



## Supplementary Planning Committee

**Wednesday 11 May 2016 at 7.00 pm**

Conference Hall - Brent Civic Centre, Engineers Way,  
Wembley, HA9 0FJ

### Membership:

#### Members

Councillors:

Marquis (Chair)  
Agha (Vice-Chair)  
S Choudhary  
Colacicco  
Ezeajughi  
Mahmood  
Maurice  
M Patel

#### Substitute Members

Councillors:

Chohan, A Choudry, Hoda-Benn, Hylton, Khan  
and W Mitchell Murray

Councillors

Colwill and Kansagra

**For further information contact:** Joe Kwateng, Democratic Services Officer  
020 8937 1354; [joe.kwateng@brent.gov.uk](mailto:joe.kwateng@brent.gov.uk)

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**The press and public are welcome to attend this meeting**

**Members' briefing will take place at 6.00pm in Boardrooms 7 and 8**

# Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

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5. Former VDC and Careys site, South Way, Wembley, HA9 OHX (Ref. 15/5615)	Tokynghon	7 - 8
6. The Junction Wembley Retail Park, Engineers Way, Wembley, HA9 0EG (Ref. 16/1024)	Tokynghon	9 - 10
7. Land Surrounding Wembley Stadium Station, South Way, Wembley (Ref. 14/4931)	Tokynghon	11 - 14

## Agenda Item 03

### Supplementary Information Planning Committee on 11 May, 2016

Case No. 15/3599

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Location	Red House building, South Way, Land and Pedestrian walkway between South Way and Royal Route, Wembley Park Boulevard, Wembley
Description	A hybrid planning application for the redevelopment of the site including:- a) Full planning permission for the demolition of existing building and erection of a 13-storey building comprising a 312-bed hotel (Use Class C1) with ancillary and/or ground uses including a restaurant, bar, offices and gym (Use Classes A1-A4/B1 and/or D2) (referred to as Plot W11), on-site cycle parking and b) Outline planning permission for the demolition of existing building (The Red House, South Way) and erection of a 4-storey building comprising 1610sqm of and/or A1-A4/B1/D1 and D2 uses, with all matters reserved (referred to as Plot W12) and new pedestrian boulevard (outline). with associated service yard, landscaping and infrastructure works (as amended).

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#### **Committee report inaccuracies / points for clarification:**

On page 16, paragraph 8 the final sentence should be amended from 'southern' to 'western'.

On page 22, in relation to the 'Further analysis on pedestrian movement is required' point Members should note the response column, and be aware that pedestrian flow counts have been taken during a major stadium event in March 2016 (as discussed within the main report).

In paragraph 44 of the main report it confirms that new footways will be provided adjacent to South Way, and that these will be secured through s38/278 agreements. These are required to be provided at a width of 2.4 - 2.5m. It is recommended that this requirement is reinforced by way of an Informative, to support condition 28.

#### **Interim Boulevard width:**

Following consideration of this application at the 13 January 2016 meeting it was confirmed that there has been further discussion by officers with the Event Safety Team and the Safety Advisory Group (SAG) for Wembley National Stadium. The discussion, and further advice provided related to the proposal to reduce the width of the existing boulevard for a temporary period, to allow for construction to take place.

The Event Safety Team commented previously that based on crowd flow details that had been provided (from a major stadium event in March 2015), the reduced width to 6m appears to be sufficient providing a number of key details are secured through condition. The safety team did highlight previously that the assessment only related to one event, and that further assessment would be welcomed. Subsequent to this the applicant has carried out further assessment of pedestrian crowd flow, relating to a major stadium event in March 2016. The details of which, the methodology and the findings are set out in detail in paragraph's 4 - 9 on page 17 of the main report.

In relation to the interim width and in view of the further assessment and its findings, the Event Safety Team has confirmed that they would have no further comments, except that any fencing / hoarding separating the construction areas from the pedestrian route must be secure, and at least 2.4m high to prevent persons from climbing over it. It is recommended that an additional condition be added to secure this.

