



## Planning Committee

**Wednesday 13 January 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)

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:

**[democracy.brent.gov.uk](http://democracy.brent.gov.uk)**

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

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**Members' briefing will take place at 5.30pm in Boardrooms 7 and 8**

# Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM	WARD	PAGE
1. Declarations of personal and prejudicial interests Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.		
2. Minutes of the previous meeting (to follow)		
<b>Extract of Planning Code of Practice</b>		
<b>APPLICATIONS DEFERRED FROM THE PREVIOUS MEETING</b>		
3. Lycee International De Londres, 54 Forty Lane, Wembley, HA9 9LY (Ref. 15/4140)	Barnhill	5 - 34
4. Lycee International De Londres, 54 Forty Lane, Wembley, HA9 9LY (Ref. 15/4141)	Barnhill	35 - 56
5. Red House building, South Way, Land and Pedestrian walkway between South Way and Royal Route, Wembley Park Boulevard, Wembley (Ref.15/3599)	Tokyngham	57 - 94
<b>SOUTHERN AREA</b>		
6. ROUNDWOOD PARK, Harlesden Road, London NW10 (Ref. 15/3572)	Willesden Green	95-106
7. 124A - 124E INC Purves Road, London, NW10 5TB (Ref. 15/4571)	Kensal Green	107-116
8. Former Manor School, 3-7 The Avenue, London, NW6 7YG (Ref. 15/3616)	Brondesbury Park	117-140
9. Any Other Urgent Business Notice of items to be raised under this heading must be given in writing to the Head of Executive and Member Services or his representative before the meeting in accordance with Standing Order 64.		

Site Visit - 9 January 2016

## SITE VISITS – SATURDAY 9 JANUARY 2016

Members are reminded that the coach leaves the Civic Centre at **9.30am**

	ADDRESS	ITEM	WARD	TIME	PAGE
15/3572	124A - 124E INC Purves Road, London, NW10 5TB	6	Willesden Green	9:50	95-106
15/4571	124A - 124E INC Purves Road, London, NW10 5TB	7	Kensal Green	10:20	107-116
15/3616	Former Manor School, 3-7 The Avenue, London, NW6 7YG	8	Bondesbury Park	10:50	117-140

**Date of the next meeting: Tuesday 26 January 2016**

As that meeting will consider reports on policy issues, there will be no prior site visits.



Please remember to switch your mobile phone to silent during the meeting.

- The Conference Hall is accessible by lift and seats will be provided for members of the public on a first come first served principle.

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## **EXTRACT OF THE PLANNING CODE OF PRACTICE**

### **Purpose of this Code**

The Planning Code of Practice has been adopted by Brent Council to regulate the performance of its planning function. Its major objectives are to guide Members and officers of the Council in dealing with planning related matters and to inform potential developers and the public generally of the standards adopted by the Council in the exercise of its planning powers. The Planning Code of Practice is in addition to the Brent Members Code of Conduct adopted by the Council under the provisions of the Local Government Act 2000. The provisions of this code are designed to ensure that planning decisions are taken on proper planning grounds, are applied in a consistent and open manner and that Members making such decisions are, and are perceived as being, accountable for those decisions. Extracts from the Code and the Standing Orders are reproduced below as a reminder of their content.

### **Accountability and Interests**

4. If an approach is made to a Member of the Planning Committee from an applicant or agent or other interested party in relation to a particular planning application or any matter which may give rise to a planning application, the Member shall:
  - a) inform the person making such an approach that such matters should be addressed to officers or to Members who are not Members of the Planning Committee;
  - b) disclose the fact and nature of such an approach at any meeting of the Planning Committee where the planning application or matter in question is considered.
7. If the Chair decides to allow a non-member of the Committee to speak, the non-member shall state the reason for wishing to speak. Such a Member shall disclose the fact he/she has been in contact with the applicant, agent or interested party if this be the case.
8. When the circumstances of any elected Member are such that they have
  - (i) a personal interest in any planning application or other matter, then the Member, if present, shall declare a personal interest at any meeting where the particular application or other matter is considered, and if the interest is also a prejudicial interest shall withdraw from the room where the meeting is being held and not take part in the discussion or vote on the application or other matter.
11. If any Member of the Council requests a Site Visit, prior to the debate at Planning Committee, their name shall be recorded. They shall provide and a

record kept of, their reason for the request and whether or not they have been approached concerning the application or other matter and if so, by whom.

### **Meetings of the Planning Committee**

24. If the Planning Committee wishes to grant planning permission contrary to officers' recommendation the application shall be deferred to the next meeting of the Committee for further consideration. Following a resolution of "minded to grant contrary to the officers' recommendation", the Chair shall put to the meeting for approval a statement of why the officers recommendation for refusal should be overturned, which, when approved, shall then be formally recorded in the minutes. When a planning application has been deferred, following a resolution of "minded to grant contrary to the officers' recommendation", then at the subsequent meeting the responsible officer shall have the opportunity to respond both in a further written report and orally to the reasons formulated by the Committee for granting permission. If the Planning Committee is still of the same view, then it shall again consider its reasons for granting permission, and a summary of the planning reasons for that decision shall be given, which reasons shall then be formally recorded in the Minutes of the meeting.
25. When the Planning Committee vote to refuse an application contrary to the recommendation of officers, the Chair shall put to the meeting for approval a statement of the planning reasons for refusal of the application, which if approved shall be entered into the Minutes of that meeting. Where the reason for refusal proposed by the Chair is not approved by the meeting, or where in the Chair's view it is not then possible to formulate planning reasons for refusal, the application shall be deferred for further consideration at the next meeting of the Committee. At the next meeting of the Committee the application shall be accompanied by a further written report from officers, in which the officers shall advise on possible planning reasons for refusal and the evidence that would be available to substantiate those reasons. If the Committee is still of the same view then it shall again consider its reasons for refusing permission which shall be recorded in the Minutes of the Meeting.
29. The Minutes of the Planning Committee shall record the names of those voting in favour, against or abstaining:
  - (i) on any resolution of "Minded to Grant or minded to refuse contrary to Officers Recommendation";
  - (ii) on any approval or refusal of an application referred to a subsequent meeting following such a resolution.

### **STANDING ORDER 62 SPEAKING RIGHTS OF THE PLANNING COMMITTEE**

- (a) At meetings of the Planning Committee when reports are being considered on applications for planning permission any member of the public other than the applicant or his agent or representative who wishes to object to or support the grant of permission or support or oppose the imposition of conditions may do

so for a maximum of 2 minutes. Where more than one person wishes to speak on the same application the Chair shall have the discretion to limit the number of speakers to no more than 2 people and in so doing will seek to give priority to occupiers nearest to the application site or representing a group of people or to one objector and one supporter if there are both. In addition (and after hearing any members of the public who wish to speak) the applicant (or one person on the applicant's behalf) may speak to the Committee for a maximum of 3 minutes. In respect of both members of the public and applicants the Chair and members of the sub-committee may ask them questions after they have spoken.

- (b) Persons wishing to speak to the Committee shall give notice to the Democratic Services Manager or his representatives prior to the commencement of the meeting. Normally such notice shall be given 24 hours before the commencement of the meeting. At the meeting the Chair shall call out the address of the application when it is reached and only if the applicant (or representative) and/or members of the public are present and then signify a desire to speak shall such persons be called to speak.
- (c) In the event that all persons present at the meeting who have indicated that they wish to speak on any matter under consideration indicate that they agree with the officers recommendations and if the members then indicate that they are minded to agree the officers recommendation in full without further debate the Chair may dispense with the calling member of the public to speak on that matter.

