Patman Redler, to demonstrate the impact of the development on surrounding existing properties, utilising the

recommended methodologies set out in the BRE 'Site layout planning for daylight and sunlight - a guide to good practice (2022)' document. In assessing the likely impact on neighbouring dwellings, BRE recommends the application of two tests: Vertical Sky Component (VSC) and No-Skyline (NSL).

108. The neighbouring sites and developments that were analysed for the purposes of the Daylight and Sunlight Report include:

109. Nos.133-147 (odd) Wembley Park Drive;

110. Nos.1, 3 and 5 Olympic Way; and

111. Stadium Retail Park (Fulton Quarter).

- The tests were run on the basis of two scenarios as described above i.e., the non-cumulative and cumulative scenarios.

Daylight to existing neighbouring developments

- The VSC test measures the amount of sky that is visible to a specific point on the outside of a property, which is directly related to the amount of daylight that can be received. It is measured on the outside face of the external walls, usually at the centre point of a window. If a room has two or more windows of equal size, the mean of their VSC can be taken. Windows serving bathrooms, toilets, storerooms, circulation areas and garages are not considered.

- The NSL test calculates the distribution of daylight within rooms where layouts are known by determining the area of the room at desk / work surface height (the 'working plane') which can and cannot receive a direct view of the sky and hence 'no sky line'. The working plane height is set at 850mm above floor level within residential properties.

112. For the above methods, the guidance suggests that existing daylight may be noticeably affected by new development if: -

- Windows achieve a VSC below 27% and are reduced to less than 0.8 times their former value; and
- Levels of NSL within rooms are reduced to less than 0.8 times their former values.

113. Where rooms are greater than 5m in depth and lit from only one side, the guidance recognises that a greater movement of the no skyline may be unavoidable.

114. In relation to VSC, as shown in Table 14 below, 173 windows were tested, with 80% (138no.) meeting the BRE guidelines. Of the 35no. that did not meet the BRE guidance, 16no. (9%) would experience a low reduction, 14no. (8%) would experience a medium reduction and 5no. (3%) would experience a high level of reduction.

Table 14: Summary of VSC impacts to existing neighbouring windows (source: Daylight and Sunlight Report)

Address	No. of windows tested	VSC (windows)				
		No. windows inside guidelines	No. windows outside guidelines			
			Low reduction	Medium reduction	High reduction	Total
147 Wembley Park Drive	3	0	2	1	-	3
145 Wembley Park Drive	4	1	1	2	-	3
143 Wembley	4	2	1	1	-	2

Park Drive						
141 Wembley Park Drive	3	2	-	1	-	1
139 Wembley Park Drive	4	3	-	-	1	1
137 Wembley Park Drive	4	3	-	1	-	1
135 Wembley Park Drive	6	6	-	-	-	-
133 Wembley Park Drive	5	5	-	-	-	-
1 Olympic Way	140	116	12	8	4	24
Total	173	138 (80%)	16 (9%)	14 (8%)	5 (3%)	35 (20%)

115. Among the 8no. windows tested within Nos.137 to 145 (odd) Wembley Park Drive where VSC reduction fall below BRE guidelines, 5no are secondary windows with less reliance on daylight compared to the primary windows. The primary windows in these properties either fully comply with or closely approach BRE guidelines. For example, 139 Wembley Park Drive would experience a high VSC reduction in the north-east facing secondary side window (W1/51), while the primary south-east facing window (W2/51) would be BRE compliant.
116. It is also noted that Nos.133 to 147 (odd) Wembley Park Drive feature an overhanging fascia which results in these properties, in particular, the primary windows, from achieving full compliance with BRE guidelines. This is particularly evident with Nos.143 to 147 (odd) Wembley Park Drive. It is also noted that for these properties, VSC levels above 15% are retained, which is a level considered acceptable in urban settings.
117. In relation to No.1 Olympic Way, 24no. windows (17%) of the 140no. tested would not meet BRE guidance. Sixteen windows (11%) would experience medium to high levels of VSC reduction, however the façade upon which these are sited, are set further back than the remainder of the façade, thus already being impacted by the design of the building. Of the non-compliant windows, 8no. of these will retain VSC levels above 15%.

Table 15: Summary of NSL impacts to existing neighbouring windows (source: Daylight and Sunlight Report)

Address	No. of windows tested	NSL (rooms)				
		No. windows inside guidelines	No. windows outside guidelines			
			Low reduction	Medium reduction	High reduction	Total
147 Wembley Park Drive	2	2	-	-	-	-
145 Wembley Park Drive	2	2	-	-	-	-
143 Wembley Park Drive	2	2	-	-	-	-
141 Wembley	1	1	-	-	-	-

143 Wembley Park Drive	2	2	-	-	-	-	-	-	-	-
141 Wembley Park Drive	1	1	-	-	-	-	-	-	-	-
139 Wembley Park Drive	1	1	-	-	-	-	-	-	-	-
137 Wembley Park Drive	1	1	-	-	-	-	-	-	-	-
135 Wembley Park Drive	2	2	-	-	-	-	-	-	-	-
133 Wembley Park Drive	2	2	-	-	-	-	-	-	-	-
1 Olympic Way	75	75	-	-	-	-	-	-	-	-
Total	88	88	0	0	0	0	0	0	0	0

123. The results of the annual and winter sunlight analyses are indicated in Table 16 above and these demonstrate that the sunlight impacts would be fully inside the BRE guidelines annual and winter sunlight.

Daylight to neighbouring developments – cumulative scenario

124. Table 17 below confirms that in this scenario, the impact of the proposed development on neighbouring developments would be more evident. The proportion of windows that satisfy the VSC test would be 49% (85no. out of 173no. windows tested). Of the 88no. windows (51%) outside of the BRE guidance, 59no. windows (34%) experience a low level of reduction, 25no. windows (14%) experience a medium level of reduction, and 4no. windows (2%) experience a high level of reduction.

Table 17: Summary of VSC impacts to neighbouring windows – cumulative scenario (source: Daylight and Sunlight Report)

Address	No. of windows tested	VSC (windows)				
		No. windows inside guidelines	No. windows outside guidelines			
			Low reduction	Medium reduction	High reduction	Total
147 Wembley Park Drive	3	0	-	3	-	3
145 Wembley	4	1	-	2	1	3

Park Drive						
143 Wembley Park Drive	4	1	1	2	-	3
141 Wembley Park Drive	3	1	1	-	1	2
139 Wembley Park Drive	4	2	1	-	1	2
137 Wembley Park Drive	4	2	1	1	-	2
135 Wembley Park Drive	6	6	-	-	-	-
133 Wembley Park Drive	5	5	-	-	-	-
1 Olympic Way	140	67	55	17	1	73
Total	173	85 (49%)	59 (34%)	25 (14%)	4 (2%)	88 (51%)

125. BRE guidance confirms that a more flexible approach should be adopted for developments in urban regeneration areas, especially if development is to match the height and proportions of recently consented neighbouring schemes. This is to ensure that opportunity sites are not sterilised due to neighbouring development coming first or developing close to the boundary of another site.
126. In relation to Nos.137 to 147 Wembley Park Drive, compared to the existing buildings scenario, the number of windows that exceed BRE guidance increases from 11no. to 15no., and as discussed earlier, the existing building design results in not all windows being fully BRE compliant.
127. With regard to No.1 Olympic Way, the number of windows that meet BRE guidance reduces from 116no. (83%) to 67no. (48%) of the 140no. windows tested. However, the greater majority of those exceeding BRE guidance (55no.) will experience a low VSC reduction. In addition, 59no. of the BRE non-compliant windows will retain VSC levels exceeding 15%, falling within the range of 17% to 26% VSC, which as discussed earlier, is considered acceptable for urban development schemes.
128. The remaining 14no. windows that would experience medium to high VSC reductions, whilst also falling below 15% VSC levels, are all sited on the façade of the building that sits further back, as described earlier, thus being impacted upon through the design of the building.

Table 18: Summary of NSL impacts to neighbouring windows – cumulative scenario (source: Daylight and Sunlight Report)

Address	No. of windows tested	NSL (rooms)				
		No. windows inside guidelines	No. windows outside guidelines			
			Low reduction	Medium reduction	High reduction	Total
147 Wembley Park Drive	2	2	-	-	-	-

Drive										
141 Wembley Park Drive	1	1	-	-	-	-	-	-	-	-
139 Wembley Park Drive	1	1	-	-	-	-	-	-	-	-
137 Wembley Park Drive	1	1	-	-	-	-	-	-	-	-
135 Wembley Park Drive	2	2	-	-	-	-	-	-	-	-
133 Wembley Park Drive	2	2	-	-	-	-	-	-	-	-
1 Olympic Way	75	75	-	-	-	-	-	-	-	-
Total	88	88	0	0	0	0	0	0	0	0

Daylight and Sunlight Summary

132. Overall, the development would not have an unacceptable impact on neighbouring existing or emerging developments. Whilst there are some windows and rooms that fall outside of the BRE guidance, some of this is due to the design of those respective buildings.

Overshadowing

133. The assessment measures the percentage of each area that can receive at least two hours of sunlight on 21 March - the 'two-hours sun-on-ground'. At least half of the area of a garden or amenity space should be able to receive at least two hours of sunlight on 21 March. If such a space is already heavily obstructed, then any further loss of sunlight should be kept to a minimum. In this poorly sunlit case, if, following development, the area which can receive two hours of direct sunlight on 21 March is reduced to less than 0.8 times its former size, this loss of sunlight is likely to be noticeable and in such cases the garden or amenity area will tend to look more heavily overshadowed.

134. Reviewing the cumulative scenario, 100% of Olympic Way and 98% of Olympic Square would retain at least 2 hours of sunlight and therefore meet with BRE guidance. These figures are the same as that when the existing scenario is assessed. In relation to the amenity area north of Wealdstone Brook, within the site, the proportion of space receiving 2 hours of sunlight reduces from 96% in the existing scenario, to 69% in the cumulative scenario. This would also satisfy BRE guidance.

Summary of Neighbour Impact

135. Given the above considerations, it is considered that the proposal would not unduly impact upon the amenities of the future residential occupiers. The level of distancing involved will ensure that there is

no overlooking, loss of privacy or loss of outlook.

136. In respect of daylight and sunlight, there is limited existing massing on site and although this would significantly change with the provision of a 30-storey building, the impacts on the nearest of the residential blocks are considered very minor. In addition, the development would satisfy the 'two-hours sun-on-ground' test. The proposal would accord with Policy DMP1 of the Local Plan.

Heritage Considerations

Statutory Background and the NPPF

137. The first step is for the decision-maker to consider each of the designated heritage assets, which would be affected by the proposed development in turn and assess whether the proposed development would result in any harm to the significance of such an asset. The assessment of the nature and extent of harm to a designated heritage asset is a matter for the planning judgement of the decision-maker, looking at the facts of a particular case and taking into account the importance of the asset in question. Proposals that are in themselves minor could conceivably cause substantial harm, depending on the specific context, or when viewed against the cumulative backdrop of earlier changes affecting the asset or its setting. Even minimal harm to the value of a designated heritage asset should be placed within the category of less than substantial harm.
138. The NPPF (paragraph 206) states that any harm to, or loss of, the significance of a designated heritage asset requires "clear and convincing justification". The NPPF expands on this by providing (paragraph 207) that planning permission should be refused where substantial harm or total loss of a designated heritage asset would occur, unless this is necessary to achieve substantial public benefits that outweigh that harm or loss, or unless all the four tests set out in paragraph 207 are satisfied in a case where the nature of the asset prevents all reasonable uses of the site. Where less than substantial harm arises, paragraph 208 of the NPPF directs the decision-maker to weigh this against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
139. In terms of what constitutes a public benefit, this can be anything that delivers economic, social or environmental objectives, which are the three overarching objectives of the planning system according to the NPPF. The Planning Practice Guidance advises that "public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit". The degree of weight to attach to any particular public benefit is a matter for the decision-maker, having regard to factors such as the nature and extent of the benefit and the likelihood of the benefit being enjoyed. Different benefits may attract different amounts of weight.
140. The decision-maker is directed therefore by the NPPF to balance any harm to the significance of a designated heritage asset against the public benefits that flow from the proposal by considering in the case of less than substantial harm whether this harm is outweighed by the public benefits of the proposal, or in the case of substantial harm whether the tests in paragraph 206 of the NPPF are met. Importantly, these balancing exercises are not simple unweighted exercises in which the decision-maker is free to give the harm whatever degree of weight they wish.
141. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision-maker to have "special regard" to the desirability of preserving a listed building or its setting. In *Barnwell Manor* the Court of Appeal identified that the decision-maker needed to give "considerable importance and weight" to any finding of likely harm to a listed building or its setting in order properly to perform the section 66 duty. In the case of conservation areas, the parallel duty under section 72 of the same Act is to pay "special attention" to the desirability of preserving or enhancing the character or appearance of the conservation area. The courts have held that 'preserving' in this context means 'doing no harm'.
142. At paragraph 205, the NPPF provides that "great weight" should be given to the "conservation" of a designated heritage asset, and that "the more important the asset, the greater the weight should be".
143. The High Court in *Field Forge* explained that "it does not mean that the weight the authority should give to harm which it considers would be limited or less than substantial must be the same as the weight it

might give to harm which would be substantial. But it is to recognize, as the Court of Appeal emphasized in *Barnwell*, that a finding of harm to the setting of a listed building or to a conservation area gives rise to a strong presumption against planning permission being granted. The presumption is a statutory one. It is not irrebuttable. It can be outweighed by material considerations powerful enough to do so. But an authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering". In *Bramshill*, the Court of Appeal (endorsing the Court's earlier decision in *Palmer*) observed that "the imperative of giving "considerable weight" to harm to the setting of a listed building does not mean that the weight to be given to the desirability of preserving it or its setting is "uniform". That will depend on the "extent of the assessed harm and the heritage value of the asset in question". These are questions for the decision-maker, heeding the basic principles in the case law."

