

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

18 December, 2019
04
19/0395

SITE INFORMATION

RECEIVED	4 February, 2019
WARD	Tokynghon
PLANNING AREA	
LOCATION	1 Olympic Way, Wembley, HA9 0NP
PROPOSAL	Erection of upto 7 storey roof top extension to the existing building to create 90 flats; erection of a rear extension to existing building to create a new 15 storey block (including a 2 storey under-croft for vehicular and pedestrian access) to create 26 flats, conversion of existing 8th floor office space to create 3 flats, creating a total of 119 self-contained flats; infilling of ground floor undercroft of existing building to form new ground floor uses comprising retail floorspace (A1, A3, A4) and office floorspace (B1), creation of first floor podium above existing car parking space to provide a landscaped amenity space for residents with associated cycle and refuse storage, creation of public access alongside Wealdstone Brook and refurbishment of existing building facades to No. 1 Olympic Way (including replacement of windows) (Revised description)
PLAN NO'S	Refer to 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_143760</p> <p><u>When viewing this as a Hard Copy .</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "19/0395" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to:

Referral to the Mayor of London (stage 2 referral)

The prior completion of a legal agreement to secure the following planning obligations:

- Payment of Council's legal and professional costs
- Notification of commencement 28 days prior to material start
- Provision of 26% affordable housing by unit (36% affordable housing by habitable room) on a nil grant basis, broken down as:

22 units for London Affordable Rent
9 units for London Shared Ownership
- Late stage viability review to be submitted and approved securing affordable housing contributions to ensure the delivery of the maximum reasonable proportion of Affordable Housing should scheme viability improve
- Early stage viability review to be submitted and approved in the event that commencement is not within 2 years of consent.
- Contribution towards carbon offsetting in line with GLA formula
- Parking permit restricted scheme
- The approval and implementation of details in relation to a car club, including free membership for new residents for a period of three year
- Council to adopt small parcel of land alongside North End Road to facilitate works to later deliver a vehicular connection between North End Road and Bridge Road
- Submission of an improved Travel Plan and its implementation and monitoring
- Submission, approval and implementation of a waste management plan including commitment to fund and arrange independent collections from the site. Collections for the private units must be entirely privately funded and arranged unless an alternative plan showing a revised layout is submitted and agreed with the LPA which meets Veolia's requirements in respect of carrying distances.
- The submission, approval and implementation of a Training and Employment Plan for Brent residents (construction)
- Any other planning obligation(s) considered necessary by the Head of Planning.

That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.

That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

1. 3 Years to commence development
2. Development to be built in accordance with approved plans
3. Pedestrian route to be kept public
4. No vehicular access to pedestrian route to/from Olympic Way, except emergency vehicles

5. 10% of homes to be wheelchair accessible
6. Disabled parking spaces and refuse storage to be provided
7. Water consumption to be limited in line with policy
8. Communal satellite to be provided
9. Flats to have C4 permitted development rights revoked
10. Non-road mobile machinery to be limited in terms of power output
11. Details of microclimate report secured
12. Details of ecology report secured
13. Details of drainage and flood reports secured
14. Submit construction logistics plan
15. Submit construction method statement
16. Submit air quality updated for scheme revisions
17. Submit formal tree survey
18. Submit land contamination assessment
19. Submit structural surveys of brook culvert
20. Submit details and samples of materials
21. Submit details of counter terrorism measures
22. Submit details of pedestrian route
23. Submit landscaping and play details
24. Submit details of extraction in event of retail units utilising commercial kitchen
25. Submit details of external lighting
26. Submit more details of bicycle storage, confirming compliance with LCDS
27. Submit parking management plan
28. Submit refuse management plan
29. Submit delivery and servicing plan
30. Submit details confirming boiler emissions suitably limited
31. Submit noise impact assessment updated for stadium concert events
32. Submit landscaping management plan for the 8m brook buffer zone for approval in consultation with EA

Informatives

- a) CIL liable approval
- b) Party Wall
- c) Building near boundary
- d) Environment Agency guidance notes
- e) Thames Water guidance notes

f) London Living Wage

g) Fire Safety

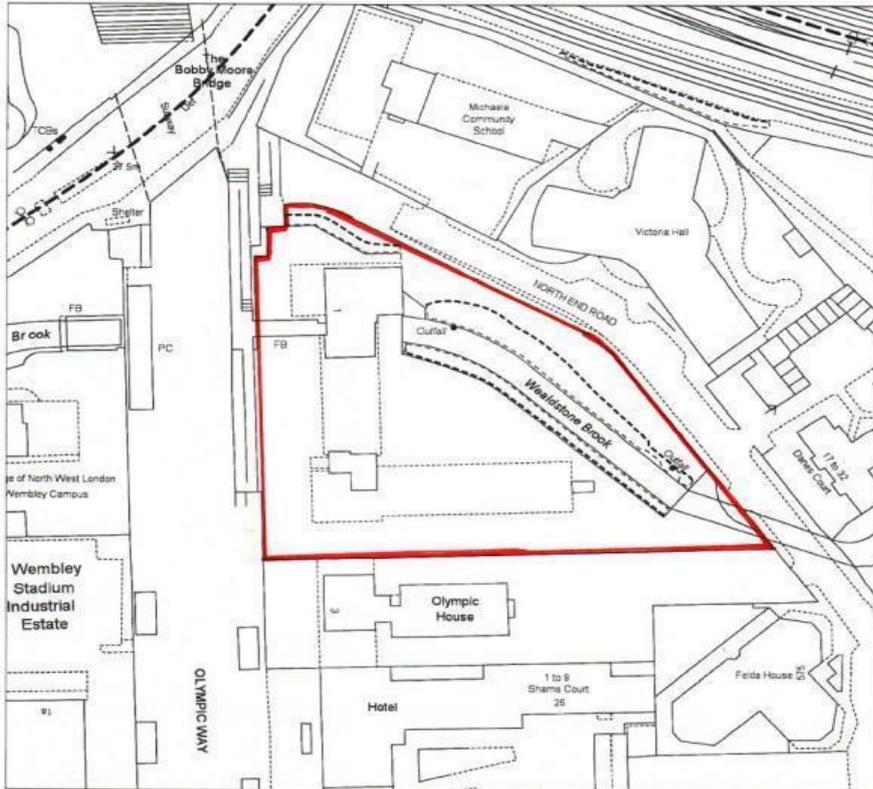
That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied 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.

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.

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: 1 Olympic Way, Wembley, HA9 0NP
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This map is indicative only.

EXISTING

The site contains an office building at the northern end of Olympic Way. The building is formed of 12 floors, all of which were previously used as office space. The site lies within a prominent location in the Wembley Park area and is accessed via Olympic Way and North End Road. The building is not listed nor is it in a conservation area.

AMENDMENTS SINCE SUBMISSION

The scheme has been amended in the following ways since submission:

- The removal of a proposal for 92 car parking spaces at ground floor level and replacement of this ground floor area with proposals for two street fronting retail units, a street fronting office unit and internalised bin and bicycle storage.
- The addition of the podium garden atop the infilled ground floor space, and the establishment of on site play space.
- The reconfiguration of flats in the proposed floors in the southern wing of the existing building, to establish an open corridor and flats which have through dual aspect to the north and south.
- The addition of heat pumps as a low carbon energy source, reducing carbon emission rates relative to Part L of the Building Regulations from <50% improvement to an 80% improvement.
- Changed the use of projecting balconies to internalised winter gardens so as to ensure a cleaner and more uniform facade.
- Proposed an alternative facade treatment for the building which would see sandstone coloured cladding with a low gloss level in an effort to achieve a more natural appearance for the building's external facade.
- Proposed a series of improvements to the east-west route along the southern side of the site, including shared surfacing, lighting, use of an entrance canopy and tree planting.

SUMMARY OF KEY ISSUES

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

1. Representations received: 355 properties were consulted. 9 objections were received. Objections were generally made on grounds of character, massing, overshadowing, privacy and crime.
2. Principle: The majority of the existing building (with the exception of floor 8) has prior approval for the conversion of the office floor space to residential use, comprising 227 flats. The conversion works are currently being undertaken. The principle of extending this building is accepted, subject to being in accordance with other policy and guidance. The site lies within the Wembley Growth Area and the boundaries of Wembley Town Centre. As such, the principle of residential extensions together with town centre uses at ground level, is in accordance with policy. The location adjacent to a station presents as an obvious location to increase density. The development will establish a new pedestrian route between Olympic Way and North End Road, in line with the aspirations of the Wembley Area Action Plan.
3. Residential provisions and affordable housing: - The development would provide 119 new residential units, 30% of which will be family sized units and 26% of which will be affordable units (36% when measured by habitable room), in line with Brent's target tenure split. This exceeds Brent's targets in respect of family unit provision and meets Brent's policies in respect of affordable housing as the amount of affordable housing as been scrutinised and agreed as the maximum reasonable. Early and late stage reviews will ensure commuted sums are paid where the development surplus is in excess of that projected.
4. Character and appearance: The proposal's design is considered to have regard to the character of its surroundings and to not inappropriately challenge or dominate surrounding development. Protected views of Wembley Stadium's arch will not be detrimentally affected by this development.
5. Standard of accommodation: The living conditions of future occupiers of the development would be acceptable and would meet the relevant standards, although some shortfall in the standard would be experienced in respect of onsite amenity space, with flats having access to a minimum 12sqm of amenity space, which is under the targets set out in DMP19. However, this is comparable with other consented high density schemes within the Wembley Growth Area. .