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## COMMITTEE REPORT

Planning Committee on 13 January, 2016  
Item No 05  
Case Number 15/4140

## SITE INFORMATION

**RECEIVED:** 24 September, 2015

**WARD:** Barnhill

**PLANNING AREA:** Kingsbury & Kenton Consultative Forum

**LOCATION:** Lycee International De Londres, 54 Forty Lane, Wembley, HA9 9LY

**PROPOSAL:** Erection of a part basement building fronting Forty Lane to house a five lane swimming pool and studio with a green roof and associated works to include courtyard entrance, security gates, cycle parking, demolition and reinstatement of retaining wall, landscaping and installation of PV panels on the roof of the new Annex building

**APPLICANT:** Wembley Educational Charitable Trust

**CONTACT:** Nathaniel Lichfield & Partners

**PLAN NO'S:** Refer to Condition 2

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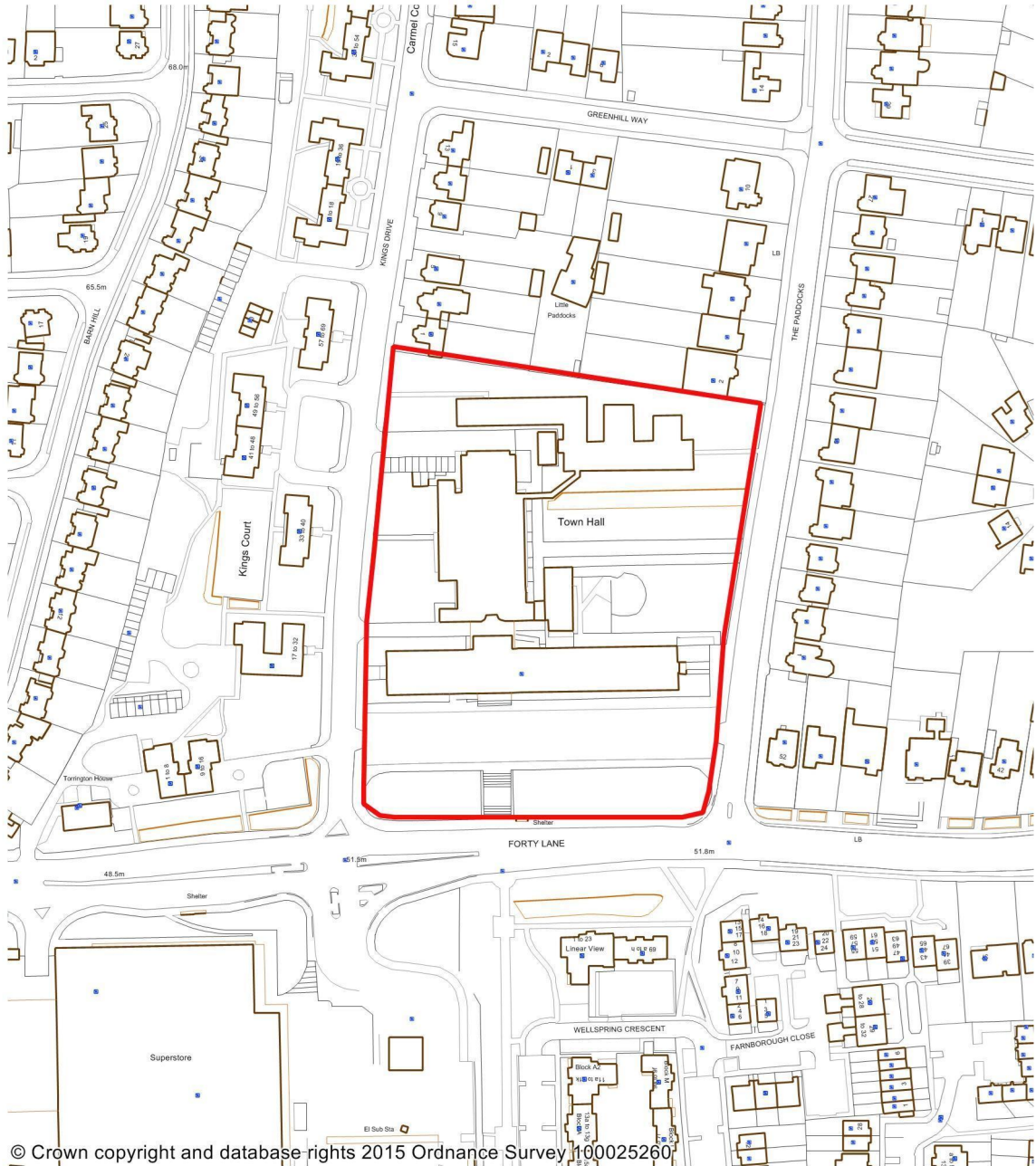
# SITE MAP



## Planning Committee Map

Site address: Lycee International De Londres, 54 Forty Lane, Wembley, HA9 9LY

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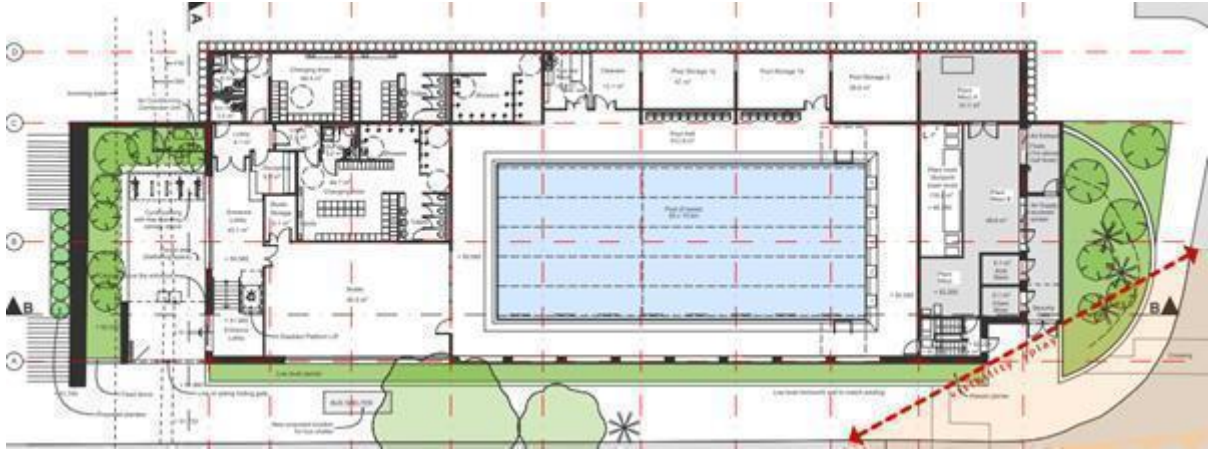