The Event Safety Team has confirmed that the interim boulevard width has not been considered further by the SAG following deferral of this application at Committee in January 2016.

If planning permission was to be granted, the interim width of the boulevard during construction could be subject to the submission of details to be approved in writing by the Council prior to the commencement of any works and this condition could prevent any narrowing if those details had not been approved.

#### **Interim Boulevard width and emerging context:**

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During the site visit, members discussed the space between the proposed hotel and plot W10 within the Masterplan application (reference 15/5550), raising concern regarding the potential sense of enclosure of the Boulevard that may occur due to the height and proximity of the hotel and the proposed building within Plot W10 of the Masterplan application. The respective buildings are a minimum of 23m apart at ground level and 29m at upper floor level, and officers consider this to provide a sufficiently wide and open space within the southern section of the boulevard. However, if any amendment is sought to the width of the space between these buildings, this would be best captured through the Masterplan application, within which Plot W10 has been submitted in outline. The proposed hotel building within this application has been submitted in full detail.

**Community facilities / social infrastructure:**

The applicant has confirmed that space for a GP practice is intended to be provided within Plot W12, which is part of the outline element to this application.

**Updated views / CGI's:**

The applicant is providing updated views from the boulevard, and plans to show the proposal in its wider context, including the proposed development on the MG House site and wider development proposed and envisaged in the Wembley Regeneration Area.

These will be presented at the Committee meeting.

**Recommendation: To delegate authority to the Head of Planning or other duty authorised person to grant planning permission, subject to the Stage 2 referral to the Mayor of London, and subject to the conditions set out in the Draft Decision Notice.**

**However, if members are minded to refuse planning permission, draft reasons for refusal are set out within the main report.**

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## Agenda Item 04

### Supplementary Information Planning Committee on 11 May, 2016

Case No. 15/5550

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Location	Olympic Way and land between Fulton Road and South Way including Green Car Park, Wembley Retail Park, 1-11 Rutherford Way, 20-28 Fulton Road, Land south of Fulton Road opposite Stadium Retail Park, land opposite Wembley Hilton, land opposite London Design
Description	Hybrid planning application, accompanied by an Environmental Impact Assessment, for the redevelopment of the site including:-  Full planning permission for erection of a 10-storey car park to the east of the Stadium comprising 1,816 car parking spaces of which 1,642 are for non-residential purposes, up to 82 coach parking spaces and associated infrastructure, landscaping and vehicular access.  And  Outline application for the demolition of existing buildings on site and the provision of up to 420,000 sqm (gross external area) of new floorspace within a series of buildings comprising: <ul style="list-style-type: none"><li>• Retail/financial and professional services/food and drink (Use Class A1 to A4) up to 21,000 sqm;</li><li>• Commercial (Use Class B1) up to 82,000 sqm;</li><li>• Hotel (Use Class C1): up to 25,000 sqm;</li><li>• Residential (Use Class C3): up to 350,000 sqm (up to 4,000 homes) plus up to 20,000 sqm of floorspace for internal plant, refuse, cycle stores, residential lobbies, circulation and other residential ancillary space;</li><li>• Education, healthcare and community facilities (Use Class D1): up to 15,000 sqm;</li><li>• Assembly and leisure (Use Class D2): 23,000 sqm;</li><li>• Student accommodation (Sui Generis): Up to 90,000 sqm.</li></ul> And associated open space (including a new public park) and landscaping; car and coach parking (including up to 55,000 sqm of residential parking and 80,000 sqm non-residential parking) and cycle storage; pedestrian, cycle and vehicular accesses; associated highway works; and associated infrastructure including water attenuation tanks, an energy centre and the diversion of any utilities and services to accommodate the development.

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#### Network Rail and Chiltern Railways

Section 106 contributions were requested by Network Rail and Chiltern Railways. They have specified that they expect the proposals set out within the South West Lands application (reference 14/4931) and the Masterplan application (reference 15/5550) to result in a significant increase in demand at the station and have requested contributions towards station improvements, including two platform shelters, two customer information screens and covers for the stairs to the platforms totalling either £674,000 or £1.054 million depending on whether 2 or 4 station platforms are provided.