6. **Impact on neighbouring amenity:** The proposal is considered to have an acceptable impact on the surrounding properties in terms of loss of light and outlook, with largely positive results when tested under the BRE criteria on surrounding properties.
7. **Parking & servicing:** The development is car free, aside from 3% disabled parking provision. Cycle parking is provided to draft London Plan standards and servicing is provided on site. Minimal impact to the highway and wider transport network is anticipated.
8. **Trees & landscaping:** The site has two formally protected Oak Trees which will be protected and not damaged by the proposal. Comprehensive planting and tree planting is proposed with a condition securing more detail of this at a later stage. This aspect of the scheme is acceptable.
9. **Energy & sustainability:** Heat pumps are proposed as a low carbon energy solution and PV panels are proposed across the roof to improve the sustainability credentials of the building. This reduces the operational carbon emissions by 80% from the baseline requirement in Part L of the Building Regulations, far in excess of the 35% target. The remaining emissions are to be financially offset.
10. **Environmental Health:** The development is acceptable from noise impact, construction management, air quality and contaminated land perspectives, subject to conditions.
11. **Ecology & trees:** - The development proposes naturalisation of the brook side environment along the Wealdstone Brook and making this space accessible for residents. A first floor podium garden is also proposed. Tree planting alongside other ecology enhancements to improve the onsite landscaping value and biodiversity. The tree planting is also providing mitigation from a micro-climate perspective.
12. **Flooding and drainage:** The development includes SuDS measures and agreement with the Environment Agency has been reached on a number of matters, confirming that flood risk and drainage has been suitably addressed.

Officers recommend that Members approve this development, subject to conditions, s106 obligations and a stage 2 referral to the GLA.

MONITORING

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
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Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING (Flats ú Market)										
PROPOSED (Flats ú Market)	12	63	15	29						119

RELEVANT SITE HISTORY

19/1721: Non-material amendment (car parking spaces) of Prior Approval - Office to Residential reference 17/4538 dated 19 December 2017 – Granted, 26/06/2019.

17/4538: Prior approval for change of use of floors 1-7 and 9-12 from offices (Use class B1) into residential (Use class C3) involving the creation of 68 one-bed flats and 159 studio flats – Prior approval required and granted, 19/12/2017.

CONSULTATIONS

External public consultation

This application was advertised in the local press in early 2019 and again on 08/08/2019, following substantial revisions to the scheme.

355 nearby properties were notified of this proposal by letter on 11/02/2019 and then again on 12/08/2019,

following substantial revisions to the scheme.

A site notice advertising this application was erected outside the building along Olympic Way on 05/04/2019 and then again on 10/09/2019, following substantial revisions to the scheme.

8 neighbouring properties and Quintain Ltd objected to the application. Neighbouring residents who objected resided in Empire Court (1 objector), Danes Court (6 objectors) and Danes Lodge (1 objector).

The objections received are summarised as follows:

Ground of objection	Officer response
Danes Court has been dwarfed by developments in Wembley Park and this would increase this effect	Notwithstanding the height difference between Danes Court and this proposal, the development is noticeably smaller in height compared to many of the neighbouring developments. The development is considered to be acceptable in this regard and this is discussed in more detail below.
Natural light to flats along North End Road has been reduced significantly – it has also resulted in waterlogging to gardens	<p>A daylight and sunlight test has been carried out for this proposal, which shows a broadly positive result on the surrounding properties.</p> <p>In respect of Danes Court, 79% of windows that were potentially affected complied with standards for daylight and all shortcomings in this respect were marginal. 100% of windows complied with internal daylight distribution standards and 6 rooms (facing North End Road at the north west end of the building) fell short of standards for sunlight. All garden spaces continued to comply with standards.</p>
Local open spaces are used by new residents who don't have their own	This development will provide inset balconies for each flat and a large podium garden and brook-side garden together amounting to around 0.15 hectares in size. Other open spaces are being provided across the Wembley Park area as part of the wider regeneration.
An increase in local crime has been seen as a result of development in Wembley Park	There is no evidence to suggest that the proposal will increase crime within the area. This development will increase natural surveillance across North End Road and footfall on local roads, which could assist with crime prevention.
The development will not have a communal open space	The proposal was amended to now include a podium garden which addresses this concern.
The 15 storey block at the rear will block light significantly to 17-32 Danes Court and will breach privacy by establishing windows at a close distance	There will remain a significant distance between Danes Court and the new block (>40m) which far exceeds the Brent standards for private separations between facing windows. The buildings will also face each other at indirect angles.

The lack of light is of detriment to wildlife	The applicant has assessed local ecological impact and this is discussed below.
The new building will result in additional rubbish	The development contains suitable refuse storage to contain all likely refuse needs on site.
There will be additional disturbance associated with the building works	This is temporary and is a reality of all development. A construction management plan will ensure that disruption is kept to a minimum.
There will be an increase in local noise levels	Any extenuating noise disturbances would need to be referred to Brent's nuisance control team.
The proposal has poor quality design, appearance and materials which cause the increased scale, bulk and massing of the building to have a significant detrimental impact on the character and appearance of the area	The grey rainscreen cladding is to be replaced across the building façade which will likely result in a more pleasing appearance for the building than at present. Nonetheless, Brent agrees that the façade treatment should appear of a better quality in this location and an alternative, higher quality approach to the façade arrangement will be required through condition.
The ground floor commercial space is not deliverable as Quintain (who owns the ramps/steps in front of the façade) have no plans to remove the infrastructure as it provides a valuable step free means of movement between Bridge Road and Olympic Way	The proposal would be functional and deliverable with or without removal of the ramp/step infrastructure.

Internal consultation

Environmental Health – No objections, conditions recommended in relation to noise, construction management, air quality, non-road mobile machinery and contaminated land.

Local Lead Flood Authority – No objections

External statutory and professional body consultation

The Greater London Authority (GLA) – No objections, conditions required in relation to parking design and management plan, delivery and servicing plan and s106 obligations in relation to improving the travel plan and securing the affordable housing and eligibility criteria as well as an early stage review, in the event construction does not commence within 2 years of consent.

Transport for London (TfL) – No objections, conditions/obligations required in relation to securing construction method statement, travel plan, detailed cycle parking.

The Environment Agency – No objections subject to conditions and informatives

Thames Water – No objections, although it is advised if any subsequent connection to the public network is sought by the development, a material amendment to the application would need to be applied for and Thames Water consulted. An informative is to advise the applicant of this. Two further informatives recommended in relation to property protection and groundwater discharge.

Metropolitan Police – Recommendations have been issued and the plans have been updated in respect of Secure by Design considerations.

POLICY CONSIDERATIONS

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the 2010 Brent Core Strategy, the 2016 Brent Development Management Policies DPD, the 2015 Wembley Area Action Plan and the 2016 London Plan (Consolidated with Alterations since 2011).

Key relevant policies include:

Regional

The London Plan consolidated with alterations since 2011 (March 2016)

- 3.3 - Increasing Housing Supply
- 3.5 - Quality and Design of Housing Developments
- 3.6 - Children and Young People's Play and Informal Recreation Facilities
- 3.12 - Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
- 5.2 - Minimising Climate Change
- 5.6 - Decentralised Energy in Development Proposals
- 5.12 - Flood Risk Management
- 5.13 - Sustainable Drainage
- 5.15 - Water Use and Supplies
- 6.9 - Cycling
- 7.2 - An inclusive environment
- 7.7 - Location and Design of Tall and Large Buildings

Local

Wembley Area Action Plan 2015

- WEM 1 – Urban Form
- WEM 2 – Gateways to Wembley
- WEM 3 – Public Realm
- WEM 5 – Tall Buildings
- WEM 6 – Protection of Stadium Views
- WEM 7 – Character of Olympic Way
- WEM 8 – Securing Design Quality
- WEM 9 – Offices
- WEM 14 – Car Parking Strategy
- WEM 15 – Car Parking Standards
- WEM 16 – Walking and Cycling
- WEM 18 – Housing Mix
- WEM 19 – Family Housing
- WEM 24 – New Retail Development
- WEM 33 – Flood Risk
- WEM 38 – Play Provision
- WEM 40 – River Brent and Wealdstone Brook

Brent Development Management Policies 2016

- DMP 1 – General Development Management Policy
- DMP 9 - Waterside Development
- DMP 9b – On Site Water Management and Surface Water Attenuation
- DMP 11 – Forming an Access on to a Road
- DMP 13 – Movement of Goods and Materials
- DMP 15 – Affordable Housing
- DMP 18 – Dwelling Size and Residential Outbuildings
- DMP 19 – Residential Amenity Space

Brent Local Development Framework Core Strategy 2010

- CP 1 - Spatial Development Strategy
- CP 2 - Population and Housing Growth
- CP 8 – Wembley Growth Area

CP 15 - Infrastructure to Support Development
CP 19 - Brent Strategic Climate Change Mitigation and Adaptation Measures
CP 21 - A Balanced Housing Stock

The following are also relevant material considerations:

The National Planning Policy Framework 2019

Mayor of London's Affordable Housing and Viability SPG 2017
Mayor of London's Housing SPG 2016

SPD1 Brent Design Guide 2018

All of these documents are adopted and therefore carry significant weight in the assessment of any planning application. In addition, the Consultation Draft of Brent's new Local Plan was published in November 2018, whilst the draft London Plan has recently been subject to an Examination in Public. These documents carry increasing weight in the assessment of planning applications as they progress through the statutory plan-making processes.