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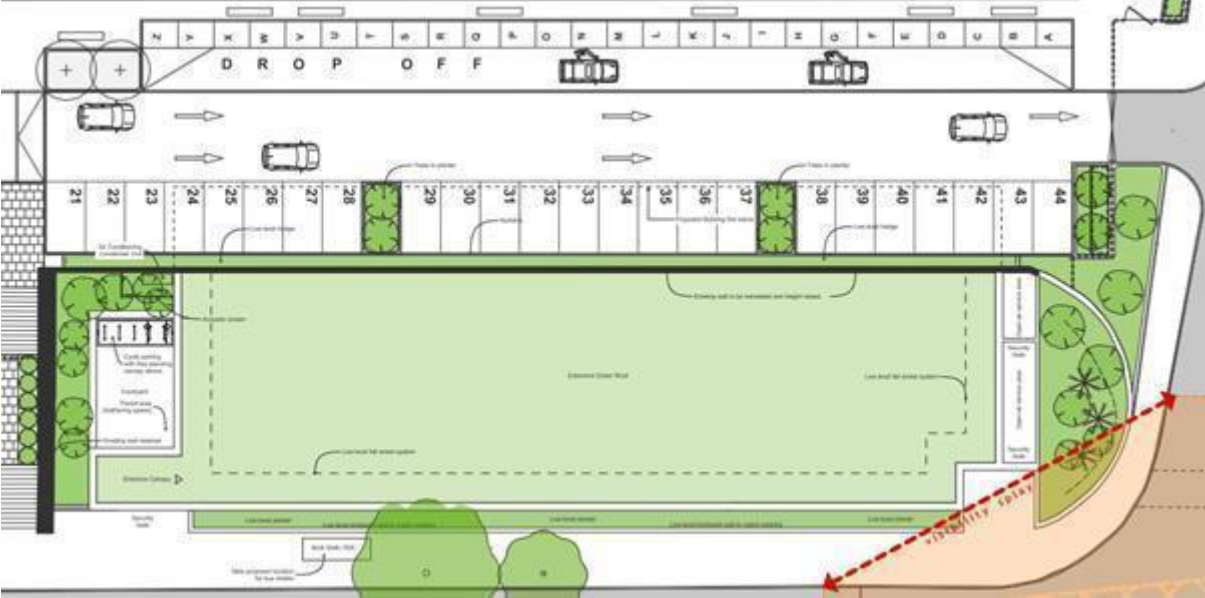
This map is indicative only.

# SELECTED SITE PLANS SELECTED SITE PLANS

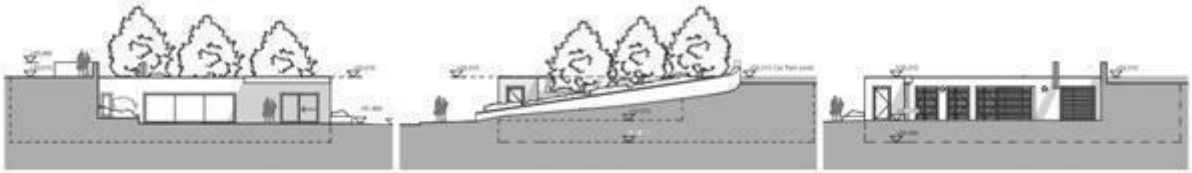
## Proposed Ground Floor Plan



**Proposed Roof Plan**



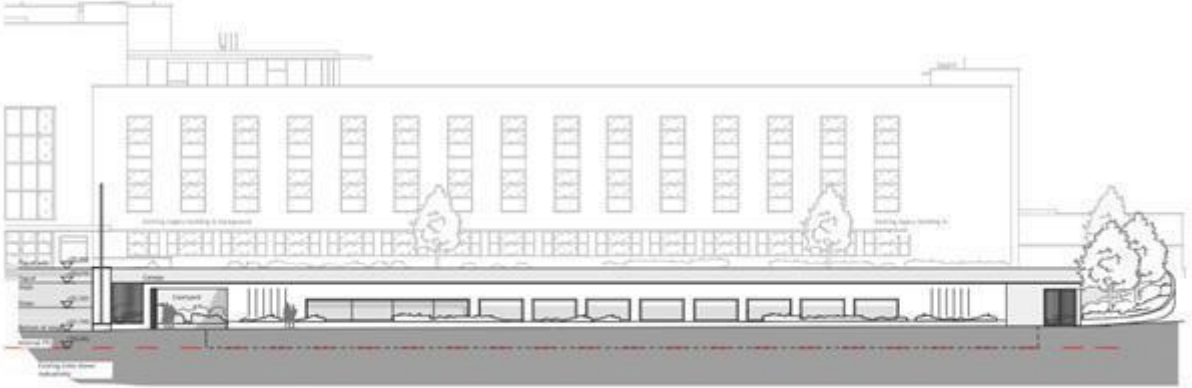
**Proposed Elevations**



1. West Elevation

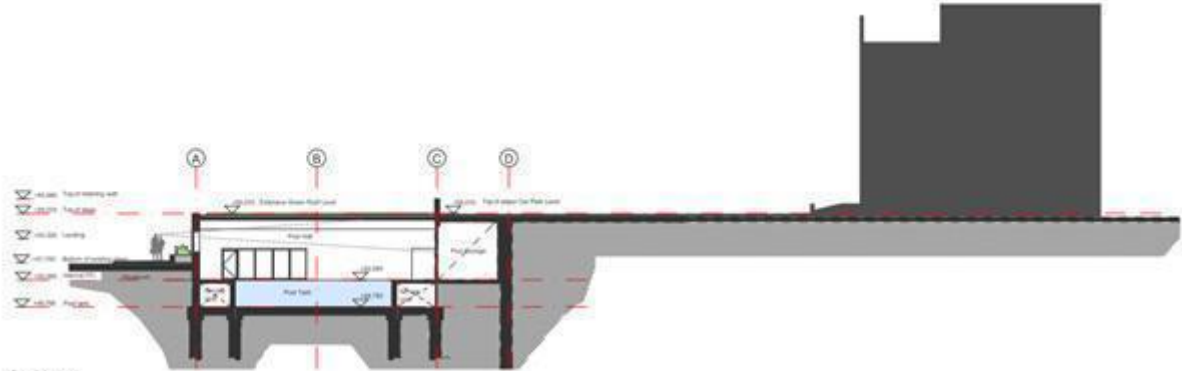
2. East Elevation

3. Plant Elevation (East)

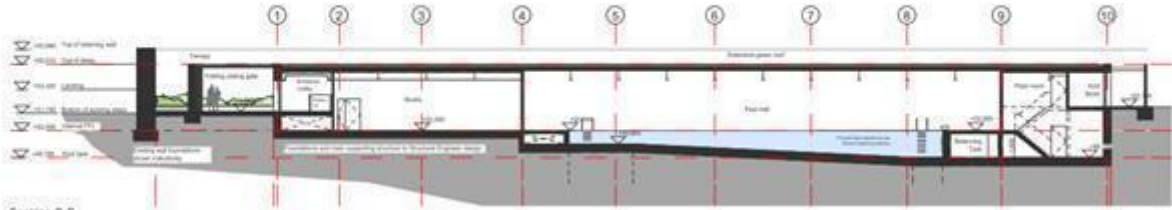


4. South Elevation

**Proposed Sections**



Section A-A



Section B-B

**Proposed Visual**





## INTRODUCTION

The application is reported to the Planning Committee under the provisions of Clause 24 of the Planning Code of Practice following the resolution at the previous meeting on 16 December 2015 of 'minded to refuse', contrary to the Officer recommendation to grant consent.

In making this resolution, Members raised concerns about the development related to reasons highlighted below. No additional material or information has been submitted by the applicant for Officers to comment on. Members are reminded that any appeals are assessed by the Planning Inspectorate and that appeal performance is a planning 'quality' indicator. Appeals also involve costs in terms of staff time and legal advice and the appellant's costs can be awarded if an Inspector considers that a reason for refusal to be unreasonable. The test of unreasonableness is different from not agreeing with the Council's decision.