The applicant has responded, setting out information presented in the Transport Assessments for the respective applications. They highlight that the Masterplan Proposals result in a net reduction in the number of trips when compared to the extant consent, with reductions in 48 to 59 trips (per train) expected. The applicant specifies that they didn't compare the trips within the current South West Lands proposals with those in the extant consent for that site as the South West Lands proposals only expected to result in an increase of less than 10 trips per train per hour during peak hours.

Officers consider that the Section 106 contributions sought by Chiltern Railways and Network Rail are not required to make the development acceptable in planning terms and therefore would fail the tests set out within paragraph 204 of the National Planning Policy Framework and Paragraph 122 of the Community Infrastructure Regulations 2010, as amended.

It should be noted that a condition was attached to the extant consent relating to the South West Lands site which secured the provision of station facilities. This condition has been recommended to be attached to the South West Land consent, if approved (reference 14/4931)

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### **Letters received from the applicant**

The applicant has submitted a number of letters which set out rebuttals to the matters raised by or on behalf of WNSL / The FA. These letters do not provide new information, and the original submission documents, together with Appendix K, continue to be the relevant documents supporting this proposal. As such, the letters have not been discussed in detail within this Supplementary Report.

### **Additional letter received from Nathaniel Lichfield & Partners (NLP) on behalf of WNSL / The FA**

NLP have specified that a significant amount of new information was submitted to Brent Council by the applicant on 9 May, only 48 hours before committee, including specialist responses on noise, transport and planning issues. They specify that WNSL as well as Brent Council need further time to review the detail submitted that appears to relate to the impact on the operation and safety of Wembley Stadium.

Information has been submitted to the Council. This information has been submitted by the applicant as a rebuttal to the letters submitted by WNSL and their consultants. It does not provide new information. The Council's consideration of the proposal is based on the information originally submitted to support the information together with Appendix K which was submitted subsequently, with further consultation carried out. The submission of the rebuttal letters is not considered to trigger the requirement for additional consultation.

### **Heritage**

The committee report only briefly discusses the potential effects on the Grade II listed Wembley Arena and officers consider it beneficial to provide additional information within the supplementary report. The Townscape Assessment evaluates views to and the setting of this heritage asset within a number of views. It concludes that the proposal will result in beneficial effect on this heritage asset, maintaining views to the listed building and enhancing its setting. Officers agree with the findings within the townscape assessment, and consider that the proposal will have a positive effect on the views to and the setting of the listed building. The proposal is considered to accord with the relevant paragraphs within the NPPF and NPPG with regard to the effect on heritage assets.

### **Equalities**

The letter from Clive Betts MP questioned whether an equalities impact assessment will be undertaken when referring to the time disabled fans would take to get to the Blue Car Park. The response within the report discussed access and egress to the Blue Car Park, but did not confirm whether an equalities assessment was undertaken.

Policy 7.2 of the London Plan sets out the need to ensure that the principles of accessible and inclusive design are incorporated into developments. It specifies that Design and Access Statements should explain how, following engagement with the relevant user groups, the principles of inclusive design have been integrated into the development. The Mayor's SPG, Accessible London, provides guidance on how that policy should be interpreted within development proposals to achieve an inclusive and accessible environment. The Design and Access statement submitted with this development sets out how such principles will be incorporated within the proposed development, including the principles by which buildings and spaces will be designed to maximise their inclusivity. Brent officers consider that the submission demonstrates that the proposal complies with the Mayor's policies and guidance. This has also been confirmed by the GLA within their Stage 1 response.

### **Material compliance with the development plan and the assessment of likely significant environmental effects**

The submission looks to demonstrate compliance with the above policies Brent and Mayoral policy and guidance, the National Planning Policy Framework and National Planning Policy Guidance. It is accompanied by an Environmental Statement to assess the likely significant environmental effects of the development in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

The submission is considered to demonstrate compliance in relation to the residual effects (effects associated with the individual topics considered within the Environmental Statement) together with the cumulative effects of the development, including both the combined effects of individual tops and the interaction of the development with other major development within the area.