DETAILED CONSIDERATIONS

Principle of development

1. Policy 3.3 of the London Plan and Policy GG2 of the draft London Plan both identify the optimisation of land, including the development of brownfield sites, as a key part of the strategy for delivering additional homes in London. This is supported within policy CP2 of Brent's Core Strategy 2010, which requires the provision of at least 22,000 additional homes to be delivered between 2007 and 2026. Furthermore, the site is located within the Wembley Opportunity Area (as designated within the London Plan), and the Wembley Growth Area. Policy CP7 sets out a target of delivering at least 11,500 new homes within the Wembley Growth Area with this target set to increase to 15,000 new homes as part of policy BP1 of the emerging Local Plan. The increase in housing targets responds to the increase to upto around 2,900 per annum within Brent for the period 2019/20-2028/29 in Policy H1 of the draft London Plan recognising the increasing demand for delivery of new homes across London.
2. The site sits within an allocated development, W16 (1 Olympic Way) within the Wembley Area Action Plan. Key among the requirements of developments in this plot is a need to ensure that development continues to uphold Olympic Way as an internationally recognised processional route to Wembley Stadium and, critically, that development should re-provide office floor space. The site allocation does not specify other uses (such as residential) as being required and therefore anticipates the continued use of the plot as office space. However, given that prior approval works to implement residential have been undertaken, a precedent for residential use of this building has now been clearly established. Subject to an extension being consistent with other material planning considerations, expansion and intensification of that residential use is to be accepted in principle. The new homes would be a welcome addition to the borough's supply in a context of increasingly challenging targets for homes.
3. The site allocation identifies the flood risk status of the site, being within flood zones 1-3 by virtue of its proximity to the Wealdstone Brook at the rear. A detailed flood risk assessment and close working with the Environment Agency is therefore acknowledged as important to any redevelopment. A minimum 8 metres buffer zone for the waterway is required and development should contribute to re-naturalisation of the brook. The site allocation also requires development to contribute to an upgrading of the northern part of Olympic Way. Within the preferred options Draft Local Plan (2018), the site allocation has been discontinued. However, the site is acknowledged as being a 'major site with planning permission for housing'.
4. Floor 8 of the existing building does not have prior approval for use as residential space and remains as office space. It should be noted that an Article 4 Direction to remove permitted development rights from offices (B1a) to residential use (C3) was introduced within the Wembley Growth Area in August 2018, meaning that any future change of use from B1a to C3 would require the benefit of planning permission. The proposal seeks to convert the 8th floor from office space to residential use as part of this planning application. Given that the 8th floor stands out as a somewhat anomalous tract of office space in an

otherwise residential building, there is logic in removing this office space from the building and taking the opportunity to maximise new housing provision. Policy WEM9 of the WAAP supports the provision of new office floorspace as part of mixed use development, and supports the loss of office floorspace where it can be demonstrated that there is no prospects of occupation in the medium term. The circa 250sqm of office space removed from the 8th floor would be re-provided to about the same amount on the ground floor, with a direct street facing frontage to the side of the building. It is considered that the re-provision of the office floorspace will meet the objectives of policy WEM9 and would provide office space of greater usability and desirability.

5. Overall, the principle of developing the site for residential purposes is accepted, given that the building now has a residential nature through permitted development rights. The intensification of the site to provide additional units would be supported subject to adherence to other material planning considerations.
6. The scheme also proposes to introduce retail floorspace (use classes A1 to A4) at ground floor level by infilling the existing undercroft car park. The principle of new retail floorspace at ground floor level is acceptable given the site's location within the boundaries of Wembley Town Centre, in line with policies CP7 and WEM24.

Design considerations for the proposal

New ground floor

7. The existing building at 1 Olympic Way has no internal ground floor, with the remainder of the building above sitting on stilts that extend across the ground floor space. The proposal seeks to infill the existing undercroft parking area to create a new internal ground floor for the building. The ground floor would extend not only under the L-shaped footprint of the existing building but also across all of the space in between these main building wings, which is currently an open air car park. This would ultimately result in the displacement of surplus parking spaces which would be welcomed and would present an opportunity to improve the building's relationship with its surrounding public realm and improve the vitality of Wembley town centre.
8. The proposed uses for the ground floor are two retail units, a larger unit at 581sqm along the western arm of the building alongside Olympic Way and a smaller retail unit at 178sqm located on the corner between the western arm and southern arm of the building plus a 241sqm B1 commercial space on the southern arm of the building. It is proposed that this B1 space on the southern side would front a new pedestrian thoroughfare linking Olympic Way and North End Road. This link between the two roads already exists but has a private and uninviting appearance at present. This route would clearly gain additional importance and footfall as a result of this development. This would be a positive development which would improve permeability in Wembley Park and help to establish more useable east-west routes through the district, identified in the WAAP as a weakness of the area.
9. The plans indicate that the existing boundary wall separating the car park within the site and Olympic Way would be retained. The retention of this boundary wall would amount to a significant missed opportunity to drastically improve the public realm along Olympic Way and would retain a severed relationship between Olympic Way and the 1 Olympic Way building. Nonetheless, officers acknowledge that that the boundary wall and associated ramps/walkways does not fall within applicant ownership and therefore cannot be required as part of this development. These ramps and stairs fall outside of the development site although the Council aspires to remove this infrastructure, subject to an alternative means of disabled access between Olympic Way and Bridge Road being achievable. The proposal remains acceptable irrespective of if or when removal of the ramps and stairs is undertaken, however officers would note that the benefits of the scheme would be notably greater if and when this is achieved.
10. The plans indicate that the ground floor level along the Olympic Way fronting side would be extended outwards towards Olympic Way by 2.65m on the South Western corner and by 6m on the main frontage between the North Western and South Western cores. This will result in a flush western facade for the building at ground level which will still sit 9.5m from the boundary wall and associated stairs/ramp infrastructure on the edge of the site. The remaining floors of the building will retain the existing facade building lines.

New pedestrian thoroughfare between Olympic Way and North End Road

- 11.** A lack of east-west routes across the Wembley Park area has been identified as a weakness of the district and the principle of establishing an additional route on this axis to improve pedestrian permeability, whilst not required within the site specific allocation, is welcomed. Beyond the existence of the route itself, significant benefits could be brought about through the new active frontage proposed at ground level and the associated amenities, as the proposed B1 floorspace would directly front onto this new route.
12. The new thoroughfare will need to be subject to high quality design, which would clearly function as an inviting and safe pedestrian route but which would also accommodate emergency vehicle access when needed.
13. The plans indicate that a key feature of the pedestrian route would be its positioning within an undercroft of the proposed 15 storey building, which is proposed to sit atop the pedestrian walkway close to the southeastern edge of the site. Subject to good design and a good lighting solution, the undercroft could be a highly attractive feature of the development, rather than something that raises safety and security concerns. A double height undercroft would help to improve the attractiveness and sense of openness of the undercroft. A condition will require that specific details of undercroft treatment and lighting are provided to demonstrate how a high quality environment will be achieved atop the extended building. Indicative drawings and CGIs have clearly shown how the proposed active commercial frontage, shared surface, street landscaping/tree planting, entrance canopy for the residential access and a schedule of lighting could achieve a good quality pedestrian environment in this location.

Vertical extension of the building

Massing

- 14.** The existing building sits with a 13 storey maximum height (+ plant) with a lower 8 storey part fronting Olympic Way. The proposal seeks to increase the height of the main 13 storey massing to 16 storeys and to remove the plant atop of it. The lower part of the frontage is to be increased from 8 storeys to 13 storeys, and the southern part of this lower frontage (which projects slightly forward) would see a greater increase in height from 8 storeys to 15 storeys. This would result in a U-shaped massing when viewed from the street. When the plant atop the tallest element is taken into account, the proposed building would be about 4 metres taller than the existing building at its highest point. Much of the extension would raise the lower levels of the building up to a height more similar to the current 13 storey component on the north side of the building. The building would therefore have a more uniform height across its width and appear noticeably larger than the existing building but in a way that relates comfortably and remains subservient to much of its surroundings. The building's height would appear comfortable in the context of the emerging growth area in which it sits, which is formed of a number of established and emerging buildings which are notably greater in height than that which is proposed. The site is also designated within the Wembley Area Action Plan as being appropriate for tall buildings.

Protected Views

- 15.** Wire line drawings indicate how the building would impact on Brent's protected views of the Wembley Stadium Arch. From Barn Hill Open Space, the building would sit directly under the arch, although the building remains of a modest height and does not appear to compete with the arch for prominence nor come close to obscuring any part of the arch from this view. From the Bobby Moore Bridge and the Wembley Park Station steps, the massing of the extension would obscure parts of the northern flank of the Novotel building, however the building line of 1 Olympic Way would not be altered and the building remains sufficiently set back such that it would not obscure the visible extent of the arch. As such, officers are satisfied that relevant protected views would not be detrimentally affected by this proposal.

Façade Treatment

- 16.** The addition of a large new component to this building has the potential to result in an incoherent façade treatment, with a newer cladding sitting above an older one. The applicants have therefore proposed to re-clad the whole building to establish a coherent uniform appearance for the extended building. The submitted CGIs indicate a light coloured appearance that is proposed for the building's external facades. The CGIs indicate a clear continuation of the building's existing window banding up to a greater height. The additional height and reinforced uniform banding would give the building a slenderer appearance from certain viewing points, such as from the junction of Bridge Road, Forty Lane and Barn Hill (CGI 1).

This would also be enhanced by the loss of the existing visible plant atop the existing building, which is proposed to be removed as part of the proposal in favour of a cleaner, rectilinear finish.

17. The replacement of the existing cladding with a newer similar form will likely improve the appearance of the building although is thought to appear quite stark and basic given the prominence of this location. The applicants have ruled out the use of an alternative external material (e.g. brick slips) on the grounds of it not being viable structurally, however an alternative approach to the cladding in terms of materiality and colour has been put forward. The revised cladding is of M7758 Sandstone colour and has a minimal 15%-30% gloss which would result in a matt finish that would likely appear more natural than the shinier cladding shown within the submitted CGIs. Through means of a condition, the LPA would work with the applicants to agree an acceptable facade treatment and would review samples of this appropriately.
18. Another challenge in creating a uniform appearance for the building relates to the treatment of balconies/terraces within the new flats in the extended part of the building when the existing flats in the floors below are not equipped with balconies (outdoor amenity spaces are not a requirement of residential accommodation approved through permitted development). A solution which utilises winter gardens instead of balconies has been adopted. This would ensure that the proposed flats within the extension can still be provided with external amenity spaces, but in a way which interplays with the below façade effectively.