### (1) Concern about siting, height and design of the building and associated impact on the setting of and views to the Listed Building

As the report outlines, the proposal followed pre-application advice including with Heritage England and the 20th Century Society. However, the assessment of impact is a matter of judgement. If the Planning Committee are still minded to refuse on this ground then the following is a possible reason for refusal;

*The proposed pool building, by reason of its design, size and siting and, in particular, its location within the principal frontage of the Grade II listed former Brent Town Hall, results in a detrimental impact on the setting of a Grade II listed building, reducing the visibility of the listed building when viewed from the immediate frontage of the property. This is contrary to Policy 7.8 of the London Plan (consolidated with further alterations since 2011) and the National Planning Policy Framework.*

### (2) Concern about the siting of the re-located bus stop and cage and potential impact on pedestrian and highway safety

Transportation have further advised that it is likely that the bus stop cage will not be required to be moved. However, if any relocation is required, this is likely to be limited to being some 2 to 4m eastwards, towards the traffic lights at the junction with The Paddocks. The submitted plans show some 40m from the existing bus cage to the traffic light stop line. If the cage was moved by up to 4m, this indicates that space would be retained for six cars to be able to stand in front of the bus cage when waiting at the traffic lights.

The submitted drawing indicates a new location for the bus shelter about 15m east of its current position. However, Transportation have advised that it would only have to move some 7m east to be clear of the building entrance. In the event that the bus stop cage is moved by up to 4m as described above, and the bus shelter being moved towards the start of the bus cage, a distance of some 4m will be maintained from the nearest point of the proposed entrance to the swimming pool building and the new bus shelter. On this basis, Transportation have reconfirmed their advice that the proposal is acceptable. The proposed relocation or removal of the BT kiosk does not raise any significant planning or listed building issues.

If, bearing in mind the discussion above, the Planning Committee are still minded to refuse consent then the following is a possible reason for refusal;

*In the absence of specific details of the proposed relocation of the bus stop and shelter, the proposal is likely to result in conditions prejudicial to the free and safe flow of traffic on a distributor road in terms of the proximity of the bus cage to the traffic signals. This is contrary to saved policies TRN3 and TRN4 of the Brent Unitary Development Plan 2004.*

**Recommendation: Officers continue to recommend that permission is granted subject to the conditions set out in the original report and supplementary report.**

The original report and supplementary report from previous Committee Agenda is set out below:

## RECOMMENDATIONS

**Grant Consent**, subject to the conditions set out in the Draft Decision Notice.

### A) PROPOSAL



Erection of a part basement building fronting Forty Lane to house a five lane swimming pool and studio with a green roof and associated works to include courtyard entrance, security gates, cycle parking, demolition and reinstatement of retaining wall, landscaping and installation of PV panels on the roof of the new Annex building

## **B) EXISTING**

The application site comprises Lycee International de Londres Winston Churchill located on Forty Lane. It is a primary and secondary school with 9 forms of entry at secondary level for pupils aged 11 to 18 (total number of 900 pupils), and a single form entry primary school for pupils aged 5 to 11 (total number of 170 pupils). It will accommodate 1070 pupils when at full capacity.

The building is a Grade II listed building and formally accommodated the main civic offices of the former Borough of Wembley and subsequently Brent since 1940. The Town Hall was statutorily listed on 24 September 1990 at Grade II. The main civic offices of Brent are now located within the new Brent Civic Centre on Engineers Way.

The school occupies a site of approximately 2.1 hectares and fronts onto Forty Lane. As part of the change of use of the former Town Hall into a school, a new two to three storey annex was approved to provide additional school accommodation including a dining hall.

The main entrance to the building is accessed via Forty Lane with an access road and car parking running across the length of the building fronting Forty Lane at a higher level than the pavement on Forty Lane. There are significant level changes across the site with the land rising by around 9.4m from the pavement on Forty Lane to the base of the boundary wall to the north of the site.

The eastern boundary of the Town Hall abuts The Paddocks and its western boundary abuts Kings Drive. Both The Paddocks and Kings Drive are predominantly residential in character. Its northern boundary abuts the rear gardens of properties on Kings Drive and The Paddocks. To the south on Forty Lane is Asda Superstore, a Kwik Fit car garage and public house, with the Chalkhill Estate behind these buildings. Opposite the site on Bridge Road is the Ark Academy Primary and Secondary School and to the west beyond Kings Drive is the Barn Hill Conservation Area.

## **C) AMENDMENTS SINCE SUBMISSION**

During the course of the application, the following amendments have been made to the proposal:

- Alterations to the corner of the swimming pool building on the Forty Lane/The Paddocks junction to not interfere with visibility splays
- Car parking spaces reduced to 46 to 44 spaces with increased tree planting in the car park

## **D) SUMMARY OF KEY ISSUES**

**Land Use and Nature of Application:** This application seeks full planning permission for erection of a part basement building fronting Forty Lane to house a five lane swimming pool and studio with a green roof and associated works to include courtyard entrance, security gates, cycle parking, demolition and reinstatement of retaining wall, landscaping and installation of PV panels on the roof of the new Annex building. This is an existing school site and the principle is considered acceptable.

**Impact on heritage asset (Listed Building):** The proposed works do not cause substantial harm to the significance of the heritage asset. The works are to less significant elements within the curtilage of the listed building, most of which will be retained. The setting has been carefully considered and the views to the building will not be harmed. The new build has been carefully considered to reflect and complement the special interest of the listed building.

The new building, as a result of its siting and layout within the school site in compliance with SPG17 guidance, will not adversely impact on the amenity of neighbouring occupiers.

**Landscaping and trees:** A number of trees within the lower landscaped terrace where the swimming pool is to be located are to be removed. These will be replaced elsewhere within the school site in the car park or along the frontage with The Paddocks. The memorial trees will be replanted with new trees in Chalkhill Park and two memorial leaves provided on the memorial tree in the Civic Centre.

**Transportation matters:** The application will result in the loss of two car parking spaces from 46 to 44, as a result of the new tree planting. This still significant exceeds the maximum parking standards for a D1 use. Coach parking within the site will be available for other schools during school hours, and at weekends the school car park will be open for community users of the swimming pool. The bus shelter on Forty Lane will

have to be relocated in order to provide pedestrian access.

## E) 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)
Non-residential institutions	12580	12580	0	1194	13774

### Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
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## RELEVANT SITE HISTORY

### Relevant planning history

#### **Listed building application accompanying this full application:**

**15/4141:** Listed Building Consent sought for erection of a part basement building fronting Forty Lane to house a five lane swimming pool and studio with a green roof and associated works to include courtyard entrance, security gates, cycle parking, demolition and reinstatement of retaining wall, landscaping and installation of PV panels on the roof of the new Annex building - under consideration.

#### **Previous consents relating to the use of the site as a school and associated works**

**13/1995:** Full Planning Permission sought for Change of use and refurbishment of the existing Town Hall (Sui Generis) into a new primary and secondary French International School (Use class D1) involving the demolition of a number of ancillary buildings (single storey pre fabricated building and freestanding garages to the rear, and the existing print room attached to the main Town Hall building) and the erection of a part 2/part 3 storey extension along with associated works, subject to a Deed of Agreement dated 28 January 2014 under Section 106 of the Town and Country Planning Act 1990, as amended - **Granted, 29/01/2014.**

**13/1996:** Listed building consent for the change of use and refurbishment of the existing Town Hall (Sui Generis) into a new primary and secondary French International School (Use class D1) involving the demolition of a number of ancillary buildings (single storey pre fabricated building and freestanding garages to the rear, and the existing print room attached to the main Town Hall building) and the erection of a part 2/part 3 storey extension along with associated works - **Granted, 29/01/2014.**

## CONSULTATIONS

A joint consultation letter was sent out to 268 neighbouring properties for the full planning application and listed building consent application on 9 October 2015.

Site Notice: 27/10/2015 - 17/11/2015

Press Notice: 15/10/2015 - 05/11/2015

### Public Consultation

Two letter of support received on the following grounds:

- The opening of the school represented a significant and positive investment in the old town hall building.
- The site proposed for the swimming pool is currently under-utilised and has little environmental/ecological merit.
- The proposed design includes suitable environmental features to enhance the site.
- Approval by the Council will demonstrate the Council's continued commitment to the school and its development, with consequent benefits to the wider Wembley community.
- New infrastructure that will benefit everyone in the neighbourhood.