144. It is important also to note that as the Court of Appeal stated in *Bramshill* (which concerned a listed building) "one must not forget that the balancing exercise under the policies in [...] the NPPF is not the whole decision-making process on an application for planning permission, only part of it. The whole process must be carried out within the parameters set by the statutory scheme, including those under section 38(6) of the Planning and Compulsory Purchase Act 2004 [...] and section 70(2) of the 1990 Act, as well as the duty under section 66(1) of the Listed Buildings Act. In that broader balancing exercise, every element of harm and benefit must be given due weight by the decision-maker as material considerations, and the decision made in accordance with the development plan unless material considerations indicate otherwise...".
145. Where the significance of more than one designated heritage asset would be harmed by the proposed development, the decision-maker needs to account for the individual harms and to consider the level of harm arising when the assets are considered cumulatively.
146. As regards non-designated heritage assets, these are buildings, monuments, sites, places, areas, or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets. For the most part, non-designated heritage assets will have been included on the Council's Local List, but it is not necessary for an asset to be included on the Local List in order for it to be treated as a non-designated heritage asset.
147. If there is harm to the significance of a non-designated heritage asset, paragraph 209 of the NPPF requires the decision-maker to arrive at a balanced judgement, having regard to the scale of any harm or loss and the significance of the asset.
148. What follows is an officer assessment of the extent of harm which would result from the proposed development to any designated and non-designated heritage assets that have been identified as potentially affected by the proposed development.

Context and Identification of Heritage Assets

149. The site does not contain any designated or undesignated heritage assets. A Heritage Statement was not submitted with the application however a Heritage Townscape and Visual Impact Assessment (HTVIA) includes a Built Heritage section that discusses the heritage context and the potential impact of the development on the identified assets through an analysis of: plans, site observations, the application of a Zone of Theoretical Visibility (ZTV) for each of the identified assets, and the use of 3D modelling through VuCity software.
150. Heritage assets were also identified using the Council's GIS system, and Historic England's online tools. The assets identified include:
 - Brent Town Hall (now Lycee International de Londres Winston Churchill School), Forty Lane, Grade II Listed (578m north-east) Date first listed: 23 Sep 1990

Municipal offices, library and assembly hall. Built 1935-40 as Wembley Town Hall by Clifford Strange. Brick - clad steel frame; flat roof. Multi-function and sloping site expressed in T-shaped plan set around central entrance hall with council chamber above and assembly hall to rear, and library to left. Severe Scandinavian style 3-storey front. Tall central staircase tower, slightly recessed behind flanking wings, has tall window set above entrance with flat canopy and steps;

15-bay wing to right has upper windows set in tall recessed bays above continuous ground-floor windows with glazed tile piers to drip mould; bay of some height to left of tower, with similar ground-floor fenestration and large first-floor window; lower 2-storey, 4-bay range to left has similar ground-floor fenestration and tall first-floor windows. Other elevations are similar, with stepped blocks making use of sloping site: entrance with canopy to library on left; assembly hall to rear has continuous strip of low-level fenestration. Interior: marble walls and floors to entrance hall and foyer with Art Deco railings to staircase. Council Suite has 3 committee rooms separated by sliding partitions. Panelled dado to assembly hall. Circular light walls to library. Recommended as a town hall in the Scandinavian style which is an example of simple but effective 1930s municipal, planning, the interiors making much use of borrowed light and internal glazing. Pevsner called Wembley "the best of the modern town halls around London, neither fanciful nor drab".

- Wembley Hill Lodge, 114 Wembley Hill Road, Grade II (716m south-west), Date first listed: 31 May 1973

Early 19th century cottage orné style. One storey and attic colour washed brick with gable to front. One 2 light leaded casement in gable; one 3 light leaded casement oriel window on ground floor with thatched roof. Part set back to right of one storey with continuous lean to roof in front, serving as a canopy to porch. Thatched roof. Left hand part has colour washed brick lower part; 20th century tile hanging to upper floor and tile roof. Formerly a lodge to Wembley Park.

- Wembley Arena (formerly the Empire Pool), Grade II (384m south), Date first listed: 31 Oct 1976

Designed by Sir E Owen Williams and built in 1934 for The Empire Games. 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 sunbathing terraces and lawns. The sides have 15 massive concrete buttresses. The ends are galed with 20 narrow lights of increasing height from the edges to the centre. Used for 1948 Olympic Games

- Three K6 telephone kiosks, Engineers Way, Grade II (370m south), Date first listed: 28 Jun 1987

Three telephone kiosks. Type K6. Designed 1935 by Sir Giles Gilbert Scott. Made by various contractors. Cast iron. Square kiosks with domed roofs. Unperforated crowns to top panels and margin glazing to windows and doors.

- Barn Hill Conservation Area 300m north (designated March 1990)

The special character of the Barn Hill Conservation Area is derived from its hillside setting and layout as much as from a wide variety of designs which have a distinctive Mock-Tudor character. The 85m high hill dominates the estate. The design of the houses and their mature landscape setting are particularly attractive and the dips in the road, the inclines, the views between houses and glimpses over Wembley and across to Harrow gives the estate a special charm which is worthy of protection. The Character of the Conservation Area is defined by Barn Hill Open Space, just outside the boundary at the top of Barn hill. The roads either are directed towards the peak, or along the contours of the hill.

- Lawns Court Conservation Area 245m north (designated June 1995)

The special character of the Lawns Court Conservation Area derives from the design of its buildings, the open space but also on their street setting and the street scenes. Lawns Court Conservation Area is a planned development built along a main road, The Avenue. It comprises of as a string of six linear apartment blocks of varying lengths set out in a doglegged pattern so as to accommodate a small communal triangular green between the central four blocks and the main road. The blocks are up to three storeys high and are the depth of a typical suburban house.

- Wembley High Street Conservation Area 618m south-west (designated March 1990)

The special character of the Wembley High Street Conservation Area derives from the design of its buildings, the open space but also on their street setting and the street scenes. Wembley High Street is a narrow cul-de-sac of quaint cottages in the historic street pattern of old Wembley Village. It is

important to maintain this aspect of the Conservation Area because such a plan form evokes a sense of rural character which is not utilised in modern suburban developments. The layout and position of properties creates a housing enclave of particular character that is considered to be worth retaining and enhancing.

Assessment of Significance and Contribution

151. Against the identified heritage assets, what must therefore be determined is whether the proposed development will harm their significance, having regard to the statutory requirement to give special attention to the desirability of preserving a listed building or its setting (s.66) and preserving or enhancing the character or appearance of a conservation area (s.72). The factors for consideration will be:

- The significance of the asset
- The sensitivity to harm of the asset
- Proximity
- Visibility

152. Compatibility of the proposal with the context and setting of the asset

Impact of the Development

Brent Town Hall (now Lycee International de Londres Winston Churchill School), Forty Lane, Grade II Listed

153. It is noted that the GLA comment that an assessment of harm is not possible as there weren't any Views provided. However, the HTVIA confirms that the ZTV indicates that the development would be visible from the southern entrance of the Town Hall, and partially glimpsed across its rear elevation in views from The Paddocks, a road running north, along the eastern boundary of the former Town Hall. In response to GLA comments, the applicant provided imagery from a VuCity model.
154. In light of the VuCity images, Officers would agree with the assessment within the HTVIA that the proposed development would be visible among the existing tall building cluster of the Wembley Tall Building Zone and would be experienced in the wider setting of the listed building, which does not contribute to the heritage significance of the listed building.
155. It is also agreed that the magnitude of change would be low, and the effect would be minor and neutral, therefore there would be no effect on any element of setting that contributes to its heritage significance.

Wembley Hill Lodge, Grade II Listed

156. The GLA commented that an assessment of harm is not possible as there weren't any Views provided for this heritage asset. Notwithstanding, the HTVIA confirms that the ZTV indicates no visibility from within the vicinity of the development. However, the applicant subsequently provided images of a VuCity model. The images demonstrate that the development would not be seen due to the intervening built development. The development proposal would therefore not unduly harm the setting or special interest of this heritage asset.

K6 telephone kiosks, Engineers Way, Grade II

157. There is no view within the HTVIA towards the development site from within proximity of the three listed telephone kiosks. Notwithstanding, the Brent Civic Centre would block any view of the site and therefore, it is considered that the proposal would not lead to any harm to the special historic interest and setting of the Grade II listed telephone kiosks.

Barn Hill Conservation Area

158. There are various verified views within the HTVIA towards the development site from within the Barn

Hill Conservation Area: Barn Hill Open Space (View 1 – Local Plan Protected View), Barn Hill / Barn Way (View 11a), Barn Hill / Eversley Avenue (View 11b), Barn Rise / Barn Way (View 12a), Barn Rise / Eversley Avenue (View 12b), Corringham Rd (View 13), and Barn Rise / Midholm (View 14).

159. Officers agree that the extent of visibility of the proposed development would not be consistent and would vary depending upon the observers' position relative to the development site. This would range from full views of the proposals, such as along Barn Hill Road (View 11), through to less extensive views of the proposals such as along Barn Rise (View 12) and glimpsed views of the upper storeys within the west and north parts of the Conservation Area (Views 13 and 14). From the protected view of Barn Hill Open Space, the view is partially obscured because of a tree
160. The impact has to be considered in relation to the whole of the Conservation Area and views of the development site would be seen within the context of existing tall buildings. The magnitude of impact to the significance of the Conservation Area is considered to be low, and the impact would give rise to a low level of harm, which would be considered 'less than substantial' and very low on that spectrum.

Lawns Court Conservation Area

161. The HTVIA contains one verified view towards the development site from within the Lawns Court Conservation Area, taken from The Avenue (View 15). This does demonstrate that the proposed development would be visible but would again, be seen in the context of the existing and emerging tall buildings such as the TfL car park scheme and the Brook Avenue scheme which members recently resolved to grant planning permission at the October planning committee (ref: (23/3880). The development would not impact on the significance of the Lawns Court Conservation Area, with its character and appearance continuing to be preserved.

Wembley High Street Conservation Area

162. There is one view towards the development site from the Wembley High Street Conservation Area within the HTVIA, taken from the Green Man Public House (View 18).

Assessment of Harm vs Benefits

163. The HTVIA concludes that the development proposal would lead to some harm to the Barn Hill Conservation Area, as discussed above. The Conservation Officer also considers that there may similarly be a low level of harm to the Lawns Court Conservation Area but this is more difficult to ascertain because only one view was provided, although it is noted that the HTVIA does not consider that there would be any harm to this heritage asset. To all other identified heritage assets, there would be no additional impact on either their setting, significance or character and appearance.
164. As some harm has been identified, albeit a low level of harm and less than substantial, it is necessary to consider any public benefits that would arise from the scheme to weigh against that harm to the two identified Conservation Areas. Officers consider that the proposed development would deliver the following benefits:

Economic

- Benefits to local economy associated with new residents and workers supporting local businesses
- Would support employment in some form on site:
 - direct construction jobs over the construction period
 - indirect construction jobs over the construction period
 - employment within the flexible commercial spaces and in managing the development

Social

- The provision of 307no. dwellings, of which 85no. (27.7%) are affordable dwellings.

- Forty six family dwellings (14.9%) will be provided for which there is a high need in the Borough.

Environmental

- The scheme would improve the biodiversity and urban greening on the site
- Improvements to the edge of the Brook and access to the Brook
- Optimising and delivering sustainable development of brownfield land

Public Realm

- Enhancements to the public realm
- Improved linkage between Olympic Way and Wembley Park Drive
- Future potential link to the Fulton Quarter to the south of the site

Summary of Heritage Considerations

165. Having regard to the statutory requirement to give special attention to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (s.66) and preserving or enhancing the character or appearance of that area (s.72), the proposal has been assessed against the identified heritage assets as set out above.
166. For a number of the identified heritage assets, it is considered that the proposed development would not lead to any harm to their significance, setting, or character and appearance. However, as also discussed, some low level harm was identified to the Barn Hill Conservation Area and the Lawns Court Conservation Area, and to this end, consideration has been given to the existence of any public benefits. These are identified above and cumulatively are considered to substantially outweigh the less than substantial harm identified. The proposed development is considered to comply with Policy HC1 of the London Plan, and Policy BHC1 of the Local Plan.

Transport

Policy and Context

167. London Plan Policy T1 sets a strategic aim for all development to make the most effective use of land reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. Local Plan Policy BT1 seeks to promote sustainable patterns of development in the borough, minimising the need to travel and reducing the dependence on private motor vehicles.
168. The site fronts Wembley Park Drive, a London Distributor Road, and Olympic Way, a pedestrianised / shared surface street with no through traffic for vehicles other than those accessing the adjacent offices. The site has a PTAL rating of 5/6a.

Parking

169. In support of the application, a Healthy Streets Transport Assessment (TA) has been submitted. Owing to the excellent PTAL of the site, policy T6 of the London Plan confirms that the proposed development should be car-free and for residential developments delivering 10 units or above, three percent of dwellings must have at-least one designated disabled persons parking bay per dwelling. A strategy would also be required to increase this to 10% in the future if demand is warranted. In this instance, the proposed development is expected to provide at least nine disabled parking spaces.
170. One blue-badge space is proposed on-site. The applicant attempts to address the shortfall by highlighting the proximity of the site to public modes of transport which would mitigate the need for further parking spaces to be provided on-site. In particular the applicant highlights that Wembley Park Underground Station has step free access and there is also an extensive local bus network. In the

scenario that future residents would require vehicle transport, the applicant also refers to the free Dial-a Ride service offered by TFL which is available for seven days a week.

171. Nonetheless, there is no empirical evidence to demonstrate that the provision of step-free access reduces the need or demand for disabled parking in practice. In order for the LPA to consider whether the shortfall is robustly justified, the applicant was requested to demonstrate that the routes for those with mobility impairments to navigate from the site to the public transport facilities through an updated Active Travel Zone Assessment (ATZ). This would detail the public realm improvement works, particularly around Wembley Park Drive and the routes to Wembley Park Station, with a focus on nighttime scenes. Details should also be sought on access to information, such as whether real time information is available at bus stops.
172. The subsequent study (technical note) demonstrates that the route through Olympic Way is activated by the night time economy which is frequented by pedestrians and is well lit, all of which contributes to making the route safe. Wembley Park Drive is also well-lit with CCTV provided to both Olympic Way and Wembley Park Drive. These routes are considered to be in line with the Healthy Street Indicators.
173. The technical note also advises that the proposed route through the pinch point from Wembley Park Drive onto Olympic Way would also facilitate safe movement for both pedestrians and cyclists where extensive lighting, CCTV would be provided, trees and landscaping would also be provided to create a welcoming route.
174. The Council acknowledges that due to the constrained layout of the site, additional disabled parking on-site would be difficult to achieve, therefore securing the provision of safe access to off-site parking on the opposite side of Wembley Park Drive is considered to be a priority in order to help justify the shortfall.
175. Aside from the provision of one on-site disabled parking space, which will have an EV charger, the proposed development would be car free, which would be in line with the maximum car parking allowance. A 'car-free' agreement would need to be entered into withdrawing the right of residents to on-street parking permits. At the present time, this would only be enforceable on Wembley Stadium Event days, as there is no year-round CPZ in operation on Wembley Park Drive or Brook Avenue. Therefore, to help protect nearby streets from over-spill parking, a financial contribution towards the introduction of a year-round CPZ in the area should be provided.
176. The EV charging facility be secured through condition together with a revised Transport Assessment.