New residential block at the south eastern edge of the site

19. A separate residential block is proposed at the rear of the site, close to the boundary with Olympic House and close to the Wealdstone Brook. The plans indicate that this block would be 15 storeys in height, will sit atop the new pedestrian route along the southern side of the site and would provide solely affordable housing. The 15 storey height is a comfortable addition given the context and sits slightly below the 16 storey high point of the development. Once again, it lies within an area that is designated as appropriate for tall buildings within the Wembley Area Action Plan. The building will read as a coherent part of the existing building when seen from most perspectives and will utilise the same material treatment. The façade arrangement will be changed slightly with separate window openings and a stronger vertical emphasis, this will provide a suitable counterpoint to the horizontal banding seen across the rest of the building and would not erode the appearance of the building as a whole.
20. Unlike the remainder of the development, this part of the proposal is bound by some more acute constraints. The Site Specific Allocation specifies an 8 metre buffer zone, taken from the Wealdstone Brook, within which development is not permitted. This is to ensure that access to the brook is not reduced or cut off by new developments and would be an aspiration shared by the Environment Agency. The applicants have upheld this requirement through the use of a double height undercroft at ground floor level for the new block, which leaves the ground level within the buffer zone of the brook undeveloped (aside from and retains access to land surrounding all edges of the building. It is acknowledged that access to the brook at present is very limited and the creation of a new pedestrian route which intersects with the brook improves the public interaction with this waterway. In addition, the green space to the east of the brook is to be further naturalised and made accessible as communal amenity space for residents. Officers’ acceptance of this approach would be contingent on a high quality public realm being delivered and a condition would require suitable detailing that demonstrates that the new public realm, within an undercroft environment would provide a positive pedestrian environment.
21. The building is located very close to the southern boundary of the site and it is important that none of the accommodation provided has sole habitable room windows facing south towards the neighbouring site at Olympic House, as this could prejudice the ability of the neighbouring site to deliver a scheme that sits close to its northern boundary in the future. The plans confirm that this is the case.

Unit Mix and Affordable housing

22. The scheme provides a total of 119 new residential units. 90 of the new units will be in the vertical extension, 3 of the units converted from 8th floor office space and 26 of the new units in the new residential block on the south east side of the site.
23. A summary of the mix is set out below:

Units	Private	London Affordable	London Shared	Total

		Rent	Ownership	
Studio	16 (18% of pvt tenure)	0 (0% of LAR tenure)	0 (0% of LSO tenure)	16 (13%)
1 bed	54 (61% of pvt tenure)	0 (0% of LAR tenure)	0 (0% of LSO tenure)	54 (45%)
2 bed	0 (0% of pvt tenure)	11 (50% of LAR tenure)	2 (23% of LSO tenure)	13 (11%)
3 bed	18 (21% of pvt tenure)	11 (50% of LAR tenure)	7 (77% of LSO tenure)	36 (30%)
Total	88 (74% of scheme)	22 (18% of scheme)	9 (8% of scheme)	119 (100%)
Total Private: 74% (88/119)		Total Affordable: 26% (31/119) weighted 71% (22) LAR and 29% (9) LSO		

24. The scheme proposes 36 flats as 3 bedroom flats which equates to 30%. Brent's Core Strategy policy CP2 and WEM19 within the WAAP set a target of 25% family sized units (three bedrooms or more) being delivered within the Borough. The proposal exceeds this target,

Affordable housing

25. The scheme proposes 36% affordable housing measured by habitable room (26% when measured by unit), comprising a total of 31 dwellings out of 119 new residential units. 22 dwellings would be for London Affordable Rent (11 x 2 bedroom units and 11 x 3 bedroom units) and 4 dwellings would be for London Shared Ownership (2 x 2 bedroom units and 2 x 3 bedroom units), comprising all of the development within the new residential block. A further 5 London Shared Ownership dwellings would be provided in the vertical extension (5 x 3 bedroom units), with one flat per floor between levels 7 and 11. The affordable tenure split equates to 71% London Affordable Rent and 29% London Shared Ownership.

26. Adopted DMP policy DMP 15 confirms the Core Strategy target (policy CP2) that 50% of all new homes in the borough will be affordable. The maximum reasonable amount will be sought on sites capable of providing 10 units or more, such as this scheme. 70% of new affordable housing should be social/affordable rented housing and 30% intermediate housing at affordability levels meeting local needs. Where a reduction to affordable housing obligations is sought on economic viability grounds, developers should provide a viability appraisal to demonstrate that schemes are maximising affordable housing output.

27. London Plan policy 3.12 states that the maximum reasonable amount of affordable housing should be sought when negotiating on schemes and that negotiation on sites should take account of their individual circumstances including development viability.

28. A financial viability assessment (FVA) has been submitted with the application and has been assessed by external consultants for robustness. The above offer is agreed as the maximum reasonable amount of affordable housing as financial modelling agreed between the parties sees the development proposal generating a modest surplus for the scheme of approx. £30,000 under these assumptions, far less than the cost of converting an additional private unit to an affordable unit. The tenure split is welcomed and falls closely in line with target 70/30 split specified in Brent's DMP15 policy. Given the overall percentage falling short of policy DMP15's requirements and the small surplus that has been identified, a late stage review is to be applied and secured within the s106 agreement which would require payment of any surplus beyond the agreed reasonable profit level which would be used for the enablement of offsite affordable housing.

29. There would be no separate affordable entrance to the building, with residents of affordable tenures using the same accesses as other residents, and, in the case of the new block, accessing a dedicated core from within the building. This means there will be no 'poor doors' as such within the scheme and is strongly welcomed.

Quality of Accommodation

- 30.** All flats are required to meet the London Plan's minimum space standards internally, as set out in Policy 3.5 of that document. All flats should also achieve a good outlook from all habitable rooms and a high percentage of the flats should achieve dual aspect outlook. Officers welcome the use of cross ventilated dual aspect units along the southern wing of the building, which will address issues which could have potentially arisen as a result of the flats being solely orientated to the north or south. All of the flats meet London Plan space standards and 71 of the flats (60%) will have dual or triple aspect which is considered to be an acceptable amount within this form of development. As a self-contained scheme, the development will generally provide 8 or fewer units per core per floor across the proposed floors, meeting the Mayor's guidelines, however on floor 8, two of the three cores will provide access to 9 units. This slightly exceeds the Mayor's guidance on limiting flats per core in the interests of close community cohesion although one of the 9 unit cores has its main corridor in an outdoor setting which helps to mitigate this shortcoming. Internal daylight and sunlight testing has been carried out which shows a good level of compliance with BRE standards across the development (307 habitable rooms in the development with 246 meeting BRE standards for the average daylight factor (80%)).
31. 10% of the proposed flats are to be provided as wheelchair accessible flats.
32. The development should provide 20sqm of external amenity space per flat and 50sqm of external amenity space for family units (three bedrooms or more), in accordance with the requirements of policy DMP18. The policy recognises that where the above targets can not be delivered solely through private external amenity space, then the use of communal external space can be provided to achieve this target.
33. The approach to setting in the building massing and providing inset balconies on the edges of the building with winter garden style screening as proposed is a logical approach to achieving this, and ensures a coherent appearance with the lower parts of the building which do not have balconies/terraces. All flats proposed include a terrace, with terraces ranging between 5sqm and 12sqm in size and larger terraces being focussed on the flats with larger occupancies. The average private terrace size across the development is 7.4sqm.
34. The proposal includes two communal amenity spaces, one 563sqm podium garden space, which is to be built at first floor level and enclose the ground floor environment below it, and another 1,073sqm to a brook-side space, which sits on the east bank of the Wealdstone Brook across from the development itself. The provided landscaping plan indicates a good landscaped environment for both of these spaces and details of the landscaping will be required through condition. The establishment of space alongside the brook is especially positive and enhances the asset, in line with the aspirations of Brent policy DMP9. The two communal spaces together provide 1,636sqm of communal amenity space for residents and it is confirmed that these communal spaces will be shared with the residents of the 227 flats in the permitted development scheme. This means that the average amenity space provision for the proposed flats, including when sharing the communal spaces with all permitted development flats, will be 12.1sqm. This represents about 61% of the amenity space target set out in Brent's SPD1 guidance and is considered positive given the town centre location.
35. The London Plan calculator calculates that the housing mix (119 units) will accommodate 49.5 children (aged 0-17). On site play spaces for 0-3 and 4-10 year olds would amount to a requirement for 360sqm of on-site play. Given that the podium space is much closer to the flats than the brook-side garden, all of this play space is proposed to be contained within the podium. This will leave 203sqm of general podium amenity space around the edge of the play area. The larger brook-side garden will be a general space and could accommodate play for the 11+ groups. The 11+ groups would also be within close walking distance of public parks, including Elvin Square Gardens, the emerging Quintain delivered Northern

Lawns and Southern Terraces open spaces and Chalkhill Park. Detailed plans of the play space design will be required by condition, as part of the detailed landscaping plan.

36. Given that the applicant is applying just for the 119 additional flats it wouldn't be a reasonable requirement to include the child yield anticipated for the flats delivered under permitted development in play space provisions; however given that these flats are smaller and all on the open market it is unlikely that their child yield would be significant. Officers therefore acknowledge that the play-space will fall short of the requirements for the total user base, but that the benefit of allowing access to the podium for everyone across the building outweighs the drawback of not providing a full play space quantum to address both schemes.

Amenity impact

Privacy

- 37.** The site borders Olympic Way to the west, North End Road to the north and east and 3 Olympic Way (Olympic House) and associated pedestrian route separating these sites to the south. Since this proposal is for a vertical extension of an existing residential building, the proposal will not introduce windows in any new locations, instead new windows will only be introduced at greater heights. The exception to this is the new block being introduced to the south east of the existing building, which will introduce windows in a new location close to the rear of the site. The tower will introduce windows to the north and east, albeit at significant distances from other neighbouring sites. The closest site to the new east facing windows would be Danes Court, whose front garden area would sit more than 35m from these windows. A sensitive relationship exists with 3 Olympic Way; whose boundary the new tower element will sit along. However, there are no windows proposed in this façade and this site will therefore not be relied on for outlook. The 3 Olympic Way site is therefore not considered to be compromised in terms of its potential to be redeveloped. The development will sit 9m from the boundary with 3 Olympic Way to the south, and facing habitable windows will have outlook here. The 9m separation accords with SPD1 guidance for an appropriate separation to mitigate privacy issues. In addition, the lower floors, which have prior approval for residential use, already establish this relationship at the same distance.