## **QARA**

No objections to the proposal in principle. Has queried whether there is scope to provide more landscaping on the roof.

## Statutory Consultation

### **Historic England**

No objections raised. Advised that the application is determined in accordance with national and local policy guidance, and on the basis of Brent's conservation advice.

### **Greater London Archaeological Advisory Service (GLAAS)**

No objections raised.

### **The Twentieth Century Society**

No objections subject to conditions being imposed to secure details of the precise brick colour and size and details of signage that should be conservation signage.

### **Transport of London**

No objections raised subject to the following:

- During the construction of the site the bus stop should not be blocked or impeded from its normal usage in any way.
- A Travel Plan and Construction Logistics Plan should be conditioned.

## Internal Consultation

### **Heritage Officer**

Advised that the proposal will sustain the significance of heritage assets. Have advised that conditions should be applied to the following:

- Full recording of the frontage for the London Parks and Garden's Trust Register
- A brickwork panel of the new brick bonding to be approved on site before the commencement of works.
- a brickwork panel using the old bricks to be approved on site before the commencement of works.
- Details of new signage.
- Colour and section of the window frames, associated boundary treatment, external doors and hard landscaping.
- 

### **Landscape**

No objections in principle. Replacement trees to be planted within the school site.

Concerns have been raised with the use of Pyracantha and Berberis in narrow planting areas fronting the street. Alternatively planting should be secured by condition.

### **Sustainability**

No objections raised.

### **Transportation**

No transportation objections subject to the following conditions

- (a) A revised drawing to be submitted showing the boundary wall, near the junction, to be no higher than 1m, in order to maintain junction visibility.
- (b) The bus stop relocation, proposed new shelter, removal of the existing shelter and relocation of the bus cage marking should be arranged with Transport for London and Brent Council as a Highway Authority.

- (c) The school car park is made available to community use of the pool
- (d) A revised travel plan should be submitted for LPA approval.

## **POLICY CONSIDERATIONS**

### **The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990**

The above legislation provides specific protection for buildings and areas of special architectural or historic interest. Section 66(1) of the Act states that in the consideration of proposals for planning permission which affect a listed building or its setting, the local planning authority shall pay special regard to the desirability of preserving i) that setting, or ii) any features of special; architectural or historic interest it possesses.

#### **National level policy and guidance**

The National Planning Policy Framework (NPPF) was published in March 2012.

Paragraph 72 of the NPPF attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities, and requires Local Planning Authorities to take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.

Paragraph 126 of the NPPF outlines that the conservation of heritage assets can bring wider social, cultural, economic and environmental benefits. In accordance with paragraph 128, applicants are required to describe the significance of their heritage asset affected by a proposal, including any contribution made by their setting. Paragraphs 133 and 134 provides guidance with regards to the impact of a proposal on the significance of the heritage asset, and states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

#### **Regional level policy and guidance**

*The London Plan - The Spatial Development Strategy for London Consolidated with Alterations since 2011 (adopted March 2015)*

Strategic planning in London is the shared responsibility of the Mayor of London, 32 London boroughs and the Corporation of the City of London. Under the legislation establishing the Greater London Authority (GLA), the Mayor has to produce a spatial development strategy (SDS) – which has become known as ‘the London Plan’ – and to keep it under review. Boroughs’ local development documents have to be ‘in general conformity with the London Plan, which is also legally part of the development plan that has to be taken into account when planning decisions are taken in any part of London unless there are planning reasons why it should not.

Key policies include:

- 3.18 Education Facilities
- 3.19 Sports Facilities
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.6 Decentralised Energy in Development Proposals
- 5.7 Renewable Energy
- 5.9 Overheating and Cooling
- 5.13 Sustainable Drainage
- 6.1 Strategic Approach
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.4 Local Character
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology

## **Local level policy and guidance**

### *Brent's Core Strategy 2010*

Objective 5 - meeting social infrastructure needs

CP7: Wembley Growth Area

CP19: Brent Strategic Climate Change Mitigation and Adaption Measures

CP23: Protection of existing and provision of new Community and Cultural Facilities

### *Brent Unitary Development Plan 2004*

Within the 2004 UDP the following list of saved policies are considered to be the most pertinent to the application.

BE4: Access for Disabled People

BE6: Public Realm - Landscape Design

BE7: Public Realm - Streetscape

BE9: Architectural Quality

BE22 Protection of Statutory Listed Buildings

BE23 Setting of Listed Buildings

BE30 Enabling Development & Heritage Asset Conservation

BE31 Sites of Archaeological Interest

BE12: Sustainable Design Principles

BE17: Building Services Equipment

EP2: Noise & Vibration

EP3: Local Air Quality Management

CF8: School Extensions

TRN4: Measures to make Transport Impact Acceptable

TRN10: Walkable Environments

TRN11: The London Cycle Network

TRN22: Parking Standards - Non Residential Developments

PS12 - Non-Residential Institutions

## **DETAILED CONSIDERATIONS**

### **Introduction**

1 Lycee International De Londres Winston Churchill is a Grade II listed building. Up to 2013, it had accommodated the main civic offices of the former Borough of Wembley and subsequent Brent since 1940. The building was designed by the architect Clifford Strange in a Scandinavian influenced Art Deco moderne style.

2.. This application seeks planning permission for a five lane indoor swimming pool and studio space. The building will be located within the lower landscaped area to the front of the site facing Forty Lane. It will be located to the east of the main stepped entrance to the building from Forty Lane.

3. The development will include the following works:

- Erection of a part basement building to accommodate a five lane swimming pool and studio with associated storage, plant, showers and changing areas;
- Creation of a courtyard entrance to the west of the new building with security gates
- New landscaping including replacement tree planting and installation of green roof on the swimming pool structure
- Demolition and reinstatement of the existing retaining wall and increase in height by five brick courses
- Installation of PV panels on the roof of the new Annex Building
- Relocated of the bus shelter on Forty Lane and associated works to the bus cage

4. An application for listed building consent has also been applied for and will be considered parallel to this application. The listed building consent focuses on heritage matters, whereas the planning application will discuss wider issues associated with the proposal.

## **Principle of development**

5. The principle of development of education uses on the site has been established through the granted of planning references: 13/1995 and 13/1996. The former Town Hall has now been converted into the Lycee which opened in September 2015. The principle of the development is supported in policy terms at all levels as set out in the policy context above.

6. The proposed swimming pool will enhance the Lycee's sports offer for its students. This is in accordance with London Plan Policy 3.18 which supports school proposals which enhance education and skills provision, including expansion of existing facilities.

## **Community Use**

7. London Plan Policy 3.16 requires that, wherever possible, the multiple use of social infrastructure should be encouraged. Policy WEM37 of WAAP supports the Council working in partnership with schools to make new or upgraded sports facilities available for the local community use out of school hours.

8. Community access is proposed for the new swimming pool. Details of which are set out in the Community Access Plan submitted with the application. This proposes the following community access:

- The swimming pool will be open during the week for use by local schools for four half day sessions
- Community use of the swimming pool and studio facilities is anticipated to be before school use on weekdays, between 7 and 9am, and after school, between 7 and 9.30pm
- Community access for swimming lessons is anticipated on two early evening sessions per week, as well as weekend mornings. General community access to the pool facilities is expected on weekend afternoons and during holiday periods. However, the opening times for the facilities during these periods are yet to be defined
- The swimming pool will be operated by an external management company

9. Further details of the community access arrangements will be set out in an updated Community Access Plan to be secured as a condition to any forthcoming planning consent. The Community Access Plan should establish the range of facilities which will be made available, at which times and hours, establishing the means by which the facilities can be booked including a contact within the school and ensuring rates of hire comparable to similar local authority facilities.