The majority of residual effects are beneficial or negligible. Where adverse effects are anticipated, mitigation is proposed to address those effects. Mitigation is not proposed in relation to the potential impact on Underground/Overground and National Rail services. However, the level of effect is Minor and officers consider that it is not necessary to secure mitigation in this instance. With regard to cumulative impacts, the assessment indicates that some local receptors will experience adverse effects, particularly during

construction. However, mitigation is proposed to reduce the level of impact to moderate adverse. During the operational phase effects are not expected to be worse than minor adverse with mitigation. However, during this phase, there are many beneficial effects so overall, the cumulative effect is considered to range from minor to moderate beneficial.

As discussed in the main report, officers have evaluated the material planning considerations in relation to the proposed development and consider that submission demonstrates compliance with the Brent and Mayoral policy and guidance together with the National Planning Policy Framework and National Planning Policy Guidance subject to the conditions and section 106 obligations set out in the reports. Officers consider that such compliance with achieved in relation to the individual considerations and in relation to the development as a whole. Officers also consider that the application is accompanied by a robust assessment of the likely significant environmental effects and that it demonstrates that adverse effects will be appropriately mitigated where necessary.

**Additional condition**

Officers recommend that an additional condition is attached which specifies that applications for the approval of Reserved Matters relating to plots that include residential floorspace (Use Class C3) shall demonstrate that the following design standards are met for the residential development to ensure that a good standard of residential accommodation is provided:

- That there are no more than 8 units provided per core per floor;
- That floor to ceiling height are a minimum of 2.5 m;
- That no studio units shall have a sole aspect;
- That all habitable have adequate ventilation, privacy and daylight;

**Amendment to various condition**

A number of conditions set out in the draft decision notice include “unless otherwise agreed in writing by the Local Planning Authority”. It is recommended that these conditions are amended in the following way: This text is omitted from conditions 5, 6, 8, 16, 19, 22, 26, 29, 36

Condition 7 – rooms of student accommodation	Replace with “unless an alternative number of rooms is submitted to and approved in writing by the Local Planning Authority, such amount not to exceed the proportion of student accommodation set out within Policy WEM 23 of the Wembley Area Action Plan 2015 or the maximum floorspace set out within the description of development.
Condition 9 and 10, delivery of Southern Boulevard and works to Royal Route	Replace with “unless a programme of works has been submitted to and approved in writing by the Local Planning Authority and the works are completed in full accordance with that programme”.
Condition 11: Residential car parking restriction in plots E01, E02 and E05	Replace with “unless details of alternative accesses that do not conflict with stadium vehicular or crowd flows have been submitted to and approved in writing by the Local Planning Authority and those details have been implemented in full”.

**Amendment to condition 8**

A minor amendment to condition 8 is recommended. This condition currently requires rooms to be occupied by Students for a minimum period of 39 weeks and could be interpreted as requiring the students to remain in their rooms throughout this period. It is recommended that the condition is amended to refer to the rooms “not being occupied for a period of more than 13 weeks in any year other than by Students”.

**Amendment to recommendation**

Officers request the recommendation is amended  
 From: “To resolve to grant planning permission, subject to...”  
 To: “To delegate authority to the Head of Planning or other duly authorised person to grant permission, subject to....”

**Other minor matter**

The Technical Guidance to the NPPF has been referred to on page 65, but this has been cancelled.

**Recommendation:** To delegate authority to the Head of Planning or other duly authorised person to grant permission, subject to the Stage 2 referral to the Mayor of London and subject to the completion of a

satisfactory Section 106 or other legal agreement and to delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Chief Legal Officer, and subject to the conditions set out in the Draft Decision Notice, an additional condition regarding design standards and amendments to conditions 5, 6, 7, 8, 9, 10, 11, 16, 19, 22, 26, 29 and 36 as discussed above.