Daylight and Sunlight

38. The Impact of the proposal on daylight and sunlight has been considered by the applicant. The following properties were considered for impact:

- Shams Court
- 3 Olympic Way (Olympic House)
- Felda House
- 1-32 Danes Court
- Victoria Hall

39. Shams Court

- This is a residential buildings whose north elevation faces towards the site from the south. However, the north facing windows serve either communal flat access corridors, bathrooms or habitable rooms with a shared southern aspect. As such, limited weight is given to the results of daylight/sunlight testing at this property.
- 34 windows were tested and 8 passed the VSC requirements – the failed ones are spread across the floors. Of the 26 that do not pass, 18 achieve a marginal result between 0.7 and 0.8 times the former VSC value where 0.8 is the target for meeting VSC. This means that 9 windows out of 34 (26%) do not meet the VSC to a material extent. The lowest value is 0.62 times the former VSC.
- No windows within 90 degrees due south and do not require APSH testing.
- 3 rooms in the property do not meet NSL/DD testing, but they all have a score of 0.71 which is only a small margin short of the 0.8 target.
- There are no gardens or amenity spaces located north of the development proposal and thus no

further imposition of overshadowing to garden spaces.

40. **3 Olympic Way (Olympic House)**

- This building is an office building which is currently vacant. The building does benefit from an office to residential prior approval consent (17/3789) and as such may in the future have a residential use in its current form, although there is no existing standard of accommodation that is experienced at the property which would warrant consideration. It is understood that a more comprehensive re-development of this site involving demolition and rebuilding is likely.
- The applicants have still carried out a BRE assessment for this building as if it were a residential building. However, given the above observations, officers would afford more limited weight to this given the vacant office status of the building. The BRE assessment is included below for completeness.
- 79 windows were tested for impact and 35 passed VSC testing (44%) leaving 44 which did not pass. 6 of the windows that did not pass only fell marginally short, with a result between 0.7 and 0.8 times the former value. 6 further windows which did not pass serve rooms which have four windows, meaning that the internal daylight will likely be acceptable. This means that 32 of the 79 tested windows (40.5%) do not pass the VSC testing. The lowest value is 0.23 times the former VSC value and this window serves one of four windows to a habitable room.
- This building saw full compliance with BRE in terms of APSH testing.
- 22 rooms do not pass NSL/DD testing, with 2 of those rooms only seeing a marginal failure to do so, with a result of 0.73 times the former value.

41. **Felda House**

- This is a student accommodation block within close proximity to the south east of the development.
- 181 windows were tested for impact and 171 passed VSC testing (94%) leaving 10 (6%) which did not pass. All of those which did not pass achieve a result of no less than 0.77 times the former value, indicating that the shortness of standard is marginal versus the target (0.8).
- APSH testing was not required as windows within Felda House are not within 90 degrees due south of the development proposal.
- 22 rooms do not pass NSL/DD testing, with 2 of these rooms achieving a value of no less than 0.7, within the marginal range.

- **1-32 Danes Court**

42. This is a lower scale residential context to the east and has the potential to be one of the more sensitively affected buildings.

- 43 windows were tested for impact and 34 passed VSC testing (79%) leaving 9 (21%) which did not pass. All of those which did not pass achieve a result of no less than 0.77 times the former value, which is considered to be marginal compared to the benchmark.
- APSH testing found that 6 windows to Danes Court would fall short of the benchmark Annual Probable Sunlight Hours.
- With regard to NSL/DD testing, full compliance is reported for this property.
- No gardens will be overshadowed unduly (i.e. all will retain at least 2 hours of daylight across 50% or more of their extents based on sunlight received on 21st March).

- **Victoria Hall**

43. This is a student accommodation block nearby to the north east of the development.

- 290 windows were tested for impact and 235 passed VSC testing (81%) leaving 55 (19%) which did not pass. All of the windows which did not pass serve rooms between ground and third floor, with all other windows passing. These windows which do not pass are considered to be very marginal in

terms of non-compliance, given that their ratio with the existing scenario is at least 0.75 times the former VSC value in the majority of cases, with the exception of 2 windows at 0.2 times their former value.

- Full compliance is achieved under APSH testing.
- NSL/DD testing saw 171 rooms tested for compliance and 131 (77%) passed NSL/DD testing with the other 40 (23%) falling short. 15 out of the 40 rooms which did not pass achieved a result of at least 0.7, considered marginal against the benchmark, leaving 25 which fall short more noticeably.
- Overall, given the urban setting of the site and the surroundings, and in knowledge that the BRE guidelines are accepted as a benchmark for low density environments and which warrant flexibility and judgement, especially in the context of dense town centre environments, the daylight and sunlight impact modelled is considered to be acceptable given the benefits of the proposal.

Highways considerations

44. The existing vehicular access to the site is from North End Lane (with additional vehicle access for emergency vehicles only from Olympic Way), with pedestrian access from both Olympic Way and North End Lane. These arrangements will continue as part of this application. Fulton Road and North End Road are local commercial access roads with no waiting or loading at any time along most of Fulton Road and North End Road. The site lies within the Wembley Event Day zone whereby parking is restricted to permit holders only on Stadium event days. The site has excellent access to public transport services (PTAL 6a), with Wembley Park (Metropolitan and Jubilee lines) station nearby and 6 bus routes within walking distance.

Car parking

45. The maximum car parking standards for this development are set out in policy WEM15 of the Wembley Area Action Plan (2015). Given the high local PTAL, 1-2 bed units are allowed 0.4 spaces each and 3 bed units are allowed 0.6 spaces each. When combining both the current scheme and the prior approval scheme, 145 car parking spaces would represent the maximum standard. Another core component of policy WEM15 is that the Council will promote minimal car parking where it can be associated with good public transport accessibility. Given the very close proximity of bus routes and Wembley Park Station, a significant reduction levels of car parking for this site would be encouraged (provision of disabled parking spaces only). However, consideration also needs to be given to any potential impact of overspill parking. To address this, the scheme will be subject to applying a parking permit restriction on all units within the development (as has already been secured for the prior approval scheme). This will be secured within the legal agreement and will cover both the existing Wembley Event Day Parking Zone in addition to any future all year CPZ being introduced in the area. A CPZ on North End Road is soon to be implemented and has been fully funded (including its consultation process) through other development. As such, a financial contribution towards CPZ expansion cannot reasonably be sought in this instance.

46. The Draft London Plan sets out a requirement for car free developments to still provide between 3% and 10% of units with a car parking space for the use of blue badge holders. Eleven disabled car parking spaces for residential use are proposed along the east-west route, at the south side of the site. 5 are to be located close to the entrance to the route from North End Road, 2 are to be located on the north side of the route within the proposed undercroft, by the entrance to the south east residential core and 4 are to be located on the south side of the route directly across from the commercial unit frontage. These spaces will be sufficiently clear of the centre of the route so as not to contravene ease of deliveries and refuse collection and are minimal in number, meaning that the route would largely retain the feeling of pedestrian priority. A shared surface for cars and pedestrians is envisaged for this route and a condition will ensure that details of the route are submitted ahead of completion. The 11 spaces would represent parking provision for 3.2% of the flats across both the permitted development scheme and the proposed scheme and therefore accord with draft London Plan standards, which sets a minimum level of disabled parking at 3%.

47. The previous prior approval scheme and its non-material amendment approved under 19/1721 was approved with 13 disabled car parking spaces. In the context of the 227 flats proposed through the prior approval process this represented a 5.7% parking provision, also in line with the Draft London Plan guidance of between 3% and 10% disabled parking. Therefore, whilst disabled parking levels have

reduced overall compared to the prior approval consent at this site, the proposal still meets relevant London Plan requirements. The approach to reasonably minimising onsite parking is welcomed given officers' desires to see the east-west route along which the parking is to be located as a route which encourages and prioritises pedestrian use.

Cycle Parking

48. With regard to cycle parking, the draft London Plan would require 198 long term cycle parking spaces, which, when added to the existing provision of 260 (for the permitted development flats) would equate to 458 spaces in total. Provision of the full cycle parking draft standards (458) has been provided which is positive and this is all to occupy a significant part of the ground floor of the development, underneath the podium space. The layout of the cycle storage area is considered to be acceptable by Brent's highways officers, however TfL have requested a condition for more detail to be submitted prior to occupation to confirm spacings and circulation in accordance with LCDS standards, which will form part of the consent. 17 of the bike spaces are accessible spaces and located within a separate room for this purpose with spacious individual storage areas. An additional 12 Sheffield stands are proposed as short stay cycle parking, located outside the western frontage of the building, close to the boundary with Olympic Way. 10 of these spaces are allocated for uses associated with the residential component and 2 of these spaces are allocated for uses associated with the commercial component. Finally, 16 long stay spaces for the commercial uses are provided in a separate store close to the rear of the B1 unit. The residential cycle parking will be accessible to the residents of the permitted development flats and the proposed flats. A parking design and management plan has been requested by the GLA for submission by condition.