10. Whilst community access within the main school buildings of the Lycee were secured for a minimum of 15 hours per week as part of planning application reference 13/1995, given that the swimming pool facilities will be made available during weekdays and weekends, it is considered appropriate to secure a minimum of 30 hours per week. This is comparable with other school facilities in the locality that offer use community use of sporting facilities such as Ark Academy.

## **Design and Listed Building Status**

11. The new swimming pool is to be sited at the front of the site within the lower landscaped terrace area. It is to be sited to the east of the main step entrance located on Forty Lane. The siting of the new swimming pool building on the eastern side of the existing steps, respects the asymmetric principal elevation of the building. The building is to be set back 1.4m from the Forty Lane frontage to allow the low boundary wall to be retained and rebuilt in section. To address highway concerns with visibility splay, the south eastern corner of the building has been stepped back.

12. The building will be a partial basement construction and when viewed from Forty Lane it will appear as a single storey building. It has been designed so that the roof of the swimming pool building is no higher than the car park level. The sinking of the building into the landscaped area will allow the front facade of the main building to remain visible, and for the extension to read as a subordinate addition rather than compete with the main building.

13. The building will accommodate a 5 lane 10.5m x 25m length swimming pool. A 95.5sqm studio is also proposed. There will be single sex changing facilities for 60 people; 30 male and 30 female. Additional disabled changing and showering facilities have been provided.

13. The new swimming pool building is to be in brick. The bricks will be the same proportions as the existing building, but will be a different colour to allow the new building to be recessive rather than dominant the existing building. The overall mass and scale sustains the appearance and setting of the former Town Hall.

14. The fenestration of the proposed swimming pool building has been designed to respect the main building. The form, spacing, size and rhythm of the windows are aligned with the corresponding windows of the main building. The windows closest to the entrance of the swimming pool building have been treated in a different manner, to be merged to form one continuous window, to differentiate and signal the entrance end of the proposed building. Details of the depth of window reveals have been indicated, which suggests two possible options. One is a deeper window reveal at 0.28m and the other is flush window reveal at 0.03m. It is recommended that further details of the window reveals are conditioned to ensure that this detail is simple in its form and does not compete with the main building.

15. It is recommended that full details of external materials are conditioned to any forthcoming consent, together with full details of signage.

16. The plant room is located next to The Paddocks. This area will partially be screened by the existing retaining wall rising up along The Paddocks. A perforated brick wall is also proposed to restrict views of the louvers and doors to the plant equipment. A flue is proposed that is no higher than the retaining wall to the car park. It is recommended that further details of the flue are conditioned together with covering over the roof of the plant area.

#### *Inclusive access*

17. The proposed pool is designed to be fully compliant with Part M of the Building Regulations 2013 and BS 8300. Level access is maintained to the courtyard and the building from Forty Lane. As the swimming pool and changing rooms is at a lower level to street level, an internal platform lift is proposed. As discussed above disabled WCs and changing areas will be provided.

18. It is recommended that a condition is secured requiring details of an access strategy for the building to be provided to ensure inclusive access is provided for all users.

#### **Impact on neighbouring occupiers**

19. The location of the new building within the lower landscaped terrace fronting Forty Lane will be sufficiently set in from the boundaries with residential properties. As such it is not considered that the building will adversely impact on the amenities of neighbouring residential occupiers through loss of privacy, outlook or daylight/sunlight.

20. As plant equipment is proposed within the new building, officers in Environmental Health have requested for a condition to be secured to any forthcoming consent requiring plant and ancillary equipment to be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises.

#### **Landscaping and Ecology**

21. The area where the swimming pool building is to be sited currently contains a grassed area with approximately 18 trees. A tree survey has been submitted identifying five moderate quality (category B) and 13 low quality (category C) trees to be removed. Two of the trees are memorial trees.

22. Fifteen new trees are proposed to be planted elsewhere within the site including four new trees in the car park and new tree planting along the frontage of the building with The Paddocks.

23. Officers in Landscape Team have confirmed that the loss of trees are acceptable. It is recommended that full details of the replacement trees are secured by condition. They have also raised concerns with the use of Pyracantha and Berberis in narrow planting areas fronting the street. This is because these are thorny bushes, Pyracantha especially being of vigorous growth habit. This species will either grow up to obscure swimming pool windows, or grow out to spread above the public footpath. They have recommended using smaller, less vigorous shrubs. Once again, this can be secured through condition.

24. In terms of the memorial trees, funding has been provided by the applicant to secure two leaves to be provided within the memorial garden in the Civic Centre, and for two new trees to be planted in Chalkhill Park. This is to be secured via a Unilateral Undertaking under Section 106.

25. It is also recommended that full details of the green roof above the swimming pool are conditioned.

26. An updated Ecological Report has been submitted. This recommends the following measures are secured as part of the planning application:

- Planting of habitats within the green roof which is of value to wildlife
- Provision of nesting/roosting habitat such as nest boxes and bat boxes
- Retained trees on site to be protected during construction works
- Vegetation clearance to be undertaken outside of the nesting bird season
- Covering of excavations for terrestrial mammals including hedgehogs

27. The above measures will be conditioned as part of any forthcoming consent.

### **Flood Risk/Drainage**

28. The application is accompanied by a Flood Risk Assessment. The site is located within Flood Zone 1, and therefore, is at low risk of flooding.

29. Drainage proposals for the site have also been included. To control the rate of run off, Sustainable Drainage Systems (SUDs) have been considered. A green roof is proposed together with an attenuation tank.

30. It is recommended that full details of surface water drainage and foul drainage are conditioned to any forthcoming consent.

### **Sustainability**

31. Achieving sustainable development is essential to climate change mitigation and adaptation. The most recent relevant policy framework includes Brent's adopted Core Strategy 2010 policy CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures and the London Plan policies within Chapter Five London's Response to Climate Change.

#### *Compliance with Brent policies*

32. In support of the objective of satisfying Core Strategy policy CP19 Brent Strategic Climate Change Mitigation and Adaptation Measures, a Sustainable Statement and Checklist has been submitted predicting the scheme will achieve BREEAM 'Excellent'. Policy CP19 seeks to achieve BREEAM 'Excellent' for new commercial buildings. It is recommended that BREEAM 'Excellent' is secured as a condition.

33. Brent's Sustainability Checklist has been completed, that demonstrates that the scheme can achieve a score of 44% This score falls marginally short of the target of 50%. Such a short fall is considered marginal and does not warrant a reason for refusal. It is recommended that a minimum score of 44% for the Sustainability Checklist is secured as a condition to any forthcoming consent.

#### *Compliance with Further Alterations to the London Plan 2015*

34. The scheme includes measures to minimise the impact of this proposal on, and mitigate for the effects of, climate change and your officers consider the proposal to be in accordance with the energy hierarchy as required by Further Alterations to the London Plan 2015 policy 5.2 Minimising carbon dioxide emissions part (a): (i) be lean: use less energy; (ii) be clean: supply energy efficiently; (iii) be green: use renewable energy.

35. In summary, the proposal exceeds the criteria of London Plan policy 5.2 for 35% improvement on Part L 2013 Building Regulations as a carbon saving of 36.8% is proposed.

- Lean measures

36. The building has been designed to maximise the Passive Energy design measures in order to reduce energy demand of the development. This has been achieved by increasing the thermal performance of the building fabric by reducing U-values and air permeability. This achieved 10.65% reduction beyond the TER.