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## Agenda Item 05

### Supplementary Information Planning Committee on 11 May, 2016

Case No. 15/5615

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Location	Former VDC and Careys site, South Way, Wembley, HA9 OHX
Description	Erection of building, associated hard and soft landscaping and other associated works and access to provide a dual level coach and car parking facility with a capacity of up to 290 coaches

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#### **Response to GLA design comments and additional condition**

In order to respond to matters raised by the GLA, applicant has confirmed that they are happy to explore the further articulation of the Core 4 northern and eastern facades, the core 5 northern and eastern facades and the edge of the car park between cores 4 and 5 at the first floor level. A condition is recommended requiring further details of façade treatment within these areas in the interest of the appearance of the building.

#### **Additional comment from Careys**

An additional letter has been received from Careys, who own and occupy the site directly to the east of the application site. They specify that they are willing to withdraw their previous objection providing the applicant is prevented from installing ventilation (passive or mechanical) within the eastern elevation where it abuts Careys land. They specify wording for a potential condition regarding this.

The applicant proposes a solid wall facing the Careys site which would result in any emissions from vehicles on the lower deck being directed to the north or south rather than the east. Vehicles on the upper deck are in the open air and any emissions will be dispersed by the wind.

#### Additional condition

Officers consider it appropriate to require the approval of details of any extract systems or fans prior to the installation of such equipment to ensure that noise levels and the direction of those fans can be controlled, in the interest of amenities of any sensitive uses, but having regard to the nature of the site, which is within a designated Strategic Industrial Location.

#### **Letters received from the applicant**

The applicant has submitted a number of letters which set out rebuttals to the matters raised by or on behalf of WNSL / The FA. These letters do not provide new information, and the original submission documents, together with Appendix K, continue to be the relevant documents supporting this proposal. As such, the letters have not been discussed in detail within this Supplementary Report.

#### **Additional letter received from Nathaniel Lichfield & Partners (NLP) on behalf of WNSL / The FA**

NLP have specified that a significant amount of new information was submitted to Brent Council by the applicant on 9 May, only 48 hours before committee, including specialist responses on noise, transport and planning issues. They specify that WNSL as well as Brent Council need further time to review the detail submitted that appears to relate to the impact on the operation and safety of Wembley Stadium.

Information has been submitted to the Council. This information has been submitted by the applicant as a rebuttal to the letters submitted by WNSL and their consultants. It does not provide new information. The Council's consideration of the proposal is based on the information originally submitted to support the information together with Appendix K which was submitted subsequently, with further consultation carried out. The submission of the rebuttal letters is not considered to trigger the requirement for additional consultation.

#### **Other matters**

There are no heritage assets in proximity to the proposed development, and the proposed development does not affect the setting of any heritage assets.

It is recommended that "unless otherwise agreed in writing by the Local Planning Authority is removed from conditions 3, 5 and 9.

Condition 13 (verification report) refers to the remediation scheme approved pursuant to condition 11. This

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should refer to condition 12 rather than 11 and it is recommend that this conditions is amended.

Revised wording for recommendation

It is recommended that the wording of the recommendation is amended to replace:

“To resolve to grant panning permission, subject to...”

with “To delegate authority to the Head of Planning or other duty authorised person to grant planning permission, subject to...”.

**Recommendation:** To delegate authority to the Head of Planning or other duty authorised person to grant planning permission, subject to the Stage 2 referral to the Mayor of London and subject to the completion of a satisfactory Section 106 or other legal agreement and to delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Chief Legal Officer, and subject to the conditions set out in the Draft Decision Notice, with an additional condition regarding extract systems or fans, and amendments to conditions 3, 5, 9 and 13 as set out within this supplementary report.