Vehicular Movement, Refuse and Servicing

49. The proposal indicates that refuse and delivery/servicing vehicles would travel into the site from North End Road and would have an internal stationing area alongside the main bin store. The commercial floor space could also be serviced from this stationing area and suitable turning space is shown to ensure these vehicles can egress back on to North End Road in a forward gear. The delivery/servicing/refuse vehicles would only use a small extent of the east-west route, which is largely intended as a pedestrian link; the majority of this route would remain car free for most of the time. The east-west route is to remain a pedestrian route at all times, with the exception of refuse / servicing vehicles and disabled users (such vehicles can access and egress the route from North End Road) and emergency vehicles (such vehicles can access and egress the route from both North End Road and Olympic Way). A condition will require that no vehicular access is to be made possible from/to Olympic Way, except for emergency vehicles. A schedule of enhancements to this route will be required by condition, in terms of establishing a suitable schedule of landscaping and resurfacing for the route.
50. The main refuse store is large enough to meet requirements for all residents in the block and a separate bin holding area is to be provided at the base of the building's north core to ensure that residents in the northern part of the building do not have to walk more than 30m to deposit their refuse. Management arrangements will ensure that the refuse held at the northern core is moved to the main bin store in time for collections and this can be firmed up through a refuse management plan. The applicants have confirmed that refuse collections will be privately arranged. A refuse management plan will be required by condition and the terms of the private refuse collection arrangement will need to be agreed and secured through a Section 106 obligation. In the event that a private refuse collection is not appropriate for the affordable flats, a separate bin store which is adjacent to the refuse vehicle loading bay already forms part of the proposal, housing appropriate refuse storage space for the affordable units. The entirety of the refuse store for affordable units is well within 10m of the stationing area for refuse collection vehicles and would meet the requirements for the Council's refuse service collections.
51. A delivery and servicing plan has been submitted up front but relates to the previous version of the scheme (without ground floor commercial). As such, a revised delivery and servicing plan is to be required and approved through condition.
52. A construction logistics plan has been requested for submission by the GLA and will be secured by condition.

Travel Plan

53. A Travel Plan has been submitted, however, some of it references 92 car parking spaces which are no longer proposed. It intends to carry out TRICS compliant travel plan monitoring in years 1, 3 & 5, which is acceptable. It also has acceptable targets for car drivers, although it is considered that both walking and cycling targets are too low. A commitment to improve the travel plan and to then implement it will be secured in the s106, as is often a standard requirement.
54. A car club operation will need to form part of the travel plan arrangements. Given the close proximity to existing car club bays (notably in Brent Civic Centre), funding of membership of residents for three years will be required but it may not be necessary for additional bays to be provided. If the car club confirms that an additional bay is not needed then membership funding will be the only obligation in relation to this. This will form part of the s106.

Trip Generation, Modal Split and Highways Impact

55. The applicant has carried out trip generation and modal split forecasting within their Transport Assessment which has been agreed as appropriate by TfL. The Transport Assessment indicates that the development will generate 28 additional tube journeys in the AM peak and 26 additional tube journeys in the PM peak, 8 additional rail journeys in the AM peak and 7 additional rail journeys in the PM peak and 11 additional local bus journeys in the AM peak and 10 additional local bus journeys in the PM peak. Given the car free nature of the scheme, it is not anticipated that any additional car movements will be experienced during the AM or PM peaks.
56. TfL have confirmed that they consider the net trip generation on the tube and bus networks to be too small to justify the payment of contributions to improving bus or tube capacity in this case.

Sustainability and Energy

57. An energy statement confirms the sustainability strategy for the proposal, in line with the Mayor's be lean, be clean, be green strategy set out in Policy 5.2 of the London Plan. The roof extension and new block have been treated separately for the purposes of this assessment, given the very different nature of the proposals. The three stages for each have been addressed as follows:

58. *Be Lean*

The energy demand and efficiency has been reduced through improving insulation to external walls, doors and floors. The overall saving is:

-1% saving (1 tonne of CO2 per annum)

59. *Be Clean*

Heat Pumps are proposed as a low carbon technology to combined space and water heating This results in a substantial saving as follows:

- 59% saving (68 tonnes of CO2 per annum)

60. *Be Green*

PV panels have been deemed viable for inclusion and an array has been proposed across the majority of the roofscape of the development for maximisation of savings. This achieves the following savings:

- 20% saving (23 tonnes of CO2 per annum)

61. *Cumulative*

Combining the three stages, savings are as follows:

- Be lean: (1 tonne saving per annum, 1%) - 1% total improvement on building regulations target
- Be clean: (68 tonnes saving per annum, 59%) - 60% total improvement on building regulations target
- Be green: (23 tonnes saving per annum, 20%) - 80% total improvement on building regulations target

62. London Plan policy 5.2 requires a 35% reduction in the emissions standard required through Part L of the building regulations. A substantial reduction of 80%, far in excess of the policy requirement has been achieved. It is also acknowledged that the use of PV panels has been evidently maximised, with most rooftop space utilised for this purpose.

63. The second stage of applying LP policy 5.2 is ensuring that all of the remaining carbon following

reduction is financially offset. The policy stipulates a carbon offsetting amount of £60 per tonne of carbon dioxide per year, covering a 30-year period. In the context of the remaining carbon emissions following 80% reduction, a payment of circa £42,000 would be required for this purpose and a s106 obligation will secure this.

64. Policy CP19 of Brent's core strategy stipulates a requirement for all major non-residential floorspace (where the cumulative non-residential floorspace exceeds 1000sqm) to achieve a BREEAM rating of 'Excellent'. The commercial floorspace falls below 1000sqm and is not subject to this requirement.

Drainage and Flooding

65. The applicants have submitted a report outlining the strategy for the development in respect of surface water and foul drainage. The foul drainage strategy proposes to use the existing connections to the public foul sewer at 1 Olympic Way and it is noted that sufficient capacity is in the system for this to be achieved, with reductions in discharge proposed through the development. The surface water drainage strategy will achieve a reduction in surface water run-off rates on the site from 137.7 litres per second to 9.6 litres per second for an equivalent storm event. The reduction in run off rate is to be achieved through SuDS measures, namely through a stormwater attenuation tank with volume of 330 cubic metres to allow for an extreme storm event + 40% allowance for climate change and through the use of permeable paving. The details of this report will be secured through condition.
66. A flood risk assessment has also been submitted and reports that, subject to appropriate mitigation (including warning procedures), the proposed development is considered to have suitably managed flood risk for the lifetime of its development. The report notes that the existing building and proposed block are located in flood zone 2, there are no historic records of fluvial flooding on the site, there are no residential units on ground level and that safe refuge would be available on all proposed residential floors on the site with safe access/egress possible from the west of the site in the event of a flood event. The details of this report will be secured through condition.
67. Thames Water and Brent's Local Lead Flood Authority have reviewed these strategies and do not raise objections to them, confirming compliance with policies 5.12 and SI.12 in the London Plan. The GLA also agrees with this in respect of flood risk although has requested further information regarding consideration of the drainage hierarchy in confirming that these policy requirements have been met in respect of the drainage strategy. This will be addressed by the applicant in advance of a Stage 2 referral.
68. A condition will require that required water consumption targets are met within the new development.
69. The Environment Agency (EA) has reviewed the proposal in depth, particularly given that the proposed block's undercroft would be constructed within 8m of the Wealdstone Brook culvert. The EA supports the scheme subject to conditions requiring the submission of:
70. A baseline structural survey of the brook culvert and, if necessary, an associated schedule of repair works should the survey report that the culvert's condition would not be structurally sound for the lifetime of the development.
- A verification structural survey within six months of completion of the works and a requirement to carry out repairs where the structural integrity of the culvert has been compromised.
 - A landscaping management plan showing landscaping improvements within the 8m wide buffer zone alongside the brook, details of its management and other details such as footpaths, fencing and lighting.
- The EA has also provided guidance notes for the applicant, including advisory notes in relation to Water Framework Directive improvements that could be made to the brook and in relation to the need to apply for a Flood Risk Activity Permit from the EA. Informatives will advise the applicant of this accordingly.

Noise Impact

71. The applicant has submitted a noise impact assessment which has identified suitable mitigation for the residences in terms of glazing and ventilation based on noise conditions in the local environment. The noise level readings that informed this mitigation were taken when a football match was on at Wembley Stadium, representing among the greatest noise levels that are likely to be experienced in this environment. Based on these noise levels, it was reported that a robust glazing specification will ensure

all internal flats will experience an internal noise environment which accords with relevant British Standards (BS8233).

72. Brent's Regulatory Services have reviewed this assessment and agree with its methodology. A query has been raised in relation to whether the testing would take into account the noise environment that would be experienced during times when music concert events are on at the Stadium. A condition will require that, prior to occupation, the noise impact assessment is revised to take into account this scenario and to update any mitigation recommendations accordingly. The condition will also secure the mitigation and require it to be implemented prior to occupation and maintained thereafter.

Construction Management

73. A construction management plan has been submitted however this reflects proposals for an earlier iteration of the scheme which did not include the ground floor infill and the creation of a podium garden. Given the significant implications that this change to the scheme could have from a construction management perspective, a condition will require that details of construction are resubmitted and approved at a later date. The plan will need to account for the control of dust, noise and other environmental impacts of the development.

Air Quality

74. The applicant has submitted an air quality assessment which sets out the predicted impact of the development with regard to this aspect. There is no anticipated change to current traffic flows as a result of the development and therefore air pollutant concentrations are not expected to worsen. This indicates an 'air quality neutral' impact, complying with the Mayor's guidance. The development, whilst not utilising low carbon technologies such as combined heat and power or air source heat pumps, will use CSH/BREEAM Ultra-Low NOx gas boilers to serve each flat.
75. Brent's Regulatory Services have reviewed the assessment and agree with the methodology. A condition is recommended securing the maximum emission rates of boilers, to ensure that the air quality objectives are delivered as proposed.
76. Given that the air quality report was submitted with the original version of this scheme (i.e. no ground floor commercial uses proposed), a separate condition will require that this report is updated to account for any change in the air quality implications, the revised energy strategy and to ensure that the development has an appropriate air quality neutral strategy as required in the London Plan. This will need to include details of any relevant additional mitigation to meet standards and for these details to be approved by the LPA in consultation with Brent's Regulatory Services officers.
77. Separate from the air quality assessment, a condition will ensure that non-road mobile machinery complies with emissions standards so as to further limit the development's environmental and air quality impact.

Contaminated Land

70. A contamination assessment has been submitted. The assessment found contamination to be an issue of minimal importance given that the proposal was for upper floor accommodation only at the point of submission. The proposal now includes the creation of ground floor commercial space and will involve digging into the soil below the site to a much greater extent. As such, a revised contamination study should be submitted and a condition will require that this is carried out and that any remediation required by the LPA is carried out and confirmed through an additional condition.