- Clean measures

37. A combined Heat and Power system is proposed with back up boilers. This further improves the compliance with Part L to 31.7%.



38. It is noted that the scheme is not accompanied by an Air Quality Assessment or details regarding the emissions from the proposed boilers. It is therefore recommended that a condition is attached to this consent to secure these details.

- Green measures

39. PV panels are proposed. These are to be included on the roof of the annex building rather than the roof of the swimming pool building. PV panels are not considered appropriate on the swimming pool building as they are too low and would impact on the setting of the main building. The total carbon reduction including the PV panels is 36.8%.

40. The carbon reduction measures set out above are recommended to be conditioned to any forthcoming consent.

### **External Lighting**

41. Details of external lighting for the swimming pool building has been provided. It is recommended that full details of the external lighting including spillage diagrams are conditioned to any forthcoming consent.

### **Transportation**

#### *Car parking*

42. The car parking allowance for the school (Use Class D1) is given in standard PS12 of the UDP.

43. As a result of revision to the landscaping plan to provide replacement tree planting within the car park, the number of spaces within the car park has reduced from 46 spaces to 44 spaces. This still exceeds the maximum allowance of 23 spaces.

44. The Lycee proposes for the pool to be used by the school, as well as other schools in the area. They intend to have only coaches of children visiting from other schools for swimming galas etc. Although the car park does not have a dedicated coach parking space, there is a drop off area. Details of coach tracking with the vehicles entering from Kings Drive and exiting from The Paddocks have been provided confirming that this can safely occur within the existing layout. Therefore the existing off-street parking spaces do minimise any concern for overspill parking during school term.

45. The pool and the studio are also proposed to be used by the wider community outside of school hours in the evening and at weekends. The Paddocks and Kings Drive directly flanking the site can accommodate 26 on-street parking spaces and the streets are not defined as heavily parked during the evenings and weekends and therefore a lack of off-street parking is broadly acceptable in principle.

46. The community access plan proposes opening hours of 7-9am and 7-9.30pm on weekdays and at weekends, although they plan to only finalise opening hours once the pool is open and in use. The plan assumes a maximum of 20 people using the pool during the weekday evenings and on-street parking will be sufficient for this.

47. However, the plan also suggests 60 people per hour plus parents during weekends for swimming lessons. This is a large number of people expected for swimming lessons and it cannot be assumed that majority of them will not travel by car. In addition to this, the weekend swimming lessons could result in parents dropping off children near the junctions on Forty Lane. Your officers have therefore requested that the school's car park should be made available for weekend swimming lesson sessions in order to allow safe parking and set down/pick up area. This will be secured by condition as part of a car park management plan.

#### *Visibility*

48. The swimming pool building is proposed in the southeastern corner of the site, close to the junction with The Paddocks/Forty Lane. As this is a signalised junction, junction intervisibility zone requirements, as set out in TD50/04 of the Section 6 of the Design Manual for Roads and Bridges, apply to the junction. It is essential that this zone is not obstructed by any building in order to permit manoeuvres to be completed safely once the driver has entered the intervisibility zone.

49. The zone is defined as the area bounded by measurements from a distance of 2.5m behind the stop line

extending across the full carriageway width of each arm. The plans originally submitted with the application, showed the new building, particularly the chemical and plant area, interfering with the junction intervisibility between the stop line on Forty Lane (eastbound) and the associated exit lane on The Paddocks.

50. A revised drawing has been submitted. This now shows the chemical and plant areas set back, as well the security gate, to remove any interference within the junction intervisibility between the stop line on Forty Lane (eastbound) and the associated exit lane on The Paddocks. Officers in Transportation have confirmed that this revision is acceptable.

#### *Access*

51. The entrance to the swimming pool building will have a folding metal gate for the pedestrian access. This is acceptable as the gates do not open out onto the Public Footway, in compliance with Section 153 of the Highways Act 1980.

52. The security gate to the plant room has doors that open outwards on to the footway however, this appears to be on the private land and therefore acceptable. As this security gate is not located on the back edge of the public highway, it is recommended that demarcation is kept between the Public Footway and private forecourt and that studs are implemented to show this demarcation, to ensure that there is no confusion with regards to ownership and cleaning of the streets.

53. Full details of the design of the gates and the demarcation measures are recommended to be conditioned to any forthcoming consent.

#### *Relocation of the bus stop*

54. The bus shelter on Forty Lane will have to be relocated in order to provide pedestrian access. The applicant has been in discussions with TfL and Brent Council traffic engineers to agree an alternative location. The proposed location is just east of the new pedestrian access which will be closer to the stop line. Bus stop relocation, proposed new shelter, removal of the existing shelter and relocation of the bus cage marking should be arranged with Transport for London and Brent Council as a Highway Authority. These measures will be conditioned to any forthcoming consent.

#### *Travel Plan*

55. Planning permission granted 13/1995 does have a Section 106 Agreement incorporating the requirement of a Travel Plan. An interim school travel plan has been submitted with this application.

56. Table 2.3 and 2.4 proposes a predicted modal split of the primary and secondary school, based on Travel Plans carried out for the existing London French schools in Camden and South Kensington. The majority of pupils are expected to travel by public transport and walking to school. Only 20% are expected to travel by car.

57. Table 2.5 predicts a modal split for staff which proposes only 28% travelling by car with majority using the underground to commute.

58. Point 2.26 proposes a baseline modal split to be undertaken during the first term. The school has been opened since September 2015 and therefore a revised travel plan should be submitted with a completed 'hands up' survey.

59. The travel plan includes initiatives such as walk on Wednesdays, bike week etc. The school intends to liaise with TfL to attend the schools assembly to give talks on sustainable modes. The school should note that Brent Council's School Road Safety team do carry out assembly talks as well as encourage WoW, Road Safety visitors, cycle training and many other schemes.

60. After accessing the travel plan using the ATTrBuTE tool, it has failed for the following reasons: Targets should also be set out for 3-5 years after occupation and a baseline modal split should now be provided as the school has been open since September 2015. It is recommended that a revised Travel Plan addressing these matters are conditioned as part of any forthcoming consent.

#### **Construction Management Plan**

61. It is recommended that a Construction Management Plan and a Construction Logistics Plan are secured

through condition. This document will include details on how the bus stop and pavement are not blocked or impeded from its normal usage during construction, details of deliveries arrangement and construction workers parking. The document will also require a photographic dilapidation survey of the pavement before construction works commence, so that any damage to the pavement as a result of the construction works can be repaired at the applicants expense.

### **Community Involvement**

62. The application is supported by a Statement of Community Involvement. The SCI provides a summary of the means by which the applicant and project team have communicated with and involved the following stakeholders:

- Brent Council Planning Service via the Major Cases Forum
- The local community – public exhibition held on 4 September 2015 and letters distributed to approximately 2000 residents in the area.
- Statutory organisations including Historic England and Twentieth Century Society.

63. The SCI also summarises the responses from the public exhibition. A total of 16 people attended, 8 of which provided feedback. The majority of the responses supported the proposal for a new swimming pool.

64. Your officers are satisfied that the pre-application public consultation, which is not a statutory duty, was carried out properly and without discrimination.

### **Conclusions**

65. In conclusion, it is considered that the new swimming pool building at the front of the Lycee, will have limited degree of impact upon the significance of the Town Hall and its setting, and the surrounding area. It will enhance community facilities within the area, bringing both heritage and wider public benefits.