Cycle Parking

177. In terms of numbers, the residential accommodation requires at least 541 long-stay and eight short-stay spaces, whilst the commercial/community units (based upon food retail standards) would require two long-stay and 21 short-stay spaces.
178. The Transport Assessment suggests that 542 long-stay cycle parking spaces will be provided within the basement, of which 4.4% will be on 'Sheffield' stands to cater for non-standard bikes, with the remainder on two-tier racks. However, the revised basement layout plan shows a shortfall in provision and triple tier cycle stands, which are not accessible through any ability -original cycle parking stands layout would be better than the revisions. Further details are required.
179. The proposed lift access to the basement is acceptable in principle however it is noted that the width of the entrances is slightly below standard. Revised details can be secured by condition.
180. For the commercial units, it is stated that internal bicycle parking for staff will be provided as the units are fitted out. This is acceptable in principle and further details would be secured by condition as to the design and siting of them.
181. No details of external bicycle parking for visitors are shown on the plans. The Transport Assessment suggests this will be incorporated into the landscaping, but the hard landscaping drawing is currently missing this detail, so again, further details are required. The locations of the stands will need to be convenient to the residential entrance cores and the commercial units. There should be 7 or 8 spaces and they should be located in close proximity to the courtyard -anywhere outside of vehicle zones -but without impacting on the amenity space / landscaping provision.

Access and Servicing

182. The proposed plans do not indicate a segregated access for pedestrians to the site from Wembley Park Drive, and this is considered necessary in terms of highway safety. A revised plan will be secured through condition to show this. It is noted that during the daytime, the vehicular gates will remain open so as to not impede traffic on the highway, and this will be secured by condition.
183. To support servicing and delivery for both the residential and non-residential uses, the proposal would involve the relocation of the vehicular access from Wembley Park Drive north-eastwards by 8m-9m along with an increase in width to 9m. The tracking diagrams also shows that large refuse vehicles would be able to manoeuvre past the nearby pedestrian refuge when turning out of the site. This arrangement is considered to be acceptable on the understanding that the developer would cover the cost of relocating the existing lamp column that fronts the site.
184. A 6.6m long loading bay would be proposed adjacent to the new vehicular access, within the site and oriented parallel to the highway. This would require vehicles to reverse across the front of the residential entrance at the end of the building, which is not ideal and also requires a wide vehicular access.
185. A Luton van / 7.5 tonne vehicle would be used for van deliveries and a swept path analysis has been subsequently provided within the technical note to demonstrate its movement into the proposed loading bay.
186. Section 5.5 of the Framework Delivery Service Plan states that the blue badge bay would provide an opportunity for a second vehicle to enter the site when the loading bay is occupied. This is not supported, and the applicant would need to demonstrate adequate servicing and delivery without the use of the blue badge parking space.
187. The DSP estimates that 5-6 deliveries would be made to the commercial units and 17 deliveries to the flats. In order to consolidate residential deliveries, the DSP states that residents would be provided with information to explain how deliveries could be consolidated with their neighbours. Provision will also be made for first time deliveries with the lobby for parcels to be stored on-site safely and reduce the need for return visits from distribution depots/the post office. The applicant has been advised to further detail how this would work and that it would also be useful to minimise deliveries at peak times, including Wembley Stadium Event Days.
188. To consolidate commercial deliveries, the DSP states that the commercial use would be encouraged to use the same suppliers to minimise the overall deliveries. If this is not possible, the tenants are expected to arrange deliveries such that they arrive at different times across the days. However, no details have been provided to understand how deliveries to the commercial units might be co-ordinated or how deliveries would be made to the unit fronting Olympic Way. This would be secured by condition via an updated DSP.
189. Policy T7 of the London Plan also requires proposed development to demonstrate how it would support sustainable and active freight. Although the Framework DSP discusses some measures to reduce freight trips, consideration should also be given to supporting other measures such as cargo bicycle deliveries, with space to be provided externally to support this.
190. A condition is proposed to secure a Delivery & Servicing Plan that addresses the concerns outlined above. Subject to this, this element of the proposal is considered acceptable.
191. In relation to refuse provision and in accordance with Brent's standards, the proposed flats would require a total of 65 Euro bins to meet storage capacity requirements for general waste, recycling and organic waste. Block A would require forty 1100L bins and twenty two 240L bins meanwhile Block B would require eighteen 1100L bins and nine 240L bins.
192. There is a current shortfall of one 100L and 240L bins each bin for Block A and one 240L bin for Block B. However, further details to show how this minor shortfall in refuse storage will be addressed can be secured through condition. In relation to commercial refuse, this will be undertaken via a private collection.
193. Tracking diagrams has been provided to show that the refuse vehicles would be able to access and

manoeuvre the central court yard of the site to be within 10m of the bin stores.

Trip Generation

194. The submitted TA provides predicted future trip generation for the proposed development. This is generated through identifying six other existing private residential blocks of flats in London with comparable characteristics to the proposed development. While noting that the proposed development contains a mix of ownership compared to the privately owned residential blocks used as comparables, the assessment notes that private residential units generate a greater number of trips than affordable residential units.
195. The trip generation figures estimate for the proposed development for all modes of transport is arrived at the following:
- 25 arrivals /155 departures in the morning peak hour (08:00am-09:00am)
 - 87 arrivals/43 departures in the evening peak hour (17:00pm-18:00pm)
196. In terms of the modal split, the proposed development is expected to generate 1590 trips per day with 179 trips in the morning peak (08:00-09:00am) and 130 person trips in the evening peak (17:00-18:00pm). The total number of trips generated throughout the day by modal share is shown as follows:

Table 20: Proposed Trip Generation for Development with Modal Breakdown (source: Transport Assessment)

	197.	AM Peak Hour			PM Peak Hour			Daily (07:00-19:00)		
		Arr.	Dep.	Total	Arr.	Dep.	Total	Arr.	Dep.	Total
Vehicles	1.0	0	2	2	1	0	1	8	8	16
Cyclists	11.4	3	18	20	10	5	15	89	92	181
Pedestrian	35.7	9	55	64	31	15	46	278	289	568
Rail/Underground	28.5	7	44	51	25	12	37	222	231	453
Bus	23	6	36	41	20	10	30	179	186	366
Total	100	25	155	179	87	43	130	779	810	1590

198. The proposed trip generation data demonstrates that there would be 1-2 vehicular trips generated in each peak hour, with a total of 16 throughout the day which is commensurate with the 'car-free' nature of the development. This is not considered to have a noticeable impact on the local traffic network.
199. With regards to public transport, the development would generate 37-51 rail trips in each peak hour and with 37 tube trains departing nearby Wembley Park Station each hour in each direction, there would be limited impact on the tube services and station capacity.
200. There would be 30-41 trip journeys per hour. TfL have advised that a contribution will be sought towards the bus service capacity and have requested contribution of £149,500. However, they have advised that this may change following further clarification about trip rates and this will need to be

clarified prior to the stage 2 referral to the Mayor and agreed prior to any legal agreement being signed.

Construction Logistics Plan

201. An Outline Construction Logistics Plan (CLP) has been submitted in support of the application, detailing that construction would take place from August 2024 to September 2027. This will need to be updated to reflect that planning permission hasn't yet been granted.
202. Up to eight peak number of trips would be generated per day (see Table 21 below) and these would be scheduled through a Delivery Management System where the hours of delivery would be from 8:00-18:00pm Monday to Friday, although core delivery hours will be between 9:30-15:00pm to avoid peak hour school trips. Whilst this time period would be strictly adhered to, there may be exceptions for special circumstances, such as a large concrete pour. It should also be noted that the CLP will also need to be updated to ensure that deliveries would not be scheduled within four hours of an event at Wembley Stadium.
203. The delivery vehicles were originally proposed to be routed through Neasden Lane/Blackbird Hill/Forty Lane and through Forty Avenue/ East Lane to the site, with Bridge Road being used for the last part of the journey. However, following concerns Brent's Transport Officer raised concerns that the use of Forty Avenue and East Lane could not be supported, and all HGVs should instead be routed through North Circular, a subsequent technical note confirms this position and that this would be included within a full CLP, to be submitted at a later stage.

Table 21: Initial construction programme (source: Outline Construction Logistics Plan)

Construction Phase	Period of Stage	No. of Trips (monthly)	Peak No. of trips (daily)
Site setup and demolition	Q3 2024 – Q4 2024	153	6
Basement excavation and piling	Q4 2024 – Q1 2025	76	3
Sub-structure	Q1 2025 – Q3 2025	80	3
Super-structure	Q2 2025 – Q4 2026	194	8
Cladding	Q4 2025 – Q4 2027	194	8
Fit out, testing and commissioning	Q4 2025 – Q3 2027	194	8

204. A full CLP will be secured through condition detailing the full measures that will be implemented to minimise the impact on the surrounding transport network and demonstrate how construction will be carried out in accordance with the Mayor's Vision Zero and Healthy Streets principles, and also restricting collections and deliveries on event days at Wembley Stadium.

Healthy Streets

205. An Active Travel Zone assessment, which is part of TfL's Healthy Streets Assessment, has been submitted as part of the TA, in order to assess the quality of pedestrian and cycle links from the development site to points of interests, such as schools, shops and health centres.
206. Six key routes were reviewed during the daytime (09:00-12:30) to assess the quality of the walking routes.
207. The applicant's Healthy Streets Assessment includes the repairing of some parts of the pedestrian footpath along Brook Avenue to improve accessibility and the installation of cycle lanes to assist the crossing of the A4088/ Preston Road/ Oakington Road Junction.
208. TBC night time ATZ, routes to station, improvement works esp along Wembley park Drive , cultural

facilities?

Active Travel Zone

209. An Active Travel Zone assessment, which is part of TfL's Healthy Streets Assessment, has been submitted as part of the TA, in order to assess the quality of pedestrian and cycle links from the development site to points of interests, such as schools, shops and health centres.

Travel Plan

210. To help to manage travel to and from the site by reducing the reliance on single occupancy car journeys, the applicant has submitted a Framework Travel Plan. This has set out three targets in the form of (1) monitoring and reviewing of cycle parking provision (2) the provision of information detailing modes of travel to future residents mainly through welcome packs and notice boards and (3) making the travel plan available to all residents and staff.

211. However, these targets are not considered to be clearly defined and incentives should be considered to alter the mode of travel for future residents. Such incentives can include a subsidised car club membership, creation of a bicycle user group. A revised Travel Plan will therefore be secured through condition.

Sustainable Design

Policy and Context

212. Chapter nine of the London Plan sets out a comprehensive range of policies underpinning London's response to climate change and mitigation, supported by policies within the Local Plan (Chapters 6.7).

Carbon Reduction / Energy

213. The submitted Energy and Sustainability Statement outlines the approach to carbon emission savings and renewable energy, as set out in Table 22 below.

Be Lean

214. At the 'Be Lean' stage, applicants must achieve carbon emissions savings through passive energy saving measures. As stated above, new developments must show a 10% improvement over the current SAP Target Emission Rate (15% for non-residential).

215. For this proposal, the applicants have considered the building fabric in order to meet or exceed current Building Control requirements. This includes enhanced U-values (including the use of high level of insulation and high performance glazing in order to reduce the demand for space heating and/or cooling), air permeability improvement, high efficiency light fittings, the use of mechanical ventilation heat recovery (MVHR), air source heat pumps and the control and monitoring of equipment to allow occupiers to reduce energy use.

216. The 'Be Lean' measures are expected to result in a carbon reduction of 22.4% across the whole site including 22.4% for residential units and 33.9% for non-residential units against the Baseline set by Building Regulations Part L 2021. This exceeds the London Plan targets by over 10% for the residential units and over 15% for the non-residential part of the scheme.

Be Clean

217. For the 'Be Clean' stage, applicants are required to maximise the use of onsite renewable technologies to reduce carbon emissions. Applicants have explored the feasibility of connecting into a district heating network (DHN). As there are no DHN close to the site, the development would use a communal heating system, with Air Source Heat Pumps (ASHPs) for the residential component and assumed Variable Refrigerant Flow (VRFs) for the non-domestic component. The development will be designed to allow for connectivity to in anticipation of a future District Heating Network and details of a connection point as a futureproofing measure shall be secured by condition. Nevertheless, in the absence of a connection to a DHN, the development will not achieve any carbon savings through the 'be clean' stage of the hierarchy.

Be Green

218. For the 'Be Green' stage, applicants are required to maximise the use of onsite renewable technologies to further reduce carbon emissions. The renewable technologies feasibility study carried out identified photovoltaics (PV) and air source heat pumps as the most suitable for the development.
219. Other technologies were considered but discounted including: Biomass (due to NOx emissions and limitations for fuel storage and delivery); solar thermal (due roof space maximised to include PV and ASHP area); GSPH (due to significant space required, additional time at the biggening of the construction process and high capital cost); and wind (due to significant visual impact and reduced efficiency in an urban setting).
220. When considering the 'Be Green' measures proposed, the residential dwellings and the non-residential element of the development score a total of 52.7% and 4.1% respectively (see Table 22 below).