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## Agenda Item 06

### Supplementary Information Planning Committee on 11 May, 2016

Case No. 16/1024

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Location	The Junction Wembley Retail Park, Engineers Way, Wembley, HA9 0EG
Description	Use of the land for the provision of car and/or coach/mini bus parking for up to 1,312 cars; or 472 cars and 220 coaches and/or minibuses, or combination thereof, and associated hard and soft landscaping and infrastructure including lamp posts

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#### Letters received from the applicant

The applicant has submitted a number of letters which set out rebuttals to the matters raised by or on behalf of WNSL / The FA. These letters do not provide new information, and the original submission documents, together with Appendix K, continue to be the relevant documents supporting this proposal. As such, the letters have not been discussed in detail within this Supplementary Report.

#### Additional letter received from Nathaniel Lichfield & Partners (NLP) on behalf of WNSL / The FA

NLP have specified that a significant amount of new information was submitted to Brent Council by the applicant on 9 May, only 48 hours before committee, including specialist responses on noise, transport and planning issues. They specify that WNSL as well as Brent Council need further time to review the detail submitted that appears to relate to the impact on the operation and safety of Wembley Stadium.

Information has been submitted to the Council. This information has been submitted by the applicant as a rebuttal to the letters submitted by WNSL and their consultants. It does not provide new information. The Council's consideration of the proposal is based on the information originally submitted to support the information together with Appendix K which was submitted subsequently, with further consultation carried out. The submission of the rebuttal letters is not considered to trigger the requirement for additional consultation.

#### Heritage

The committee report only briefly discusses the potential effects on the Grade II listed Wembley Arena, setting out the distance to that heritage asset. The proposed hardsurfacing, erection of lighting columns, planting and associated works are not considered to have a material or detrimental impact on this heritage asset. The proposal maintains views to the Wembley Arena and does not adversely affect its setting. The proposal is considered to accord with the relevant paragraphs within the NPPF and NPPG with regard to the effect on heritage assets.

#### Equalities

Policy 7.2 of the London Plan sets out the need to ensure that the principles of accessible and inclusive design are incorporated into developments. It specifies that Design and Access Statements should explain how, following engagement with the relevant user groups, the principles of inclusive design have been integrated into the development. The Mayor's SPG, Accessible London, provides guidance on how that policy should be interpreted within development proposals to achieve an inclusive and accessible environment. The Design and Access statement and TA submitted with this development sets out how such principles will be incorporated within the proposed development. Given the nature of the proposal, this primarily relates to the location of disabled parking spaces and access between those spaces and the Stadium. It sets out the way by which such parking will be directed to the closest locations where possible and arrangements where disabled parking cannot be provided in those locations. These matters have been discussed in detail within the main committee report. Brent officers consider that that the submission demonstrates that the proposal complies with the Mayor's policies and guidance.

#### Material compliance with the development plan

As discussed in the main report, officers have evaluated the material planning considerations in relation to the proposed development and consider that submission demonstrates compliance with the Brent and Mayoral policy and guidance together with the National Planning Policy Framework and National Planning Policy Guidance subject to the conditions set out in the committee report and supplementary report.

#### Other matters

It is recommended that "unless otherwise agreed in writing by the Local Planning Authority" is removed from

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conditions 5 and 7.

Revised wording for recommendation

It is recommended that the wording of the recommendation is amended to replace:

“To resolve to grant planning permission, subject to...”

with “To delegate authority to the Head of Planning or other duty authorised person to grant planning permission, subject to...”.

**Recommendation:** To delegate authority to the Head of Planning or other duty authorised person to grant planning permission, subject to the Stage 2 referral to the Mayor of London, and subject to the conditions set out in the Draft Decision Notice, with amendments to conditions 5 and 7 as set out within this supplementary report.