Ecology and Trees

78. The applicants submitted a preliminary ecological assessment at the point of submission. The report establishes the existing ecological value of the site and sets out a strategy for protecting and enhancing existing biodiversity on site. Statutorily protected species (including badgers, bats, nesting birds, great crested newts and reptiles) were found to have negligible potential of being present on site (or low in the case of breeding birds). In addition, the Wealdstone Brook was identified as a non-statutory site of ecological value, being important as a possible bat commuting or foraging route.
79. The Wealdstone Brook passes through the site to the rear and this particular section is notable in that the banks are vegetated with semi-improved grassland. No aquatic vegetation was noted. There are also

some trees on site, including Birch at the front of the site and shrubbery and Ash trees at the rear of the site, close to the boundary with North End Road.

80. Overall, site observations lead to a consideration that the development will not be of detriment to any statutory protected habitat. Biodiversity enhancements have been suggested including additional native planting of shrubs and trees close to the brook, provision of at least 3 nest boxes suitable for sparrows, away from windows and doors and facing vegetation and the provision of bat bricks within suitable locations within the fabric of the new building. These ecological enhancements will be secured through condition.
81. Brent's tree officer notes that no trees are intended to be removed as part of this development and that inter-planting between the existing trees is proposed to the rear of the building. This proposal is welcomed and will help to enhance the biodiversity and general amenity offer of the site. The tree officer requests a full tree report of the site in accordance with BS5837, including a tree impact assessment as well as a schedule of planting and landscaping proposals. As a result, two conditions, one relating to the tree survey and impact and another relating to the detailed landscaping proposals, will form part of the consent.

External Lighting

82. A detailed plan of the proposed lighting has been submitted. This plan reflects the scenario of the original submission (i.e. no ground floor uses). Given the significant change to the scheme, a condition will require a revised external lighting plan to be submitted, with particular detail shown within the undercroft area, close to the North End Road end of the new east-west route, in the interests of establishing an inviting and safe environment in this location.

Wind and Microclimate

83. A wind and microclimate report has been submitted. Two different analyses have been carried out, part 1 has looked at local wind data statistical analysis and part two has performed a wind microclimate model of the site against which the local wind data can be modelled. The results of the testing have found some areas of higher wind velocities which are proposed to be mitigated through new landscaping. Proposals for new trees planting will wind velocities and thus the wind impact on the building.
84. The results of the testing and associated mitigating landscaping result in a development that is designed to be a high-quality environment for the scope of use intended of each areas/building (i.e. comfortable and pleasant for potential pedestrians) and that the development does not introduce any critical impact on the surrounding areas and on the existing buildings.

Safety and Security

85. The scheme has been designed to respond to safety and security guidance and has been reviewed and commented on by a counter terrorism advisor within the Metropolitan Police. It is understood that, in the interests of designing out the potential for crime, one of the recommendations from the Metropolitan Police has been to prevent the new route along the south side of the development from being publically accessible. However, officers would resist this suggestion, noting that this link already exists (although is unattractive for use and within private land) and that the WAAP strongly seeks the establishment of more public east-west routes within Wembley Park. This existing route between the two sites has the strong potential to be improved by this development and to become a welcoming and safe route with a largely active commercial frontage being provided which could be further enhanced through an appropriate scheme of lighting, clear definition, fob control access for the residential entrance and video intercom systems.
86. Conditions will require that clear details of improvements to the pedestrian route shall be submitted to and approved in writing by the Local Planning Authority. Another condition will require that details of proposed counter-terrorism measures are submitted to and approved by Brent, in consultation with the Metropolitan Police.

Television and Radio Reception Impact

87. The applicant has submitted an assessment which has looked at the impact to Digital Terrestrial Television, Digital Satellite Television and VHF(FM) Radio. The study confirms that no interference with these signals is expected and thus no mitigation is required to retain the broadcast quality of these

services.

Conclusion

88. Officers consider that the development should be supported, subject to all planning obligations identified in the above discussions. The proposal accords with the development plan having regard to all material planning considerations.

89. Approval of the scheme is therefore recommended.

Equalities

90. 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).

CIL DETAILS

This application is liable to pay **£3,889,691.52** * under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible* floorspace which on completion is to be demolished (E): sq. m.

Total amount of floorspace on completion (G): 11434 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
(Brent) Businesses and offices	1059		1059	£40.00	£0.00	£63,540.00	£0.00
(Brent) Dwelling houses	10375		10375	£200.00	£0.00	£3,112,500.00	£0.00
(Mayoral) Businesses and offices	1059		1059	£0.00	£60.00	£0.00	£66,097.34
(Mayoral) Dwelling houses	10375		10375	£0.00	£60.00	£0.00	£647,554.18

BCIS figure for year in which the charging schedule took effect (Ic)	224	323
BCIS figure for year in which the planning permission was granted (Ip)	336	
TOTAL CHARGEABLE AMOUNT	£3,176,040.00	£713,651.52

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

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

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



DECISION NOTICE – APPROVAL

Application No: 19/0395

To: Mr Tarzey
Pegasus Group
10 Albemarle Street
London
W1S 4HH

I refer to your application dated **04/02/2019** proposing the following:

Erection of upto 7 storey roof top extension to the existing building to create 90 flats; erection of a rear extension to existing building to create a new 15 storey block (including a 2 storey under-croft for vehicular and pedestrian access) to create 26 flats, conversion of existing 8th floor office space to create 3 flats, creating a total of 119 self-contained flats; infilling of ground floor undercroft of existing building to form new ground floor uses comprising retail floorspace (A1, A3, A4) and office floorspace (B1), creation of first floor podium above existing car parking space to provide a landscaped amenity space for residents with associated cycle and refuse storage, creation of public access alongside Wealdstone Brook and refurbishment of existing building facades to No. 1 Olympic Way (including replacement of windows)
(Revised description)

and accompanied by plans or documents listed here:
Refer to condition 2.

at **1 Olympic Way, Wembley, HA9 0NP**

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: 09/12/2019

Signature:

Gerry Ansell
Head of Planning and Development Services

Notes

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

SUMMARY OF REASONS FOR APPROVAL

- 1 The development is in general accordance with the following policy and guidance documents:

National Planning Policy Framework (2018)
London Plan consolidate with alterations since 2011 (2016)
Draft London Plan (2017)
Wembley Area Action Plan (2015)
Development Management Policies (2016)
Core Strategy (2010)
SPD1 - Design Guide for New Development (2018)

- 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):

Unnumbered Location Plan

S00 – Existing Block Plan
S01 – Existing Ground Floor
S02 – Existing First to Fifth Floor
S03 – Existing Sixth to Seventh Floor
S04 – Existing Eighth to Twelfth Floor
S05 – Existing Thirteenth Floor and Roof
S10 – Existing Elevation 1 & 1A
S11 – Existing Elevation 2 & 3
S12 – Existing Elevation 4 & 5
S20 – Existing Sections

P00 – Proposed Block Plan
P01 Rev F – Proposed Ground Floor
P02 Rev C – Proposed First to Fifth Floor
P03 Rev B – Proposed Sixth to Seventh Floor
P04 Rev B – Proposed Eighth Floor
P05 – Proposed Twelfth to Thirteenth Floor
P06 – Proposed Fourteenth to Fifteenth Floor
P07 – Proposed Roof
P10 Rev C – Proposed Elevation 1 & 1A
P11 Rev B – Proposed Elevation 2 & 3
P12 Rev B – Proposed Elevation 4 & 5, 6, 7, 8, 9
P13 Rev C – Proposed Street Elevation
P20 Rev A – Proposed Sections

100 P11 (Black & White) – Landscape Layout (B&W)
100 P11 (Colour) – Landscape Layout (Colour)
700 P06 – Landscape Cross Section

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

- 3 The pedestrian route between the building on the site and the southern boundary of the site

shall remain unobstructed and publically accessible for pedestrians at all times for at least 364 (three hundred and sixty-four) days per calendar year, except during discrete temporary periods of footway maintenance.

Reason: To ensure the development improves local pedestrian permeability for the benefit of local residents and visitors.

- 4 With the exception of emergency vehicles, there shall be no means of vehicular access between Olympic Way and the pedestrian route between the building on the site and the southern boundary of the site.

Reason: To ensure that the pedestrianised environment along Olympic Way is retained.

- 5 The development hereby approved should be built so that 90% of the residential units achieve Building Regulations requirement M4(2) – ‘accessible and adaptable dwellings’ and that the remaining 10% of the residential units achieve Building Regulations requirement M4(3) – ‘wheelchair user dwellings’ with the exception of the relevant disabled car parking spaces which shall provide a 1200mm space on one side of the parking space.

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

- 6 The 11 disabled car parking spaces and residential and commercial refuse stores shown on Plan P01 Rev E shall be provided and made available prior to the first occupation of the development hereby approved. These provisions shall thereafter be maintained for the lifetime of the development.

Reason: To ensure that the development complies with parking and refuse requirements.

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

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

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

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

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

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

- 10 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA’s supplementary planning guidance “Control of Dust and Emissions During Construction and Demolition” dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall

be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

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

- 11 Unless alternative details are first approved in writing by the Local Planning Authority, the details of mitigation identified within the submitted wind and microclimate modelling report (prepared by B-Fluid Ltd, dated February 2019) shall be fully implemented prior to first occupation of the development hereby approved.

Reason: To ensure that the development mitigates microclimate impact.

- 12 Unless alternative details are first approved in writing by the Local Planning Authority, the biodiversity enhancements identified in section 7.13 of the submitted Preliminary Ecological Assessment (prepared by Green Shoots Ecology, dated February 2019) shall be implemented in full prior to first occupation of the development hereby approved.

Reason: To ensure that the development enhances local ecology and biodiversity.

- 13 Unless alternative details are first agreed in writing by the Local Planning Authority, the development shall be carried out in full accordance with the mitigation measures set out in the Flood Risk Assessment (prepared by Ambient Environmental Assessment, dated January 2019) and in the Foul and Surface Water Drainage Strategy (prepared by Barrett Mahony Consulting Engineers, dated January 2019) ref: 18727-RP-01.