Table 22: Reduction of CO2 emissions following the implementation of the Energy Hierarchy (source: Energy Statement)

	Regulated CO2 Emissions (Tonnes CO2/yr)		Carbon Reduction (%)
	Be Lean	Be Green	
Domestic	222.40	71.30	52.7%
Non-domestic	1.21	1.13	4.1%

Whole Life Carbon

221. A Whole Life-Cycle Carbon Assessment prepared by XCO2, dated April 2024 has been submitted in line with the requirement of London Plan policy SI2 to assess the carbon emissions of the development resulting from the materials, construction, and the use of the building over its entire lifetime.
222. The Assessment demonstrates actions taken to reduce life-cycle carbon emissions will include measures such as:
- Reducing the amount of concrete use within concrete mixtures for foundation, substructure and superstructure building elements
 - The use of aluminium and timber composite frames for windows and doors across the building façade.
 - Opportunities for additional carbon reduction are proposed to be investigated at a later stage.
223. The WLC assessment submitted does not fully comply with London Plan Policy SI 2 and further information should be submitted in relation to operational modelling methodology, cost per building element, estimated emissions, WLC emissions reductions, materials and end-of-life scenarios and be reviewed by the GLA. An updated Assessment can be secured by condition.

Circular Economy

224. Policy SI7 of the London Plan (Reducing waste and supporting the circular economy) promotes the circular economy outcomes and aims to achieve net zero-waste. To this end, a Circular Economy Statement (CES) prepared by XCO2, dated April 2024 was submitted in accordance with the GLA guidance. The statement details the proposed measures for each of the six Circular Economy principles as identified by the GLA. The reports outlines that a pre-demolition audit was conducted in October 2022, which indicated that >95% of materials on-site can be reused, recycled, or converted to useful energy via biomass.
225. The circular economy strategy submitted includes the following measures that are expected to be incorporated into the design, construction, and management phases of the development:

226. Prioritising a 'building in layers' approach to ensure different parts of the building are accessible and can be maintained and replaced where necessary.
227. Minimising the quantities of materials used within each layer
- Using durable materials and avoiding a premature end of life for all building materials.
 - The building will be designed to be flexible and adaptable to multiple uses.
 - Ensuring that the building is designed to allow for disassembly
 - Promoting the use of systems, elements or materials that can be reused or recycled where possible.
- With regard to compliance with policy SI7, the GLA has requested additional information in relation to development details; design approach; pre-redevelopment audit; pre-demolition audit; design principles; bill of materials; reporting; operational waste; and end-of life strategy. Additionally, the applicant will be required to submit a post-construction report. Members are advised that these details would be secured by conditions

Overheating

228. Policy SI4 (Managing heat risk) of the London Plan confirms that major development proposals should demonstrate how they will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with a hierarchy that prioritises passive measures over active measures.
229. The criteria for the assessment of overheating risk have been specified by the Chartered Institute of Building Services Engineers ('CIBSE') in the CIBSE TM59: Design methodology for the assessment of overheating risk in homes (2017) and provides a standardised approach to predicting overheating risk for both naturally and mechanically ventilated residential buildings. In addition to complying with Part O of the Building Regs, the following criteria must be met to achieve compliance:
- For living rooms, kitchens, and bedrooms: The indoor operative temperature should not exceed the threshold comfort temperature by 1-degree (K) or more for more than 3% of occupied hours. (CIBSE TM52 Criterion 1: Hours of exceedance);
 - For bedrooms only: to guarantee comfort during the sleeping hours the operative temperature in the bedroom from 10pm to 7am shall not exceed 26°C for more than 1% of the annual hours. (Note: 1% of the annual hours between 10pm and 7am for bedrooms is 32 hours, so 33 or more hours above 26°C would be recorded as a fail); and
 - For communal corridors, the operative temperature should not exceed 28°C for more than 3% of the annual hours.
230. Within the Energy Statement, the applicant has detailed proposed both passive and active design measures to be implemented such as:
- Reducing the amount of heat entering the building in summer by integrating external shading elements across the elevations such as balconies to reduce solar gains and by using internal blinds. Additionally, glazing will be used with a lower solar transmittance (g-value) of 0.5 for the domestic portion of the development and 0.3 for the non-domestic portion to help reduce overheating risk.
 - Minimising internal heat generation through energy efficient design. This includes reducing the lateral pipework length within the internal spaces to reduce heat loss and ensuring that pipework and heat sources are sufficiently insulated.
 - The use of thermal mass and high ceilings to manage the heat within the building for non-domestic areas. During peak summer periods, the thermal mass of the building will absorb and store excess heat, which will be released in the cooler evenings to help reduce peak diurnal weather conditions.

- The scheme would use Mechanical Ventilation with Heat Recovery System (MVHR) as a primary strategy for fresh air supply. This will operate in summer bypass mode to allow the dissipation of heat build-up during peak summer conditions.
 - Passive ventilation will be used as a secondary strategy to provide fresh air and dissipate heat across the development, except for the areas likely to be exposed to noise discomfort and excessive solar gain. This includes cross ventilation when feasible and night purge ventilation through openable windows and doors operated by the occupants.
231. Three different three scenarios were used (Design Summer Year (DSY)), representing different types of hot summer:
- DSY1 – moderately warm summer, with a return period of seven years
 - DSY2 – a year with a very intense single warm spell
 - DSY3 – a year with a prolonged period of sustained warmth
232. The overheating assessment notes that three options were tested: without additional measures and the windows partially closed (option 1), with the provision of acoustic ventilated panels (option 2), and with an additional cooling capacity being incorporated through mechanical ventilation (option 3). As bedrooms are at increased risk of noise overnight, the provision of acoustic ventilated panels was deemed not suitable. Consequently option 3 appears as the most appropriate as it includes windows to be closed overnight and mechanical ventilation to be applied. The results concluded that all of the assessed habitable rooms would meet the Part O overheating risk criteria when including a combination of natural and mechanical ventilation, with openable windows through the day as the main means of mitigating high internal temperatures. Corridors were modelled with continuous mechanical ventilation which was found to be sufficient in allowing them to meet the Part O criteria and therefore they are not considered to be a risk for overheating.
233. With regards to scenarios DSY2 and DSY3, the mechanically ventilated option was applied. All of the modelled bedrooms were found to meet overheating risk criterion 1, but would fail to comply with the night-time criterion of Part O. Nevertheless, the scheme would comply with DSY1 by including solar control glazing with a g-value of 0.5 throughout all residential spaces as well as generous openable areas and goes as far as feasible in terms of performance with the DSY2 and DSY3 most severe weather scenarios. Additionally, a future retrofit plan for overheating risk mitigation with more onerous weather files could include the increase of the cooling provision and capacity to increase performance for both these scenarios.
234. In relation to non-domestic spaces, the guidance set out in CIBSE TM52 should be used to assess the overheating risk. At least two of the following criteria should be met:
- Criterion 1 sets a limit on the number of hours the operative temperature can exceed the maximum comfort temperature. This should not exceed 1 degree for more than 3% of occupied hours.
 - Criterion 2 sets a daily limit on the length and severity of the operative temperatures. The operative temperature should not exceed the maximum comfort temperature by more than 6 degree-hour.
 - Criterion 3 sets an absolute upper temperature limit for a room. The upper limit increase in temperature must not exceed 4 degrees.
235. The assessment notes that all of the occupied rooms satisfy the mandatory overheating risk criteria for non-residential spaces under scenario DSY1 through a combination of natural ventilation, energy efficient lighting, a low g-value (0.4) and the provision of cooling to allow for an additional element of comfort.
236. To conclude, providing that the identified passive and active measures are implemented, overheating should not be an issue for the proposed development. A condition is recommended to secure the above measures.

Air Quality

237. With the site located in a designated Air Quality Management Area, London Plan Policy SI1 and Local Plan Policy BSUI2 (Air quality) require the submission of an Air Quality Assessment (“AQA”) to quantify pollutant levels across the site, consider its suitability for the proposed end-use and assess potential construction phase impacts as a result of the proposed development. The main air pollutants of concern related to residential exposure are NO₂ and fine particulate matter (PM₁₀ and PM_{2.5}).
238. The AQA has considered the suitability of the site for introducing new residential occupants within the area. There are four automatic monitoring stations for local air quality within the borough, however none of these are within the vicinity of the development and the closest is located 1.8km away, adjacent to the A406 (North Circular Road). Annual NO₂ concentration has however be measured since 2018 at two nearby non-automatic monitoring sites, which are located respectively 350m and 500m to the northeast of the site. As these monitoring locations are considered to be representative of the air quality conditions at worst-case locations within the proposed development given their roadside locations, it is expected that NO₂ will be below the objective for the proposed development. Additionally, the NO₂ concentration measured at the closest automatic monitoring station near the A4006, although it has limited relevance due to its location, indicates a consistent reduction in concentration overtime. The figures for 2020 and 2021 should not be relied upon due to the reduced activity resulting from the Covid-19 pandemic which reduced pollutant concentrations.

Table 23: NO₂ concentrations measured at monitoring sites (source: Air Quality Assessment)

Station	2016	2017	2018	2019	2020	2021	2022
Closest automatic monitoring station (North Circular Road)	76.0	72.0	71.0	63.0	49.0	46.4	43.2
Non-automatic station Bridge Road/Forty Avenue	-	-	-	30.1	33.1	27.6	26.6
Non-automatic station Forty Lane/Old Brent	-	-	-	27.5	26.6	30.4	31.6
Objective	40						

239. In relation to PM₁₀ or PM_{2.5}, there are no monitors measuring concentrations in the vicinity of the site. However, no exceedances of the annual mean PM₁₀ or PM_{2.5} objectives have been recorded by the London Borough of Brent in the recent years. Additionally, the measurements taken at the BT4 automatic monitoring station, where higher levels of pollutant would be expected than at the application site, indicates that the objectives were met in 2022.

Table 24: PM₁₀ or PM_{2.5} concentrations measured at the closest monitoring sites (source: Air Quality Assessment)

	2016	2017	2018	2019	2020	2021	2022
PM ₁₀	33.0	33.0	32.0	30.0	26.0	25.6	27.9
Objective	40						
PM _{2.5}	23.7	21.4	20.0	20.7	13.0	13.5	12.8
Objective	20/10*						

*The 20µg/m³ PM 2.5 objective, which was to be met by 2020, is not in Regulations and there is no requirement for local authorities to meet it. 10µg/m³ is the GLA target for annual mean PM 2.5; again, there is no requirement for local authorities to meet this

240. In addition to the measured concentrations discussed above, based on the London Atmospheric Emission Inventory (LAEI) data, the maximum pollutant concentrations for 2025 have been predicted to fall below the objectives for NO₂ and PM₁₀. It is noted that the predicted maximum PM_{2.5} concentration falls marginally above the GLA target of 10µg/m³, however this objective is to be achieved by 2030. Additionally, the PM_{2.5} value is the maximum measured at the site boundary adjacent to the A4089; whilst when measured at the location of the proposed building this falls to 10.5µg/m³ by 2025 and to 9.6µg/m³ by 2030 (the target year).

Table 25: Predicted Annual Mean NO₂, PM₁₀ and PM_{2.5} Concentrations (Source: Air Quality Assessment)

	NO ₂	PM ₁₀	PM _{2.5}
Predicted Background Concentration (ug/m ³) for 2025	28.5 µg/m ³	25.5 µg/m ³	12.4 µg/m ³

241. The report has also considered dusk impacts during construction including dust generation and plant vehicle emission. A Construction Assessment has been undertaken, setting out mitigation measures to be implemented during the construction works to reduce dust emissions. This considers potential impacts within 250m of the site boundary, or within 50m of roads used by construction works. The risk level for the site was determined to be Medium and the proposed mitigation measures were considered appropriate by both the GLA and Brent Environmental Health Officers.
242. With regard to construction traffic, the applicant has confirmed within the Construction Logistic Plan submitted that the maximum number of vehicles movement generated at any point during construction equate to 16 trips per day, which is below the screening criterion of 25 recommended by EPUK / IAQM guidance.
243. In relation to on-site generated emissions following completion, the proposed development will be 'car-free', with only one accessible car parking space to be provided, in line with London Plan requirements. As the result, the development will generate very few additional vehicle trips on the local road network and the trip generation is likely to be well below published screening criteria. Additionally, the proposed development will utilise an all-electric energy strategy for the provision of heat and hot water. As such it is considered that there will be no on-site emissions generated by the routine provision of energy.
244. The development does include the provision of an emergency diesel generator for life-safety purposes. The main air pollutants of concern related to diesel generator emissions are NO₂ and fine articulate matter (PM₁₀ and PM_{2.5}). The generator is however only expected to be routinely operated for testing and maintenance for up to an-hour per month and a four-hour load every 6 months. The AQA submitted notes that the flue will exhaust from the roof of Block B above the 17th floor, which is higher than any existing buildings. As such, it is considered unlikely that the emissions will lead to an exceedance of the objectives upon existing sensitive properties in the surrounding area.
245. The proposed development does not include any on-site combustion plant and would be 'car-free' and as such is considered to be Air Quality Neutral. Additionally, an Air Quality Positive Assessment was included with the AQA due to the development falling within the Wembley Growth Area. This demonstrate that due to the reduced car traffic generated by the site and no direct emissions from routine heating and hot water provision, the development will likely result in an improvement over existing local air quality conditions.

Air Quality Conclusions

246. Based on the information submitted, the location of the development is not considered to result in an unacceptable risk of high levels of exposure to poor air quality to future residents as existing and projected pollutants concentration through the site are below air quality objectives.
247. Whilst construction works have the potential to create dust, mitigation measures will be applied to minimise dust emissions and protect the receptors close to the external dust generating activities.
248. Due to the use of an all-electric energy strategy and the 'car-free' nature of the scheme, the development would likely result in an improvement over the existing conditions and is expected to be air quality positive.

249. Having regard to all of the above, it is considered that the proposed development would not expose potential residents to unacceptable levels of pollution, in compliance with London Plan Policy SI1 and Local Plan Policy BSUI2. Officers in Environmental Health have reviewed the air quality information and raised no objections, subject to the mitigation measures being conditioned.

Contamination

250. The submitted Basement Impact Assessment includes an evaluation of the site history and potentially contaminative historical land uses. It finds that there are some risks of contamination from the made ground associated with previous land uses and development, and while those risks are low, an investigation is recommended.
251. This has been reviewed by the Council's Regulatory Services Team who concur with this recommendation and who have advised that conditions should be added regarding a site investigation and remediation strategy.