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## Agenda Item 07

### Supplementary Information Planning Committee on 11 May, 2016

Case No. 14/4931

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Location	Land Surrounding Wembley Stadium Station, South Way, Wembley
Description	<p>A hybrid planning application, for the redevelopment of the site to provide seven mixed use buildings up to 19 storeys in height accommodating:</p> <ul style="list-style-type: none"><li>• outline planning permission for up to a total of 75,000sqm to 85,000sqm mixed floor space including up to 67,000sqm of C3 residential accommodation (approximately 725 units); 8,000sqm to 14,000sqm for additional C3 residential accommodation, C1 hotel and/or sui generis student accommodation (an additional approximate 125 residential units; or 200-250 bed hotel; or approximate 500 student units; or approximate 35 residential units and 200 bed hotel); 1,500sqm to 3,000sqm for Classes B1/A1/A2/A3/A4/D1/D2; together with associated open space and landscaping; car parking, cycle storage, pedestrian, cycle and vehicle access; associated highway works; improvements to rear access to Neeld Parade; and associated infrastructure</li><li>• full planning permission for a basement beneath Plots SW03 - SW05 to accommodate 158 car parking spaces and 9 motor cycle spaces; Building 3A within Plot SW03 to accommodate 188 residential units and 150 cycle spaces; and associated infrastructure, landscaping, open space, vehicular access and servicing</li></ul>

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#### Network Rail and Chiltern Railways

Section 106 contributions were requested by Network Rail and Chiltern Railways. They have specified that they expect the proposals set out within the South West Lands application (reference 14/4931) and the Masterplan application (reference 15/5550) to result in a significant increase in demand at the station and have requested contributions towards station improvements, including two platform shelters, two customer information screens and covers for the stairs to the platforms totalling either £674,000 or £1.054 million depending on whether 2 or 4 station platforms are provided.

The applicant has responded, setting out information presented in the Transport Assessments for the respective applications. They highlight that the Masterplan Proposals result in a net reduction in the number of trips when compared to the extant consent, with reductions in 48 to 59 trips (per train) expected. The applicant specifies that they didn't compare the trips within the current South West Lands proposals with those in the extant consent for that site as the South West Lands proposals only expected to result in an increase of less than 10 trips per train per hour during peak hours.

Officers consider that the Section 106 contributions sought by Chiltern Railways and Network Rail are not required to make the development acceptable in planning terms and therefore would fail the tests set out within paragraph 204 of the National Planning Policy Framework and Paragraph 122 of the Community Infrastructure Regulations 2010, as amended.

It should be noted that a condition was attached to the extant consent relating to the South West Lands site which secured the provision of station facilities. This condition has been recommended to be attached to the South West Land consent, if approved (reference 14/4931)

#### Letters received from the applicant

The applicant has submitted a number of letters which set out rebuttals to the matters raised by or on behalf of WNSL / The FA. These letters do not provide new information, and the original submission documents, together with Appendix K, continue to be the relevant documents supporting this proposal. As such, the letters have not been discussed in detail within this Supplementary Report.

#### Additional letter received from Nathaniel Lichfield & Partners (NLP) on behalf of WNSL / The FA

NLP have specified that a significant amount of new information was submitted to Brent Council by the applicant on 9 May, only 48 hours before committee, including specialist responses on noise, transport and

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planning issues. They specify that WNSL as well as Brent Council need further time to review the detail submitted that appears to relate to the impact on the operation and safety of Wembley Stadium.

Information has been submitted to the Council. This information has been submitted by the applicant as a rebuttal to the letters submitted by WNSL and their consultants. It does not provide new information. The Council’s consideration of the proposal is based on the information originally submitted to support the information together with Appendix K which was submitted subsequently, with further consultation carried out. The submission of the rebuttal letters is not considered to trigger the requirement for additional consultation.

**Heritage**

The townscape assessment discusses two conservation areas (Wembley High Street and Barn Hill) and the Grade II Listed Wembley Arena. The assessment evaluates the potential impact on these heritage assets with regard to views to the assets and the setting of those assets. It does not identify any adverse impacts on those assets. Officers consider the assessment to be robust, and agree that the proposed development will not have an adverse impact on any heritage assets. The proposal is considered to accord with the relevant paragraphs within the NPPF and NPPG with regard to the effect on heritage assets.