Reason: To ensure that the development appropriate mitigates drainage and flood risk.

- 14 Prior to commencement of the development hereby approved, a construction logistics plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter operate in accordance with the approved construction logistics plan.

Reason: To ensure the development is constructed in an acceptable manner.

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

- 15 Prior to the commencement of the development, a Construction Method Statement (CMS) shall be submitted to and approved in writing by the Local Planning Authority. The CMS shall outline measures that will be taken to control dust, noise and other environmental impacts of the development. The CMS shall include details of a dust monitoring plan, to be implemented during construction and demolition works. All agreed actions shall be carried out in full.

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

Pre-commencement Reason: The details relate to construction and therefore must be agreed prior to commencement of that construction.

- 16 Notwithstanding the details of the submitted air quality assessment (prepared by Aether, dated January 2019) Ref: AQ_assessment/2019/Olympic Way, prior to the commencement of the development, an updated report shall be submitted outlining any changes to the air quality assessment, compliance with Air Quality Neutral criteria and any necessary additional mitigation measures that arise as a result of the revisions to the scheme, including the addition of commercial ground floor space and podium garden.

The development shall thereafter be implemented in accordance with the approved details.

Reason: to ensure an acceptable impact from the development.

Pre-commencement Reason: The air quality impact of the development could be impacted during construction and details should therefore be known up front.

- 17 Prior to commencement of the development hereby approved, a BS8537 Tree Survey and Impact Assessment for the site shall be submitted to and approved in writing by the Local Planning Authority. Any tree protection and/or mitigation measures identified within the report shall be adhered to in full throughout the development.

Reason: To ensure that existing trees can be retained or mitigated where it is shown that their retention is unviable.

Pre-commencement Reason: The impact assessment will look to assess impact caused during construction and will therefore need to be addressed prior to commencement.

- 18 a) No development shall take place until a structural survey of the culvert has been submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The structural survey should provide details on the current condition of the culvert in order to provide a baseline prior to the commencement of works. If the findings of the survey demonstrate the culvert condition is not sufficient to last the lifetime of the development, a scheme of repair works should be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency, demonstrating how the culvert will be repaired to a suitable standard prior to the commencement of works. The scheme shall then be implemented as agreed prior to commencement of works.

b) Within 6 months of the completion of works, a second structural survey shall be carried out, the findings of which shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. Any identified damage to, or deterioration in condition of, the culvert shall, within 12 months of the completion of works, be repaired to, at a minimum, the condition of the culvert as identified in the initial structural survey or to a sufficient standard to last the lifetime of the development, whichever is higher.

Reason: To protect the structural integrity of the existing culvert thereby ensuring the development does unacceptably increase the risk of flooding. In addition, this will ensure the culvert is safe for the lifetime of the development, as well as provide a baseline for, and ensure the completion of, any necessary repairs.

Pre-commencement Reason: To ensure that the proposed development does not commence without posing an unacceptable flood risk to future site residents/users and the local area.

- 19 a) Prior to the commencement of the development (excluding demolition), a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. 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 construction 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. Vapour monitoring shall be undertaken as part of the assessment.

b) Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full. 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 site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required). The remediation works shall be carried out in full prior to first occupation of the development hereby approved.

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

- 20 Details of materials for all external work, including samples which shall be made available for viewing on site, shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing above ground level. The work shall be carried out in accordance with the approved details.

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

- 21 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 within three months of the commencement of the development and the approved details shall be implemented in full prior to completion of the development hereby approved.

Reason: To ensure that the development accords with Policy 7.13 of the London Plan

- 22 Within six months of the commencement of the development, details of landscaping improvements, external lighting, surfacing materials and details of retractable bollards at the western end to be used along the east-west route between the building on site and the southern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall indicate a safe and high quality environment along the route, including within the undercroft area. The development shall thereafter be carried out and maintained in accordance with the approved details.

Reason: To ensure a safe and inviting environment is established along the new pedestrian route forming part of the proposal.

- 23 Within six months of commencement of works above ground level, a scheme of detailed landscaping proposals shall be submitted to and approved in writing by the Local Planning Authority.

The submitted scheme shall identify all plant species, densities of planting as well as species and soil densities for all proposed trees. The submitted scheme shall also show detailed plans of the podium play space.

The approved landscaping shall be completed prior to first occupation of the development hereby approved and thereafter maintained, unless alternative details are first agreed in writing by the Local Planning Authority.

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

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

- 24 In the event that one or more of the commercial units within red lines and annotated as 'Retail' on approved plan P01 Rev E are occupied by a business that makes use of a commercial kitchen, details of the extract ventilation system and odour control equipment for the commercial kitchen, including all details of any external or internal ducting, must be submitted to and approved in writing by the Local Planning Authority. The approved equipment shall be installed prior to the commencement of any use of the commercial kitchen. The development shall thereafter be operated at all times during the operating hours of the use and maintained in accordance with the manufacturer's instructions.

Reason: To protect the amenity of nearby residents

- 25 Within six months of commencement of development, details of any external lighting shall be

submitted to and approved in writing by the Local Planning Authority prior the installation of the lighting. This shall include details of the lighting fixtures, luminance levels within and adjoining the site. The lighting shall not unduly spill onto the Wealdstone Brook. The lighting shall not be installed other than in accordance with the approved details.

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

- 26 Notwithstanding the details hereby approved, further details of the ground floor cycle parking shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the residential component of the development. The details shall show an acceptable level of compliance with London Cycling Design Standards (LCDS).

The approved details shall thereafter be implemented prior to first occupation of the residential component of the development and thereafter maintained for the lifetime of the development.

Reason: To ensure the development is fit for purpose and is suitably encouraging of sustainable transport modes.

- 27 Prior to occupation of the development hereby approved, a parking design and management plan be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter operate in accordance with the approved parking design and management plan.

Reason: To ensure the development provides a safe and efficient environment in respect of pedestrian and vehicular movement across and within the site.

- 28 Prior to occupation of the development hereby approved, a refuse management plan be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter operate in accordance with the approved refuse management plan

Reason: To ensure the development provides suitable waste facilities.

- 29 Prior to occupation of the development hereby approved, a delivery and servicing plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter operate in accordance with the approved delivery and servicing plan.

Reason: To ensure the development provides a safe and efficient environment in respect of the interplay between pedestrians and delivery/servicing vehicles.

- 30 Prior to the commencement of the residential use hereby approved, the applicant shall submit to and have approved in writing by the Local Planning Authority details of all domestic boilers installed demonstrating that the rated emissions of Oxides of Nitrogen (NOx) do not exceed 30 mg/kWh.

Reason: To protect local air quality.

- 31 Notwithstanding the details hereby approved, the noise impact assessment (prepared by KP Acoustics, dated January 2019) ref: 18402.NIA.02 Rev A shall be updated to consider the implications of noise impact when music concerts are taking place at Wembley Stadium. The updated noise impact assessment shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved.

All of the mitigation measures set out within the original version of this report, as well as any additional measures set out within the revised approved report, shall be implemented in full prior to first occupation of the development hereby approved.

Reason: To ensure the development appropriately mitigates noise impact for future residents.

- 32 Within six months of the commencement of the development, a scheme for the provision and management of the 8 metre wide 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 and any subsequent amendments shall be agreed in writing with the Local Planning Authority in consultation with the Environment Agency where relevant.

Aside from the structural works relating to the new residential block at the rear, the buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The scheme shall include, but not be limited to:

- plans showing the extent and layout of the buffer zone
- details of any proposed planting scheme (for example demonstrating native species)
- details demonstrating how the buffer zone will be managed after the development has come into use
- details of any proposed footpaths, fencing, lighting, etc.

Reason: Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. This Condition is required to ensure the protection of wildlife and supporting habitat, and to secure opportunities for enhancing the site's nature conservation value in line with national planning policy and Policy DMP 9 of the London Borough of Brent Local Plan November 2016.

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 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 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 The Environment Agency advises the applicant of the following:

Water Framework Directive (WFD) mitigation

The Thames river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote their recovery. We have concerns regarding the proposal's ecological impact as the development will extend the lifespan of the existing building and reduce future opportunities for opening up the culvert. This may prevent a water body quality element from attaining good status or potential in the Wealdstone Brook. We recommend the applicant completes a WFD assessment

This can be mitigated for through the implementation of WFD actions specific to this stretch of the Wealdstone Brook, with one such action being to improve fish passage downstream from

Woodcock Park. The weir immediately downstream of the culvert does fall within the red-line boundary of the development and has been identified as an impounding structure. Consideration should be given for the weir to be modified or removed to provide improved fish passage.

Surface water misconnections

There are additional WFD actions to investigate and rectify surface water misconnections into the Wealdstone Brook. We advise the applicant ensures as part of this development that any such misconnections located within the site are identified and rectified prior to the development coming into use.

Flood Risk Activity Permit

Under the terms of the Environmental Permitting Regulations a Flood Risk Activity Permit is required from the Environment Agency for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the Wealdstone Brook, designated as a 'main river'. Details of lower risk activities that may be Excluded or

Exempt from the Permitting Regulations can be found at www.gov.uk/guidance/flood-risk-activities-environmental-permits. Please contact us at PSO-Thames@environment-agency.gov.uk for more information.

- 5 The applicant is advised of the following by Thames Water:

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via https://urldefense.proofpoint.com/v2/url?u=http-3A__www.thameswater.co.uk_wastewaterquality&d=DwIFAw&c=OMjwGp47Ad5otWlO__lpOg&r=G_hzVvySAkixNxE_J_EjNJR_FDWFjexJLES8DRQ06qKk&m=MIDbTp00m_5IUe_fNMwwmISw7_-nGg_L6dJ4DHsN7Sc&s=P5S5DyOjsv n7gs6sl0Uz1Hjd72rOUmdRE1sMLQpAWmQ&e=.

- 6 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.
- 7 The Council recommends that the maximum standards for fire safety are achieved within the development.

Any person wishing to inspect the above papers should contact Toby Huntingford, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1903