Noise

252. Policy D14 (Noise) of the London Plan requires that noise sensitive development should be separated from major sources of noise wherever practicable. Policy D13 (Agent of change) of the London Plan expects that planning decisions reflect the Agent of Change principle and take account of existing noise and other nuisance-generating uses in a sensitive manner when new development is proposed nearby, with the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development.

Internal Noise Levels

253. In developing a proposal that demonstrates good acoustic design, the site layout and the dwellings should be designed so that the internal target levels can be achieved with open windows in as many dwellings as possible. Where it is not possible to meet internal target levels with windows open, internal noise levels can be assessed with windows closed, however any façade openings used to provide whole dwelling ventilation (e.g., trickle ventilators) should be assessed in the "open" position and, in this scenario, the internal LAeq target levels should not normally be exceeded.
254. Based on the results of the calculations undertaken, the measured noise levels at the site (considering both the day and night-time average and maximum noise levels), a specification has been developed showing the sound insulation performance requirements for all facades of the development.
255. It can be seen from the above that acceptable internal noise levels will be achievable in the development subject to the specification of suitable glazing and ventilation systems to achieve the desired specification. The proposed development is, in principle, acceptable with regards to the noise levels that will exist within the habitable rooms.

Demolition and Construction Noise

256. In assessing potential noise and vibration from demolition activity, although proposed work processes or method statements haven't been scrutinised, it is acknowledged that without mitigation, some neighbouring properties may notice noise levels above the defined threshold of 65dB LAeq,10hr. With mitigation, noise levels are predicted to be significantly below the aforementioned threshold. In relation to potential noise and vibration from construction activity, without mitigation, all but one location will exceed the 65dB LAeq,10hr threshold but with mitigation, all but one location will exceed (66.2dB LAeq,10hr) the threshold. Mitigation for both of these activities could take the form of but not limited to hoardings; damping; switching engines off of stationary vehicles; and where required, using percussive piling rather than vibratory piling.

External Amenity Areas

257. External amenity areas should ideally not exceed the design range of 50-55dB LAeq,16hr. These values, however, may not be achievable in all circumstances. BS8233:2014 acknowledges this by

advising that the specification of noise limits for balconies and roof gardens where external amenity space is limited, such as in apartment blocks, is not necessarily appropriate.

258. Noise levels in external amenity areas are predicted to exceed the 55 dB LAeq,T limit by up to 12dB. However, for the following reasons, it is considered that this would not be unacceptable due to:
- Most developments in urban areas will be subject to noise levels above the BS8233 recommended levels for balconies.
 - It is common for noise levels in external amenity areas to exceed the BS8233 recommended noise levels in Wembley and elsewhere. For example, there are existing dwellings on Wembley Park Drive where noise levels would exceed BS8233 'desirable' levels;
 - On balance, the provision of private external space that does exceed the recommended noise levels is outweighed by not having any such space.

External Plant Noise

259. In relation to external plant noise, a schedule of plant associated with the industrial units has not yet been established and potential occupiers have not yet been identified. Therefore, once a plant schedule has been chosen by future commercial occupiers, a full BS4142: 2014 assessment will need to be undertaken prior to installation to ensure that a satisfactory acoustic environment is achieved. Where a future occupier would like to install different/additional plant, a further noise impact assessment will be required.

Noise Conclusions

260. The proposed development, with suitable mitigation, should not have an unacceptable impact in relation to noise impacts to surrounding sensitive receptors.
261. It should be noted that in relation to the above matters, there is also control through Environmental Health Legislation and planning should not duplicate any controls that are available under other legislation.

Wind Microclimate

262. Policy D8 (Public realm) of the London Plan requires the consideration of local microclimate created by buildings, reinforced by Policy D9 (Tall buildings) which requires the environmental impacts to be assessed. Policy DMP1 of the Local Plan also requires this.
263. A Pedestrian Level Wind Microclimate Assessment, prepared by RWDI, has been provided. It has been undertaken against the industry standard guidance – the Lawson Comfort Criteria, which sets out five pedestrian activities that are reflective of the fact that less active pursuits require calmer wind conditions. It has also been undertaken on the basis of the following scenarios:
- Scenario 1: the existing site and surrounding buildings;
 - Scenario 2: the proposed development with the existing neighbouring buildings;
 - Scenario 3: the proposed development with the cumulative surrounding buildings; and
 - Scenario 4: the proposed development with the cumulative surrounding buildings, proposed landscaping, and mitigation.
264. In scenario 1, wind conditions around the site are in the sitting and standing comfort categories. During the summer season, wind conditions are generally one category calmer with more locations around the site having sitting use conditions. Safety exceedances do not occur at the existing site.
265. In scenario 2, the majority of locations on-site and all locations off-site would have wind conditions suitable and safe for their intended use. However, the pedestrian pathway along the south-west boundary with Fulton Quarter would have unsafe wind conditions, which would have the potential to

cause harm to vulnerable pedestrians. Balconies on levels 1-8 balconies at the south-west face of the proposed development would also experience strong winds, which would represent unsafe conditions for occupant use.

266. Comfort exceedances would be present for two entrances (Flexible commercial space and Residential entrance lobby on the northern side of the Block A) and the proposed seating amenities (benches in the Southern Boundary) at ground level. These would have wind conditions one category windier than suitable for their intended uses.
267. In scenario 3, the addition of the cumulative surroundings (specifically, Fulton Quarter) is considered to have a significant positive impact on wind conditions within the site. All unsafe / unsuitable conditions would be resolved. The Assessment considers that mitigation measures could therefore be considered temporary until the cumulative schemes come forward.
268. In scenario 4, the addition of the proposed landscaping scheme at ground level and mitigation measures up to the level 8 balconies would ensure safe conditions year-round. With the landscaping in place, the ground seating amenities would have suitable conditions during the summer seasons. The mitigation measures at the balconies would improve the safety conditions to allow safe use year-round. Recessing the north-western entrances would return suitable conditions during the windiest seasons. Mitigation measures will be secured by condition.

Flood Risk/Drainage/Water Consumption

Flood Risk

Policy background

269. Paragraph 167 of the NPPF sets out that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- any residual risk can be safely managed; and
- safe access and escape routes are included where appropriate, as part of an agreed emergency plan

270. The above position is reinforced within policy BSUI3 of Brent's Local Plan which highlights that proposals that require a Flood Risk Assessment must demonstrate that the development will be resistant and resilient to all relevant sources of flooding including surface water. Proposed development must pass the sequential and exceptions test as required by national policy. The design and layout of proposals requiring a Flood Risk Assessment must contribute to flood risk management and reduction and:

- minimise the risk of flooding on site and not increase the risk of flooding elsewhere;
- wherever possible, reduce flood risk overall;
- ensure a dry means of escape;
- achieve appropriate finished floor levels which should be at least 300 mm above the modelled 1 in 100 year plus climate change flood level; and

- not create new basement dwellings in areas of high flood risk.

271. The policy goes on to say that proposals that would fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused. The majority of the site is within functional floodplain zone 3a (surface water and fluvial and tidal) and is at risk of flooding. Applications are required to undertake a detailed Flood Risk Assessment (FRA). Development must be consistent with the recommendations of the Brent Strategic Flood Risk Assessment Level 2.

Flood risk assessment

272. A Flood Risk Assessment (FRA) was submitted in support of the application and has been reviewed and amended post submission to address the concerns of the Environment Agency (EA).
273. The site lies within Flood Zone 2 but with areas falling in Flood Zones 3a and 3b (Flood Zone 3b is classified as the 'functional floodplain'). Although there would be no in-principle objections to development within Flood Zones 2 and 3a, without appropriate mitigation and compensation, only 'water compatible' development or 'essential infrastructure' is allowed within Flood Zone 3b.
274. Residential uses are classed as 'More Vulnerable' whereby such uses would not be supported in Flood Zone 3a where the sequential and exception test has not been met. In this case, as noted earlier, the site does form part of a site allocation within the Local Plan. As part of the evidence base to support the Local Plan, the site was included as part of the Brent Flood Risk Sequential and Exception Test documentation. The document set out that the Sequential Test had been passed as "It is necessary to identify the site to address longer term housing needs as there are insufficient alternative sites in fluvial zones 1 or 2". The document also sets out that the site would pass the exception test concluding the following: " development can be made safe throughout its lifetime without increasing flood risk elsewhere and passes the exceptions test in principle. In the case of an application, a site specific flood risk assessment should demonstrate that the development meets the requirements of the SFRA Level 2".
275. As some of the site is within a functional floodplain, water must flow or be stored in times of flooding. A mitigation scheme has been prepared comprising lowering of ground levels in the open space on the north bank of the Brook. Volumetric analysis is presented in the FRA to demonstrate that level-for-level compensation has been provided for the 1 in 30 annual probability (AP), 1 in 100 AP and 1 in 100 AP +20% fluvial events. In addition, above the 1 in 100 AP event the river can overtop the weir of the surface water mitigation scheme on the south bank. It is noted that the fluvial mitigation design does not rely on the surface water mitigation scheme. Mitigation schemes have also been prepared to ensure floodwater is not displaced off-site due to the development. Fluvial floodplain compensation is achieved by lowering levels on the north bank of the Brook. An underground conveyance and storage system will manage surface water flood events. Designs are based on the 1 in 100 AP plus climate change events.
276. With regard to finished floor levels, these should be at least 300mm above the modelled 1 in 100-annual probability AP plus a 20% allowance for climate change however it is recognised that in this instance, this would still be below flood levels. It is therefore proposed to set minimum ground levels at 32.9m AOD, which is 0.7m above the 1 in 100 AP +17% fluvial flood event and 0.3m above the 1 in 100 AP +40% surface water flood event. The commercial space on the east side will have floor level set no lower than the 1 in 100 AP +40% surface water flood level to remain accessible from Olympic Way.
277. The existing footbridge will be replaced with a new clear-span footbridge structure. The new footbridge soffit level will be set no lower than the existing footbridge soffit of approximately 31.8m AOD (to be surveyed accurately prior to removal). The bridge deck level is dictated by the raised levels on the south side of the Brook (to accommodate the building levels), but by the existing ground levels on the north side (to accommodate the floodplain mitigation and permit a compliant access path down to the new play space). Therefore, it is not possible to raise the bridge soffit 600mm above the 1 in 100 AP +20% flood level. However, designing the new footbridge soffit no lower than the existing footbridge soffit will ensure that there is no detrimental impact on flood risk. It should also be noted that the existing Olympic Way (downstream) culvert soffit level is lower at approximately 31.6m AOD.
278. The Brent Reservoir (Welsh Harp) is approximately 1.5km to the east and has an estimated volume of 1,600,000m³. The Level 2 SFRA suggests that flood depths may reach 2m in depth in result of

reservoir failure for most of the site. Flood waters may also reach speeds between 0-2 m/s in the event of reservoir failure.

279. Reservoirs across England are regulated by the Reservoirs Act 1975 which set stringent conditions for the operation of reservoirs to ensure high levels of safety. They are designed to operate in a way which ensures the likelihood of failure is incredibly low and therefore the risk of the site flooding from a reservoir is still considered to be extremely low. Notwithstanding, prior to occupation of any part of the development, the applicant would need to engage with the Council's Emergency Planning Officers, and this would be secured by condition.

Summary

280. Following ongoing discussions with the EA, the applicant has addressed the initial concerns in relation to flood risk. Subject to the imposition of the conditions suggested by the EA and the securing of appropriate details, the development should not pose an unacceptable risk, having regard to Policy BSUI 13 of the Local Plan.

Drainage/SuDS

281. LP Policy SI13 and Local Plan Policy BSUI4 requires development to utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so. They also require proposals to achieve greenfield run-off rates and adequately manage surface water run-off. London Plan policy SI13 further sets out a drainage hierarchy to ensure that run-off water is managed as close to its source as possible and gives preference to green over grey features.
282. The proposed Surface Water Drainage Strategy for the Proposed Development comprises the following:
283. Hard-paved surfaces will be constructed as permeable surfacing with low-level overflows to the piped drainage system. The permeable sub-base will provide treatment of runoff from any vehicular surfaces.
284. Rain garden and tree pit overflows will connect to the piped drainage system.
- The surface water drainage system will discharge into the Wealdstone Brook via the mitigation system.
 - Discharges will be reduced from the existing rates by at least 77%. Proposed rates have been calculated as 3.2 l/s for the 1 in 1 AP storm events, 4.4 l/s for the 1 in 30 AP +35% events and 5.0 l/s for the 1 in 100 AP +40% events (see Appendix G). The larger events are thus reduced below greenfield rates.
 - Attenuation storage will be achieved within the flood mitigation system which has been designed to accommodate the development runoff. The tanks provide sufficient volume to accommodate the 1 in 100 AP + 40% rainfall events.
 - Hard landscaping on the north side of the Brook will be constructed with permeable surfacing. Any runoff will be directed overland to the Brook, and hence no change from existing.
 - Modelled results are presented within the FRA, both with and without the surface water inflow from Olympic Way. On its own, the site runoff is limited to 5.0 l/s in the 1 in 100 AP +40% event. This is below the greenfield rate.
285. A draft Drainage Maintenance Plan (DMP) outlining ownership and maintenance responsibilities is included with the FRA and would be secured by condition.

Water Consumption

286. In order to minimise impact on water supply, Policy SI5 of the London Plan confirms that water consumption should not exceed 105 litres per head per day (110 litres inclusive of external water consumption i.e. irrigation). Commercial development should be achieving at least the BREEAM excellent standard.

287. The Energy and Sustainability Statement confirms that consumption would be limited to 105 litres per head per day. And this would be secured by condition.

Ecology and Biodiversity

288. London Plan Policy G6 D (Biodiversity and access to nature) seeks to ensure that proposals manage impacts on biodiversity and aim to secure net biodiversity gain. Policy BGI1 (Green and blue infrastructure) promotes the enhancement and support of biodiversity and ensuring that developments do not undermine the biodiversity of green chains.
289. Wealdstone Brook runs through the northern part of the site, separating the soft landscaped area from the remainder of the site, and it is recognised for its contribution to the ecological network through its designation as a site of importance for nature conservation (SINC Grade II).