**Equalities**

Policy 7.2 of the London Plan sets out the need to ensure that the principles of accessible and inclusive design are incorporated into developments. It specifies that Design and Access Statements should explain how, following engagement with the relevant user groups, the principles of inclusive design have been integrated into the development. The Mayor’s SPG, Accessible London, provides guidance on how that policy should be interpreted within development proposals to achieve an inclusive and accessible environment. The Design and Access statement submitted with this development sets out how such principles will be incorporated within the proposed development, including the principles by which buildings and spaces will be designed to maximise their inclusivity. Brent officers consider that the submission demonstrates that the proposal complies with the Mayor’s policies and guidance.

**Material compliance with the development plan and the assessment of likely significant environmental effects**

The submission looks to demonstrate compliance with the above policies Brent and Mayoral policy and guidance, the National Planning Policy Framework and National Planning Policy Guidance. It is accompanied by an Environmental Statement to assess the likely significant environmental effects of the development in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

The submission is considered to demonstrate compliance in relation to the residual effects (effects associated with the individual topics considered within the Environmental Statement) together with the cumulative effects of the development, including both the combined effects of individual tops and the interaction of the development with other major development within the area.

The majority of residual effects are beneficial or negligible. Some adverse effects are anticipated during construction. However, mitigation is proposed to address those effects. Mitigation is not proposed in relation to the potential cumulative impact on public transport (buses, Underground/Overground and National Rail services). However, the level of effect is Minor and officers consider that it is not necessary to secure mitigation in this instance. Mitigation is proposed for other cumulative adverse impacts, and the majority of cumulative impacts are negligible or beneficial.

As discussed in the main report, officers have evaluated the material planning considerations in relation to the proposed development and consider that submission demonstrates compliance with the Brent and Mayoral policy and guidance together with the National Planning Policy Framework and National Planning Policy Guidance subject to the conditions and section 106 obligations set out in the reports. Officers consider that such compliance with achieved in relation to the individual considerations and in relation to the development as a whole. Officers also consider that the application is accompanied by a robust assessment of the likely significant environmental effects and that it demonstrates that adverse effects will be appropriately mitigated where necessary.

**Amendments to various condition**

A number of conditions set out in the draft decision notice include “unless otherwise agreed in writing by the Local Planning Authority”. It is recommended that these conditions are amended in the following way: This text is omitted from conditions 5, 14 and 30

Condition 7 – rooms of student	Replace with “unless an alternative number of rooms is submitted to and approved in writing by the Local Planning Authority, such amount not to exceed the proportion of student accommodation
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accommodation	set out within Policy WEM 23 of the Wembley Area Action Plan 2015 or the maximum floorspace set out within the description of development.
Condition 16 Railway facilities	Replace with “unless alternative facilities or an alternative location are submitted to and approved in writing by the Local Planning Authority in consultation with the relevant Railway Undertaker”

**Amendment to condition 8**

A minor amendment to condition 8 is recommended. This condition currently requires rooms to be occupied by Students for a minimum period of 39 weeks and could be interpreted as requiring the students to remain in their rooms throughout this period. It is recommended that the condition is amended to refer to the rooms “not being occupied for a period of more than 13 weeks in any year other than by Students”.

**Amendment to condition 9**

Condition 9 refers to the Station / Railways facilities required by condition 12. This should refer to condition 16 and condition 9 should accordingly be amended.

**Amendment to recommendation**

Officers request the recommendation is amended

From: “To resolve to grant planning permission, subject to...”

To: “To delegate authority to the Head of Planning or other duly authorised person to grant permission, subject to...”

**Other minor matter**

The Technical Guidance to the NPPF has been referred to on page 201, but this has been cancelled.

**Recommendation:** To delegate authority to the Head of Planning or other duly authorised person to grant permission, subject to the Stage 2 referral to the Mayor of London and subject to the completion of a satisfactory Section 106 or other legal agreement and to delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Chief Legal Officer, and subject to the conditions set out in the Draft Decision Notice, and amendments to conditions 5, 7, 8, 9, 14, 16 and 30 as discussed above.

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