Protected Habitats and Species

290. A Preliminary Ecological Assessment (PEA), an Ecological Impact Assessment Report (EIAR), a Bat Survey, a BNG Report, and an Arboricultural Impact Assessment, have all been submitted in support of the application and assessed by the Council's Senior Ecologist and Principal Tree Officer.
291. Table 3 of the EIAR provides an evaluation of the site surveys and the potential effects from the development, together with potential mitigation. In relation to amphibians, reptiles, badgers, and hazel dormice, there is a lack of suitable habitat. The steep concrete banks of the brook make it unsuitable for riparian mammals such as water voles and otters (although otters may pass through the site). The soft landscaped area to the north of the brook is also considered unsuitable for hedgehogs because access is only afforded by the footbridge.
292. With particular regard to bats, the two buildings on site (Crescent House and a single storey storage building), are considered to not have any obvious potential roost features. The Olympic Way Bridge is considered to have a high roost suitability, while the Wembley Park Drive Bridge and the onsite footbridge are both considered to have a moderate suitability. The footbridge is identified as a suspected roost by 5no. bats (4no. common pipistrelles and 1no. Nathusius' pipistrelle), which have been confirmed using habitats within the site during the foraging surveys, specifically the brook. A Natural England (NE) European protected species (EPS) mitigation licence would be required prior to any works on the footbridge, to ensure that works are undertaken legally. Mitigation and compensation requirements or impact to roosts would be detailed as a part of the licence. One of the trees on site, a semi-mature hybrid black poplar has a low suitability to support roosting bats.
293. The vegetation on the northern part of the site offers some foraging and breeding opportunities for birds. Any clearance work would need to be undertaken from September to February (outside of the breeding season) unless the works are supervised by an ecologist.
294. The EIAR and Bat Survey include some recommendations which must be incorporated into the final development in order to protect ecological features and enhance biodiversity and roosting opportunities. These include bird and bat boxes, wildlife friendly planting, and the recommendation for a lighting to minimise light spillage. While not included, consideration should also be given to the provision of bug boxes.
295. The submission of a Biodiversity Mitigation and Enhancement Scheme detailing the proposed mitigation and compensation is also recommended. Appropriately worded conditions to secure the recommendations and mitigation measures will be secured by condition.

Biodiversity Net Gain

296. Biodiversity net gain (BNG) is an approach to development that leaves biodiversity in a better state than before. This means that where biodiversity is lost as a result of a development, the compensation provided should be of an overall greater biodiversity value than that which is lost, notwithstanding that losses should, in the first instance, be avoided. A minimum 10% net gain is required.
297. A Biodiversity Impact Calculation Report, prepared by Geosphere Environmental, has been submitted in support of the application in order to establish whether the scheme will achieve a net gain. This

considers factors such as: the area of each habitat and the linear length of features such as hedgerows; the strategic significance of the habitat; and the condition of each habitat parcel (rated as poor, moderate, or good condition).

298. The proposed development would result in an improvement over the existing arrangement with regard to Biodiversity Net Gain, however this would fall below the 10% minimum due to the constraints of the site.
299. However, Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) allows for acceptable development proposals which fall under the 10% minimum BNG requirement to provide either off-site units and/or statutory biodiversity credits. If developers cannot achieve all of their BNG on-site, they can deliver through a mixture of on-site and off-site. Developers can combine all options.
300. A planning obligation will be required to ensure that the developer provides sufficient BNG in accordance with the Act.
301. The proposed development is therefore on balance considered to comply with Policy G6 of the London Plan and Local Plan Policy BGI1. Conditions and/or planning obligations will be imposed to ensure that details of the landscaping and biodiversity enhancements are secured, any off-site provision or credits acquired to ensure that a policy compliant BNG calculation is achieved.

Urban Greening

302. London Plan Policy G5 (Urban greening factor) identifies that major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. Proposals should include a maintenance plan for the lifetime of the development. Planning obligations may be sought to cover future maintenance of green infrastructure.
303. Table 8.2 of the London Plan introduces an Urban Greening Factor ('UGF') to identify the appropriate amount of urban greening required in new developments. Local Plan Policies BGI1 (Green and Blue Infrastructure in Brent) seeks to apply the Urban Greening Factor in London Plan Policy G5 to developments in the borough.
304. The Mayor recommends a target UGF of 0.4 for developments that are predominately residential, and a target UGF of 0.3 for predominately commercial development. The submission demonstrates that the development will UGF score in excess of 0.4 and this is achieved by a landscape proposal that maximises the amount of soft landscaping across the site, incorporating such measures as: a high level of tree planting as discussed below; extensive green roofs (231sqm); 432sqm of permeable paving for the play space and access road; and 607sqm of groundcover plantings.
305. The application therefore accords with adopted policy in relation to urban greening.

Trees and Landscaping

306. Policy DMP1 seeks to retain high amenity trees and landscape features and provide appropriate additions or enhancements. Trees are a key component of green infrastructure and help to create resilient and more sustainable development. Policy BGI2 (Trees and Woodlands) seeks to ensure that trees are protected as much as possible and to re-provide where loss is unavoidable.
307. The Arboricultural Impact Assessment submitted with this application indicates that the development would result in the removal of one Category C tree, one Category B group (a hedgerow), and three Category C groups of trees. Tree T4 (Category B) was previously removed as part of ongoing grounds maintenance.
308. The proposed development includes the provision of 34 new trees to be planted.
309. The area to the north of the Wealdstone Brook is proposed to be used as amenity space and therefore laid out more formally. This would result in the removal of a number of trees. However, a Black Poplar tree and an Ash Tree are proposed to be retained, together with an off-site adjacent Plane tree and

off-site adjacent Poplar Tree.

310. The most individually significant trees in terms of visual amenity are proposed to be retained.
311. However, as highlighted above the proposed development would result in the re-provision of 34 new trees, which would mitigate for the loss of the existing trees.
312. A pre-commencement condition is recommended to seek detail of a comprehensive hard and soft landscaping plan, which would require further details of the species, sizes, locations and densities for all trees, including tree pits, along with shrubs, and other planting. On balance, the provision of 34 new trees is considered to sufficiently compensate for the loss of some existing Category B and C trees/shrubs, and the proposed condition will allow the Council's Tree Officer the opportunity to further work with the applicants and their agents to ensure the correct species/sizes of trees are planted.
313. Additionally, the same condition would require an Urban Greening Factor score of 0.40 to be achieved.

Basement Impact

314. The application is supported by a Basement Impact Assessment (BIA) due to the development proposing a basement up to 4.5m deep. The BIA indicates that the basement should not have any unacceptable impacts on the surrounding area, subject to the works recommended within Section 4 (Scoping Study) of the BIA are undertaken. It should also be noted that one of the reasons for the initial objection by the EA, in relation to the additional loading on Wealdstone Brook and its associated flood defences, has been overcome with the submission of additional information to the EA who, as advised above, have withdrawn their objections. Officers consider the development to be in accordance with Local Plan Policy DMP1. A condition would be attached to any consent to ensure that the Basement Impact Assessment is adhered to.

Site Waste Management

315. Policy SI7 of the London Plan (Reducing waste and supporting the circular economy) promotes the circular economy outcomes and aims to achieve net zero-waste by doing the following:
- promote a more circular economy that improves resource efficiency and innovation to keep products and materials at their highest use for as long as possible
 - encourage waste minimisation and waste prevention through the reuse of materials and using fewer resources in the production and distribution of products
 - ensure that there is zero biodegradable or recyclable waste to landfill by 2026
 - meet or exceed the municipal waste recycling target of 65 per cent by 2030
 - meet or exceed the targets for each of the following waste and material streams:
 - construction and demolition – 95 per cent reuse/recycling/recovery
 - excavation – 95 per cent beneficial use
 - design developments with adequate, flexible, and easily accessible storage space and collection systems that support, as a minimum, the separate collection of dry recyclables (at least card, paper, mixed plastics, metals, glass) and food.
316. A site waste management plan (SWMP) has been prepared for the development. A pre-demolition audit has been produced and has identified key materials suited for recovery and reuse. The SWMP outlines the methodologies for estimating waste quantities and streams generated during the

demolition, excavation, and construction stages of the site works, and set out recommended measures required to be adopted by the main contractor to minimise these as far as practically possible. The recommendations will be secured by condition.

317. An operational waste management strategy has been produced and will be implemented for the proposed development. This will demonstrate how the development has taken into account sustainable methods for waste and recycling management during its operation in order to meet planning policies. This will be secured by condition.

Fire Safety

318. Although acknowledging that fire safety compliance is a matter for the Building Regulations, Policy D12(B) of the London Plan requires all major proposals to submit a Fire Statement. The Statement should demonstrate that the development would achieve the highest standards of fire safety by reducing risk to life, minimising the risk of fire spread, and providing suitable and convenient means of escape.
319. In addition to the above, Policy D5 of the London Plan at Part B5 requires the developments to be designed to incorporate safe and dignified emergency evacuation for all users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.
320. A Fire Statement prepared by Affinity (UK) Ltd was submitted in support of the application. This Fire Statement addresses Policy D12(B) of the London Plan insofar as it demonstrates how the proposed development would respond to parts A and B of D12, and defines the fire safety objectives and performance of the proposed development. The Fire Statement has been reviewed and considered acceptable by the Health and Safety Executive, who have not raised an objection to the proposed development.

Designing Out Crime

Crime prevention and counter terrorism

321. London Plan Policy D11 states that development should include measures to design out crime that (in proportion to the risk) deter terrorism, assist in the detection of terrorist activity, and help mitigate its effects. Policy DMP1 f) of the Local Plan seeks to ensure that developments are safe, secure and reduces the potential for crime.
322. The scheme has been designed to ensure good levels of natural surveillance of public areas and to include suitable means to separate public from communal and private spaces, including measures which can be put in place for event days to facilitate crowd management. A condition will be attached to secure Counter Terrorism measures required by the MET Police.

Equalities

323. 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).

S106 DETAILS

The application requires a Section 106 Agreement, in order to secure the following benefits:-

- Payment of the Council's legal and other professional costs in (a) preparing and completing the

- agreement and (b) monitoring and enforcing its performance
- And those Heads of Terms highlighted elsewhere in this report.

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 above terms and meet the policies of the Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 24/1841

To: Mr Messenger
DP9 Ltd
100 Pall Mall
London
SW1Y 5NQ

I refer to your application dated **02/07/2024** proposing the following:

Demolition of the existing building and redevelopment of the site with a residential-led (Use Class C3) building with flexible commercial/community floorspace (Use Class E/F) at ground level; new basement excavation; cycle stores and blue badge parking; refuse stores and plant rooms/equipment; hard and soft landscaping including part-naturalisation of the Wealdstone Brook; new play space; and all associated engineering and ancillary works.

Further explanation (not forming part of the formal description of development set out above):

The proposed development includes the construction of two linked buildings of 18-storeys and 31-storeys to provide 307 residential dwellings (Use Class C3). The development proposes 179sqm (GIA) of commercial floorspace (Class E) and 216sqm (GIA) of flexible commercial/community floorspace (Classes (E/F2). Basement accommodation is proposed for plant and cycle storage.

and accompanied by plans or documents listed here:
see Condition 2

at **Crescent House, 130-140 Wembley Park Drive, Wembley, HA9 8HP**

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

Date: 03/12/2024

Signature:

David Glover
Head of Planning and Development Services

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework
London Plan 2021
Brent's Local Plan 2019-2041

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

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

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

Series 05-000 - Existing - Site

- CNWL-FLA-ZZ-XX-DR-05-001 1:1250 A1 Existing - Site Location Plan - Red Line Boundary P02
- CNWL-FLA-ZZ-XX-DR-05-002 1:200 A1 Existing - Site Plan P02
- CNWL-FLA-ZZ-00-DR-05-003 1:200 A1 Existing - Site Plan - Ground Levels P02
- CNWL-FLA-ZZ-XX-DR-05-004 1:200 A1 Existing - Site Plan - Demolition Plan P02
- CNWL-FLA-ZZ-ZZ-DR-05-005 1:500 A1 Existing - Site Elevations - East and North West Elevations P02
- CNWL-FLA-ZZ-ZZ-DR-05-006 1:500 A1 Existing - Site Elevations - North and South Elevations P02
- CNWL-FLA-ZZ-00-DR-05-010 1:100 A1 Existing - Plan - Ground Floor P02
- CNWL-FLA-ZZ-01-DR-05-011 1:100 A1 Existing - Plan - Level 01 P02
- CNWL-FLA-ZZ-02-DR-05-012 1:100 A1 Existing - Plan - Level 02 P02
- CNWL-FLA-ZZ-03-DR-05-013 1:100 A1 Existing - Plan - Level 03 P02
- CNWL-FLA-ZZ-04-DR-05-014 1:100 A1 Existing - Plan - Level 04 P02
- CNWL-FLA-ZZ-05-DR-05-015 1:100 A1 Existing - Plan - Level 05 P02
- CNWL-FLA-ZZ-06-DR-05-016 1:100 A1 Existing - Plan - Level 06 P02
- CNWL-FLA-ZZ-07-DR-05-017 1:100 A1 Existing - Plan - Level 07 P02
- CNWL-FLA-ZZ-RF-DR-05-018 1:100 A1 Existing - Plan - Roof Level P02

Series 05-020 - Proposed - Site Plans

- CNWL-FLA-ZZ-XX-DR-05-020 1:200 A1 Proposed - Site Plan P02
- CNWL-FLA-ZZ-00-DR-05-023 1:200 A1 Proposed - Site Plan - Ground Levels P03

- Series 05-030 - Proposed - Site Elevations
- CNWL-FLA-ZZ-ZZ-DR-05-030 1:500 A1 Proposed - Site Elevations - East and North West Elevations P01
- CNWL-FLA-ZZ-ZZ-DR-05-031 1:500 A1 Proposed - Site Elevations - North and South Elevations P01
- CNWL-FLA-ZZ-B1-DR-05-099 1:100 A1 Proposed - Plan - Basement Plan P03
- CNWL-FLA-ZZ-00-DR-05-100 1:100 A1 Proposed - Plan - Ground Floor P03
- CNWL-FLA-ZZ-M0-DR-05-1M0 1:100 A1 Proposed - Plan - Mezzanine Level P03
- CNWL-FLA-ZZ-01-DR-05-101 1:100 A1 Proposed - Plan - Level 01 P03
- CNWL-FLA-ZZ-02-DR-05-102 1:100 A1 Proposed - Plan - Level 02 P03
- CNWL-FLA-ZZ-03-DR-05-103 1:100 A1 Proposed - Plan - Level 03 P03
- CNWL-FLA-ZZ-04-DR-05-104 1:100 A1 Proposed - Plan - Level 04 P03
- CNWL-FLA-ZZ-05-DR-05-105 1:100 A1 Proposed - Plan - Level 05 P03
- CNWL-FLA-ZZ-06-DR-05-106 1:100 A1 Proposed - Plan - Level 06 P03
- CNWL-FLA-ZZ-07-DR-05-107 1:100 A1 Proposed - Plan - Level 07 P03
- CNWL-FLA-ZZ-08-DR-05-108 1:100 A1 Proposed - Plan - Level 08 P03
- CNWL-FLA-ZZ-09-DR-05-109 1:100 A1 Proposed - Plan - Level 09 P03
- CNWL-FLA-ZZ-10-DR-05-110 1:100 A1 Proposed - Plan - Level 10 P03
- CNWL-FLA-ZZ-11-DR-05-111 1:100 A1 Proposed - Plan - Level 11 P03
- CNWL-FLA-ZZ-12-DR-05-112 1:100 A1 Proposed - Plan - Level 12 P03
- CNWL-FLA-ZZ-13-DR-05-113 1:100 A1 Proposed - Plan - Level 13 P03
- CNWL-FLA-ZZ-14-DR-05-114 1:100 A1 Proposed - Plan - Level 14 P03
- CNWL-FLA-ZZ-15-DR-05-115 1:100 A1 Proposed - Plan - Level 15 P03
- CNWL-FLA-ZZ-16-DR-05-116 1:100 A1 Proposed - Plan - Level 16 P03
- CNWL-FLA-ZZ-17-DR-05-117 1:100 A1 Proposed - Plan - Level 17 P03
- CNWL-FLA-ZZ-18-DR-05-118 1:100 A1 Proposed - Plan - Level 18 P03
- CNWL-FLA-ZZ-19-DR-05-119 1:100 A1 Proposed - Plan - Level 19 P03
- CNWL-FLA-ZZ-20-DR-05-120 1:100 A1 Proposed - Plan - Level 20 P03
- CNWL-FLA-ZZ-21-DR-05-121 1:100 A1 Proposed - Plan - Level 21 P03
- CNWL-FLA-ZZ-22-DR-05-122 1:100 A1 Proposed - Plan - Level 22 P03
- CNWL-FLA-ZZ-23-DR-05-123 1:100 A1 Proposed - Plan - Level 23 P03
- CNWL-FLA-ZZ-24-DR-05-124 1:100 A1 Proposed - Plan - Level 24 P03
- CNWL-FLA-ZZ-25-DR-05-125 1:100 A1 Proposed - Plan - Level 25 P03
- CNWL-FLA-ZZ-26-DR-05-126 1:100 A1 Proposed - Plan - Level 26 P03
- CNWL-FLA-ZZ-27-DR-05-127 1:100 A1 Proposed - Plan - Level 27 P03
- CNWL-FLA-ZZ-28-DR-05-128 1:100 A1 Proposed - Plan - Level 28 P03

- CNWL-FLA-ZZ-29-DR-05-129 1:100 A1 Proposed - Plan - Level 29 P03
- CNWL-FLA-ZZ-30-DR-05-130 1:100 A1 Proposed - Plan - Level 30 P03
- CNWL-FLA-ZZ-RF-DR-05-131 1:100 A1 Proposed - Plan - Roof Level P02

Series 05-200 - Proposed - Sections

- CNWL-FLA-ZZ-ZZ-DR-05-200 1:200 A1 Proposed - Section - AA P03
- CNWL-FLA-ZZ-ZZ-DR-05-201 1:200 A1 Proposed - Section - BB and CC P03
- CNWL-FLA-ZZ-ZZ-DR-05-202 1:200 A1 Proposed - Section - DD P02
- Series 05-300 - Proposed- Elevations
- CNWL-FLA-ZZ-ZZ-DR-05-300 1:200 A1 Proposed - Elevation - East P02
- CNWL-FLA-ZZ-ZZ-DR-05-301 1:200 A1 Proposed - Elevation - South P02
- CNWL-FLA-ZZ-ZZ-DR-05-302 1:200 A1 Proposed - Elevation - South West P02
- CNWL-FLA-ZZ-ZZ-DR-05-303 1:200 A1 Proposed - Elevation - North West P02
- CNWL-FLA-ZZ-ZZ-DR-05-304 1:200 A1 Proposed - Elevation - North East P02
- CNWL-FLA-ZZ-ZZ-DR-05-305 1:200 A1 Proposed - Elevation - West P02
- CNWL-FLA-ZZ-ZZ-DR-05-306 1:200 A1 Proposed - Elevation - North P02
- Series 05-400 -Proposed Façade Bay Studies
- CNWL-FLA-ZZ-ZZ-DR-05-400 1:50 A1 Proposed - Bay Study - Tower - East Elevation P02
- CNWL-FLA-ZZ-ZZ-DR-05-401 1:50 A1 Proposed - Bay Study - Tower - South Elevation P02
- CNWL-FLA-ZZ-ZZ-DR-05-402 1:50 A1 Proposed - Bay Study - Link - South Elevation P02
- CNWL-FLA-ZZ-ZZ-DR-05-403 1:50 A1 Proposed - Bay Study - Lower Building - South West Elevation P02
- CNWL-FLA-ZZ-ZZ-DR-05-404 1:50 A1 Proposed - Bay Study - Lower Building - North West Elevation P02

Accompanying Documents & Reports

- CNWL-FLA-ZZ-XX-RP-A-00-001 N/A Design & Access Statements P03
-
- Basement Impact Assessment
- Arboricultural Impact Assessment
- Ecological Impact Assessment
- Preliminary Ecological Impact Assessment
- Fire Strategy Report
- Flood Risk Assessment
- BUILT HERITAGE, TOWNSCAPE AND VISUAL IMPACT ASSESSMENT
- WHOLE LIFECYCLE CARBON ASSESSMENT

- CIRCULAR ECONOMY STATEMENT
- PEDESTRIAN LEVEL WIND MICROCLIMATE ASSESSMENT

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

- 3 The scheme hereby approved shall contain 307 residential units as detailed in the drawings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

- 4 The development hereby approved shall contain 395 sqm of commercial floor space (GIA) which shall not be used other than for purposes within Use Class E or F2 as detailed in the drawings hereby approved, unless other agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

- 5 The disabled parking space within the development shall be provided prior to occupation and provided with electric vehicle charging infrastructure from the outset. This charging infrastructure shall be permanently maintained thereafter for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To comply with London Plan policy T6.1.

- 6 The external communal amenity space within the development shall be made available and accessible to all residents within that building, regardless of the type and affordability of their accommodation, for the lifetime of the development.

Reason: In the interests of proper planning and to ensure an equitable distribution of amenity space, in accordance with Brent Policy BH13.

- 7 The refuse storage for the residential dwellings as detailed within the approved plans shall be designed to provide sufficient capacity for both blocks and shall be installed prior to occupation of the development hereby approved and thereafter retained and maintained for the lifetime of the development. The refuse storage facilities for the residential use shall not be used other than for purposes ancillary to the occupation of the building hereby approved.

Reason: To ensure that there is sufficient capacity for waste and that the location of the bin stores are within suitable locations for collection.

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

Reason: To protect local amenity and air quality in accordance with Brent Policies BSUI1, BSUI2 and London Plan Policy SI1.

- 9 The residential development hereby approved shall be designed so that mains water consumption does not exceed a target of 105 litres or less per person per day, using a fittings-based approach to determine the water consumption of the development in accordance

with requirement G2 of Schedule 1 to the Building Regulations 2010.

Reason: In order to ensure a sustainable development by minimising water consumption in compliance with policy SI5 of London Plan 2021 and Brent Policy BSUI4.

- 10 Unless otherwise required by any other Condition attached to the development hereby approved, the development shall only be undertaken in accordance with all of the recommendations within Section 4.0 (Scoping Study) of the Basement Impact Assessment (ref: CRM.1027.104.GE.BIA.R.002.A), unless otherwise approved in writing by the Local Planning Authority.

Reason: To minimise any adverse impact from the implementation of the basement.

- 11 The recommendations set out within the Overheating Risk Assessment (15.12.2023) shall be implemented in full unless otherwise agreed in writing by the local planning authority.

Reason: To minimise the potential for overheating to occur and ensure the comfort of future residential occupiers.

- 12 The development shall be carried out in accordance with the tree protection measures for retained trees as detailed within the Arboricultural Impact Assessment CNWL - Crescent House prepared by RSK ADAS Limited dated December 2023 throughout the construction of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of protecting trees identified to be retained within the site .

- 13 Prior to commencement of the development hereby approved (including site clearance and demolition works), a Construction Logistics Plan (CLP) shall be submitted to and approved in writing by the Local Planning Authority. The CLP shall include, but is not limited to the following:

- i. Construction programme, forecast construction trip generation (daily) and mitigation proposed;
- ii. Site set up and access arrangements and booking systems, ensuring vehicle loading and unloading takes place clear of the highway and that no construction vehicles will visit site within 4 hours of any major stadium event taking place;
- iii. Construction phasing and details of times when the use of a crane would be required;
- iv. Vehicular routes to the site;
- v. Parking of vehicles of site operatives and visitors;
- vi. Storage of plant and materials used during the construction period;
- vii. Wheel washing facilities;
- viii. Any temporary lighting;
- ix. Protection of the carriageway and any footway users at all times during construction;
- x. Erection of hoarding's, security fencing and scaffolding on/over and pavements and carriageway (which shall be crowd loaded and anti-climb on the Olympic Way frontage during a Major Stadium Event at Wembley National Stadium);
- xi. Contact details of personnel responsible for the construction works

Details of measures to be used to ensure that disruption to existing nearby residents is minimised as much as possible during the construction period (including demolition) shall also be provided.

The development shall thereafter be constructed fully in accordance with the approved Construction Logistics Plan, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the development is constructed in an acceptable manner and in the interests of pedestrian and highway safety.

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

- 14 Prior to the commencement of the development (including site clearance and demolition works), a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. In addition, measures to control emissions during the construction phase relevant to a medium risk site should be written into an Air Quality and Dust Management Plan (AQDMP), or form part of a Construction Environmental Management Plan, in line with the requirements of the Control of Dust and Emissions during Construction and Demolition SPG. The AQDMP should also be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be constructed in accordance with the approved Construction Method Statement, together with the measures and monitoring protocols implemented throughout the construction phase.

The development shall thereafter be constructed in accordance with the approved Construction Method Statement, together with the measures and monitoring protocols implemented throughout the construction phase.

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

Reason for pre-commencement condition: Nuisance from demolition and construction activities can occur at any time, and adequate controls need to be in place before any work starts on site.

- 15 Prior to development commencing, a Construction Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority, setting out how the construction process will be managed so as to protect the existing ecology of the site and off-site receptors, in accordance with the recommendations of the approved Ecological Impact Assessment Report and Bat Roost & Activity Survey prepared by Geosphere Environmental dated 01/05/2024 and the approved plan shall be implemented in full throughout the construction of the development.

Reason: In order to ensure that the development results in no net loss to biodiversity and impact upon the nearby sites of Borough Grade I site of importance for nature conservation.

Pre-commencement reason: The condition seeks to exercise control over the construction phase of the development to protect the existing ecology and nearby SINC's Grade I and therefore needs to be discharged prior to construction.

- 16 Prior to the commencement of the development (including site clearance and demolition works), a strategy for maintaining and improving the flood defences shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. This strategy shall include the following components:

1. A detailed intrusive survey of the existing river wall, including identification of possible buried elements.
2. A scheme, based on the condition of the survey in (1), to undertake any required improvements or repairs to the flood defence prior to the construction works to bring the wall up to a satisfactory condition, sufficient for the lifetime of the development. The scheme shall include a plan for any required long-term monitoring and maintenance and a programme for the improvements or repairs completion.
3. Demonstration that a continuous and unobstructed area is maintained to ensure access to the main river/associated flood defence. This is to protect the riparian zone, avoid potential increase in flood risk and ensure there is sufficient room for maintenance, future improvement works and emergency access.

The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason(s): The proposed development, built within 8 meters of the Wealdstone Brook main river is only acceptable if the above condition is implemented. This condition is required to ensure that the structural integrity of the flood defence is not compromised so that the development can remain safe for its lifetime and to not increase flood risk on site and elsewhere, in line with paragraph 165 of the NPPF.

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

- 17 Prior to the commencement of the development (excluding site clearance and demolition works), a bridge design scheme has been submitted to and approved in writing by, the Local Planning Authority, in consultation with the Environment Agency. The scheme for the new bridge must adhere to the following:
- i. The bridge is required to be clear span, with soffit level no lower than the soffit level of the entrance to the downstream Olympic Way culvert at 31.6 mAOD.
 - ii. All abutments must be set back a minimum of 1m from the top of bank and be as minimal as possible.
 - iii. Any loss of floodplain due to abutments and ramps will need to be compensated for. If necessary, floodplain compensation requires land on the edge of the floodplain, above the 1% annual probability (1 in 100 year) flood level with an appropriate allowance for climate change.
 - iv. All parapets and railings need to be permeable and as open as possible with a minimum 100mm spacing.

The design scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/ phrasing arrangements, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason(s): To ensure that the new bridge does not block flood flows, influence flood storage or impact on the structural integrity of the flood wall thereby causing an increase in flood risk.

- 18 Prior to the commencement of the development (excluding site clearance and demolition works), a scheme for the provision and management of an appropriate buffer zone alongside the Wealdstone Brook shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Environment Agency. Thereafter, the development shall be carried out in accordance with the approved scheme. Any subsequent variations shall be agreed in writing by the Local Planning Authority, in which case the development shall be carried out in accordance with the amended scheme. The scheme shall include:
- i. Plans showing the extent and layout of the buffer zone
 - ii. Details of any proposed planning scheme (for example native species)
 - iii. Details demonstrating how the buffer zone will be protected during development and managed over the longer term including adequate financial provision and named body responsible for the management plus production of a detailed management plan
 - iv. Details of any proposed footpaths (including the provision of a segregated access for pedestrians from Wembley Park Drive), fencing, lighting etc.
 - v. Details of any proposed lighting including the specifications, location and direction of external artificial lights. This should be such that lighting levels within 8 meters of the top of bank of the watercourse are maintained at background levels (Lux level of 0-2).

Reasons: To ensure that development conserves and enhances the environment by minimising impacts on and providing net gains for biodiversity in line with paragraphs 180 and 186 of the NPPF.

- 19 (a) Prior to the commencement of development (excluding site clearance and demolition), a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present within that Phase. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of building works that

includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors.

(b) Any soil remediation required by the Local Planning Authority shall be carried out in full in accordance with the approved remediation works. Prior to the occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority stating that remediation has been carried out in accordance with the approved remediation scheme and the land is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

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

- 20 No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) and piling layout plan including all Thames Water wastewater assets, the local topography and clearance between the face of the pile to the face of a pipe has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement and piling layout plan.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

- 21 Prior to commencement of development (excluding site clearance and demolition works), detailed plans shall be submitted to and approved in writing by the local planning authority demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development. The development shall be carried out in accordance with these plans thereafter and maintained as such in perpetuity.

Reason: To provide high quality digital connectivity infrastructure to contribute to London's global competitiveness.

- 22 Prior to commencement of development (excluding site clearance and demolition works), details of how the development is designed to allow future connection to a district heating network should one become available, shall be submitted to and approved in writing by the local planning authority.

The development shall be completed in accordance with the approved details thereafter unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the development is in accordance with the principles of London Plan Policy SI3 and Brent's Local Plan Policy BSUI1.

- 23 Prior to commencement of the development (excluding demolition, site clearance and laying of foundations) details of the temporary crowd loaded and anti-climb fencing to Olympic Way for Major Stadium Events at Wembley National Stadium, together with precise locations, specification and a management plan for its storage, installation and removal, shall be submitted and approved in writing by the Local Planning Authority. The details shall be agreed in collaboration with Public Safety Officers.

The fencing and associated management procedures shall be fully implemented in accordance with the approved details, retained and maintained for the lifetime of the Development, unless prior written approval to alternative fencing and/or management have been granted by the Local Planning Authority and those alternative details are implemented in full and thereafter retained and maintained.

Reason: To ensure appropriate crowd and public safety in relation to Wembley events.

- 24 Prior to commencement of development (excluding demolition, site clearance and laying of foundations), details of any proposed counter-terrorism measures shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Metropolitan Police and the approved details shall be implemented in full prior to first occupation of the development hereby approved and thereafter retained and maintained.

Reason: To ensure a satisfactory development that accords with London Plan policy GG6.

- 25 Prior to the commencement of development (excluding site clearance, demolition and laying of foundations), further details of all external materials (including samples of key materials which shall be provided on site for inspection or in another location as agree, and/or manufacturer's literature) shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: To ensure a high quality development which makes a positive contribution to the character and appearance of the local area.

- 26 Prior to commencement (excluding demolition, site clearance and the laying of foundation) a plan indicating all of the microclimate mitigation measures together with detailed drawings of railing/screens and other design measures as per the recommendations of the pedestrian level wind microclimate assessment prepared by RWDI dated 6th June 2024 shall be submitted to and approved in writing by the Local Planning Authority.

The approved microclimate mitigation infrastructure shall be implemented prior to the first occupation of the development hereby approved.

Reason: To ensure that the development would establish a suitable level of comfort, in respect of wind conditions, for building users and pedestrians in the vicinity of the building, as well as to ensure that railings and screens would have a suitable visual amenity impact.

- 27 The development hereby approved shall be built so that no fewer than 10% of the 307 residential homes achieve Building Regulations requirement M4(3) - 'wheelchair user dwellings', and the remaining homes shall be built to achieve Building Regulations requirement M4(2) - 'accessible and adaptable dwellings'.

Detailed layout plans, showing which residential units within the development would be 'wheelchair user dwellings' (i.e. meeting Building Regulations requirement M4(3)) shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing, excluding demolition, site clearance and laying of foundations, and thereafter development shall be implemented in accordance with the approved plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development achieves an inclusive design in accordance with London Plan Policy D7.

- 28 Prior to commencement of development (excluding site clearance, demolition and laying of foundations), the following details shall be submitted to and approved in writing by the Local Authority Planning:

- i. the layout and access to cycle stores to provide 541 long-stay residential cycle spaces, 2 long stay commercial spaces and 29 short stay "Sheffield" stands, including details of the cycle storage room doors demonstrating that they will have a minimum width of 1.2 m, in line with the guidance set out within London Cycle Design Standards.
- ii. Opportunities to make provision for the use of E-bike charging points, if feasible

All of the cycle parking within the development shall be made available for use prior to the first occupation of the development hereby approved and thereafter retained and maintained for the life of the development and not used other than for purposes ancillary to the occupation of the building hereby approved, unless alternative details are agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is fit for purpose and adequately provides for and encourages uptake of cycling among building users.

- 29 Prior to commencement of the development (excluding demolition, site clearance and laying of foundations), details of the refuse storage facilities for the commercial uses shall be submitted to and approved in writing by the Local Planning Authority, and therefore provided in accordance with the approved details prior to first occupation of the commercial uses, and thereafter retained in accordance with the approved details for the lifetime of the development.

Reason: To ensure that there is sufficient capacity for waste and that the location of the bin stores are within suitable locations for collection.

- 30 Prior to commencement of relevant landscape works for the development hereby approved a detailed landscaping scheme and implementation programme shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme and implementation programme shall be completed in full, prior to first use or occupation of the relevant buildings.

It shall thereafter be maintained fully in accordance with the approved Landscape Management and Maintenance Plan, unless otherwise agreed in writing by the Local Planning Authority.

The landscaping scheme submitted shall incorporate the hard and soft landscaping details indicated on the approved plans, as well as further details of but not limited to the following;

- i. Proposed materials for all hard surfaces and the permeable qualities (including colour finishes);
- ii. Species, sizes, locations and densities for all trees (and tree pits where relevant), shrubs, planting and a detailed implementation programme;
- iii. Materials and size of all raised planters and trellises;
- iv. All external furniture, benches, tiered seating and informal seating (including location and type of cycle parking stands in landscaped / public realm areas);
- v. All biodiversity enhancement measures as set out within the Ecological Impact Assessment Report;
- vi. Existing and proposed functional services above and below ground in relation to proposed landscaping (e.g. drainage, power, communications, shared ducting provision);
- vii. Details to demonstrate compliance with the proposed Urban Greening Factor score of 0.40,
- viii. A detailed Landscape Management and Maintenance Plan setting out details of the proposed arrangements for maintenance of the landscaping, including management responsibilities in perpetuity;
- ix. Any external CCTV installations
- x. All raised edges, including locations, in order to protect planted / landscaped areas from vehicle damage;
- xi. Proposed retractable bollards;
- xii. All boundary treatments, including fencing, gates, retaining structures and other means of enclosure (including the above ground external amenity levels), indicating materials, position and heights, and details to confirm the extent of the western site boundary (for the southern site) that is to remain open and permeable. The open and permeable sections of the western site boundary (for the southern site) shall be maintained in accordance with the approved details for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority;
- xiii. Soil depth and composition of green biodiverse roof areas, and details of their future maintenance.

If within 5 years of the installation of a green roof, any planting forming part of the green roof

shall die, be removed, or become seriously damaged or diseased, then this planting shall be replaced in the next planting season with planting of a similar size and species, unless otherwise agreed in writing with the Local Planning Authority.

Any trees and shrubs planted in accordance with the landscaping scheme which, within 5 years of planting are removed, dying, seriously damaged or become diseased shall be replaced in similar positions by trees and shrubs of similar species and size to those originally planted, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development, provides ecological, environmental and biodiversity benefits, and to provide tree planting in pursuance of section 197 of the Town and Country Planning Act 1990.

- 31 Prior to occupation of the development hereby permitted, a scheme for wildlife and nesting features in accordance with the recommendation of the Ecological Impact Assessment Report shall be submitted to and approved in writing by the Local Planning Authority.

The scheme will include full details on: numbers of each feature, type of feature / box / brick, location (plan and elevation views) of each feature, height above ground (if applicable) and nearest external lighting (if likely to have an impact).

Features shall be undertaken in accordance with the approved scheme and thereafter retained in perpetuity.

Reason: To enhance the biodiversity value of the land in accordance Policy BGI of the Brent Local Plan.

- 32 Prior to first occupation of the development, a Flood Warning and Evacuation Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be fully implemented and adhered to in the event of a relevant flood event.

Reason: To ensure the risk to the development and future users/residents from a reservoir flood event is minimised.

- 33 All residential homes shall be designed in accordance with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal noise levels:

Daytime Noise (07:00-23:00) in relation to living rooms and bedrooms to have a maximum noise level at no more than 35dB LAeq(16hr)

Night time Noise (23:00-07:00) in relation to bedrooms to have a maximum noise level at no more than 30dB LAeq(8hr)

Prior to first occupation of any of residential homes hereby approved, a test shall be carried out with the results submitted to and approved in writing by the Local Planning Authority to show that the required internal noise levels have been met.

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

- 34 Prior to the first occupation of the development hereby approved, a final Delivery and Servicing Management Plan including details of long term maintenance and management including running costs and service charges shall be submitted to and approved in writing by the Local Planning. The Delivery and Servicing Plan shall include details of how footways would be protected and how arrangements can be made for safe and efficient operations without detrimental impact on pedestrian movement, and confirmation that there would be specific areas for refuse storage on the day of collection identified, which otherwise could have an impact on amenity. The plan shall include a strategy for the management of delivery and servicing on event days at Wembley National Stadium which shall be worked on up in

consultation with the stadium and shall ensure that no deliveries take place between four hours prior to the start of an event, to four hours after the end of an event.

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

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

- 35 The development shall not be occupied until confirmation has been provided that either:
1. All foul water network upgrades required to accommodate the additional flows from the development have been completed; or
 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied.

Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

- 36 Prior to the installation of any external lighting, details of such lighting shall be submitted to and approved in writing by the Local Planning Authority. This shall include, but is not limited to, details of the lighting fixtures, luminance levels within and adjoining the site, as well as ecological sensitivity measures that form a part of the lighting strategy. The lighting shall not be installed other than in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of safety and the amenities of the area.

- 37 Prior to the occupation of the development the post-construction tab of the GLA's whole life carbon assessment template should be completed accurately and in its entirety in line with the GLA's Whole Life Carbon Assessment Guidance. The post-construction assessment should provide an update of the information submitted at planning submission stage, including the whole life carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. This should be submitted to the GLA at: ZeroCarbonPlanning@london.gov.uk, along with any supporting evidence as per the published guidance.

Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation of the relevant building.

Reason: In the interests of sustainable development and to maximise on-site carbon dioxide savings.

- 38 Prior to the occupation of the development, a Post Completion Report setting out the predicted and actual performance against all numerical targets in the relevant Circular Economy Statement shall be submitted to the GLA at: CircularEconomyLPG@london.gov.uk, along with any supporting evidence as per the GLA's Circular Economy Statement Guidance 2022. The Post Completion Report shall provide updated versions of Tables 1 and 2 of the Circular Economy Statement, the Recycling and Waste Reporting form and Bill of Materials. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation.

Reason: In the interests of sustainable waste management and in order to maximise the re-use of materials.

- 39 Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises. An assessment of the expected noise levels shall be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' and any mitigation measures necessary to achieve the above required noise levels shall be submitted to and approved in writing by the Local Planning Authority. The plant shall thereafter be installed together with any necessary mitigation measures and maintained in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To protect acceptable local noise levels, in accordance with Brent Policy DMP1.

- 40 Any emergency plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be no more than the measured background noise level when measured at the nearest noise sensitive premises. The method of assessment should be carried in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' An assessment of the expected noise levels and any mitigation measures necessary to achieve the required noise levels shall be submitted to and approved in writing by the Local Planning Authority. The plant shall thereafter be installed together with any necessary mitigation measures and maintained in accordance with the approved details, unless otherwise agreed in writing by the local planning authority., in writing, for approval. The plant shall thereafter be installed and maintained in accordance with the approved details

Reason: To protect acceptable local noise levels.

- 41 Details of any extract ventilation system and odour control equipment for the commercial kitchen, including all details of external ducting, shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any such equipment. The approved equipment shall be installed prior to the commencement of the relevant use and shall thereafter be operated at all times during the operating hours of the relevant use and maintained in accordance with the manufacturer's instructions.

Reason: To protect the amenity of existing and future nearby residential occupiers.

INFORMATIVES

1 - The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.

2 - (PWAL) The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk

3 - (F16) The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.

4 - Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living

Wage to all employees associated with the construction and end use of development.

5 - The Council recommends that the maximum standards for fire safety are achieved within the development.

6 - Given the age of the buildings to be demolished it is possible that asbestos may be present. The applicant is reminded of hazards caused by asbestos materials especially during demolition and removal works and attention is drawn to your duties under the Control of Asbestos Regulations and must ensure that a qualified asbestos contractor is employed to remove all asbestos and asbestos-containing materials and arrange for the appropriate disposal of such materials.

7 - The EA have advised that the Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert including any buried elements (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the riverbank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact the EA's National Customer Contact Centre on 03702 422 549 or by emailing enquiries@environment-agency.gov.uk. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and you advised to consult with the EA at the earliest opportunity.

8 - The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email, or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families, and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>

To get help during a flood, visit <https://www.gov.uk/help-during-flood>

For advice on what do after a flood, visit <https://www.gov.uk/after-flood>

9 - The applicant is advised that if the development is carried out it will be necessary for the existing vehicle access points to be altered by the Council as Highway Authority. This will be done at the applicant's expense in accordance with Section 184 of the Highways Act 1980. An application for such works should be made to the Council's Highways Team by applying online at: <https://www.brent.gov.uk/parking-roads-and-travel/roads-and-streets/vehicle-crossings-and-dropped-kerb>. Please note that the grant of planning permission, whether by the Local Planning Authority or on appeal, does not indicate that consent will be given under the Highways Act.

Any person wishing to inspect the above papers should contact Sean Newton, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5166