66. It is recommended that planning permission is granted, subject to the conditions as set out below.

### **SUPPLEMENTARY REPORT**

**Agenda Page Number: 57**

#### **Members Site Visit**

Members visited the site on 12 December 2015. The following issues were raised:

#### **Community Access Arrangements**

The main committee report highlights that community access is proposed for the new swimming pool during the following times:

- The swimming pool will be open during the week for use by local schools for four half day sessions
- Community use of the swimming pool and studio facilities is anticipated to be before school use on weekdays, between 7 and 9am, and after school, between 7 and 9.30pm
- Community access for swimming lessons is anticipated on two early evening sessions per week, as well as weekend mornings.
- General community access to the pool facilities is expected on weekend afternoons and during holiday periods.

A community access plan is recommended to be secured as a condition to any forthcoming consent and the full community access details will be secured pursuant to this condition.

A 6-lane 25 m swimming pool is currently being delivered within the Dexion House site in Wembley. This is required to be publicly accessible which entry charges at local authority comparable rates.

#### **Car park management**

A car park management plan is to be conditioned to any forthcoming consent. This will include the requirement for the car park to be open for community access use during weekends. This has been secured following a request by officers in Transportation.

### Relocation of bus stop and shelter

The applicant has been in discussions with Brent's Traffic Engineer and TfL regarding the relocation of the bus stop and shelter. The principle to relocate the bus stop and shelter has been agreed, but the exact location of the bus stop and shelter will need further consideration taking into account frequency of buses, the new pedestrian crossing on Forty Lane and street furniture/trees and the telephone booth on Forty Lane.

As discussed in condition 14, the applicant is required to make appropriate arrangements in writing to enter into an agreement with the Local Highway Authority and Transport for London for the works to the bus stop cage, shelter and associated works. Such works need to be approved by TfL and Brent's Transportation Unit prior to commencing works on the swimming pool building.

### Pedestrian crossing improvements

The works regarding the pedestrian crossing on Forty Lane/The Paddocks are in progress, with the detailed design being considered by officers in Transportation. The traffic signals works (to be undertaken by TfL) cannot be commissioned until the pedestrian crossing works have been completed.

A variation of condition application was approved on 7 September 2015 (LPA Ref: 15/2790) to allow interim pedestrian access route and associated measures for a one year period in the event that the approved highway works were not fully implemented prior to first occupation of the school. The measures include the requirement for all entry into the site to be provided via the main entrance to the former Town Hall on the southern elevation of the building and to not use the access on The Paddocks.

### Potential for vehicle damage at the junction with The Paddocks

The corner of the building has been set back away from the visibility splay at the junction of The Paddocks in response to concerns raised by Transportation. The amended layout has been reviewed by officers in Transportation and considered acceptable.

### Memorial trees

The existing memorial trees are unable to remain in situ due to proximity to the swimming pool building. They will therefore need to be removed. Your officers have suggested that funding is secured for two new trees to be planted in Chalkhill Park with memorial leaves to be added to the Memorial Tree in the Civic Centre. An alternative option would be to have two new memorial trees planted in the lower landscape terrace of the site to the left hand side of the main steps into the building. If this is an option that members wished to pursue it is recommended that condition 9 is updated to add the following bullet point:

*details of two replacement memorial trees (Flowering Cherry or similar species) to be planted in the lower landscape terrace on the left hand side of the main steps to the Lycee building*

### Impact of setting of listed building

As advised in the main committee report, the proposal has been subject to extensive pre-application discussions with Historic England and the 20th Century Society. Both of these statutory consultees have taken the view that the swimming pool building has been sensitively designed to respect the setting of the listed building, and read as a subservient addition to the main listed building.

The ancillary rooms (storage, plant, first aid and changing rooms) are to be situated under the car park. It is likely to be difficult to set the building further back from the road without reducing the width of the swimming pool itself as this would result in the open pool hall area projecting underneath the car park rather than just the ancillary rooms.

In light of the above, your officers are of the view that the proposed 1.4 m set back of the swimming building from the back edge of the pavement together with the height of the building at the same level as the car park is considered appropriate.

Full details of facing bricks for the swimming pool building together with details of windows (including depth of reveals) are recommended to be conditioned to any forthcoming consent.

### Plant equipment and impact on neighbouring residential occupiers

The nearest residential property is on the opposite side of Forty Lane (No. 52 Forty Lane). A condition (No.

22) is recommended to be secured to any forthcoming consent requiring plant and ancillary equipment to be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises.

**Recommendation: Remains approval**

**CIL DETAILS**

This application is liable to pay **£0.00\*** 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): 13774 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
Non-residential institutions	13774	12580	1194	£0.00	£0.00	£0.00	£0.00

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	259	
<b>Total chargeable amount</b>	£0.00	£0.00

\*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.**



**Brent**

DECISION NOTICE – APPROVAL

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Application No: 15/4140

To: Miss Hill  
Nathaniel Lichfield & Partners  
14 Regent's Wharf  
All Saints Street  
London  
N1 9RL

I refer to your application dated 24/09/2015 proposing the following:  
Erection of a part basement building fronting Forty Lane to house a five lane swimming pool and studio with a green roof and associated works to include courtyard entrance, security gates, cycle parking, demolition and reinstatement of retaining wall, landscaping and installation of PV panels on the roof of the new Annex building  
and accompanied by plans or documents listed here:  
Refer to Condition 2  
at Lycee International De Londres, 54 Forty Lane, Wembley, HA9 9LY

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:

Signature:

Head of Planning, Planning and Regeneration

**Notes**

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

DnStdG

## SUMMARY OF REASONS FOR APPROVAL

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

The National Planning Policy Framework (NPPF)  
The London Plan - The Spatial Development Strategy for London Consolidated with Alterations since 2011 (adopted March 2015)  
Brent Unitary Development Plan 2004  
Brent Core Strategy 2010  
Wembley Area Action Plan

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment  
Environmental Protection: in terms of protecting specific features of the environment and protecting the public  
Employment: in terms of maintaining and sustaining a range of employment opportunities  
Transport: in terms of sustainability, safety and servicing needs  
Community Facilities: in terms of meeting the demand for community services  
Wembley Regeneration Area: to promote the opportunities and benefits within Wembley

- 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):

WFS LSI A31 SWI GA SL 000100 Rev A - Location Plan  
WFS LSI A31 SWI GA SL 000101 Rev A - Existing Site Plan  
WFS LSI A31 SWI ELV SL 000102 Rev A - Existing Elevations and Sections  
WFS LSI A31 SWI GA GND 000200 Rev B - Proposed Ground Floor Plan  
WFS LSI A31 SWI GA RF 000201 Rev B - Proposed Roof Plan  
WFS LSI A31 SWI ELV SL 000202 Rev B - Proposed Elevations  
WFS LSI A31 SWI SEC SL 000203 Rev B - Proposed Sections  
WFS LSI A31 SWI CGI SL 000204 Rev A - Proposed 3D Visual  
WFS LSI A31 SWI EXT SL 000300 Rev B - Proposed Landscape Scheme  
WFS LSI A31 SWI DET SL 000400 Rev A - Proposed Parapet Detail  
WFS LSI A31 SWI DET SL 000401 Rev A - Indicative Isometric View  
WFS LSI A31 SWI DET SL 000402 Rev A - Proposed Window & Door Details  
WFS LSI A31 SWI DET SL 000403 Rev A - Proposed Courtyard Security Gate  
WFS LSI A31 SWI DET SL 000404 Rev A - Proposed Plant Equipment Details  
WFS LSI A31 SWI GA SL 000500 Rev A - Proposed Demolition Plan

Supporting Documents

Archaeological Desk-Based Assessment prepared by Wessex Archaeology dated September 2013 (Ref: T17401.01)  
Arboricultural Report - prepared by CBA Trees dated September 2015 (Ref: CBA10161 v 1B Pool)  
Coach Management Plan - prepared by TTP Consulting dated September 2015  
Community Access Plan - prepared by Bouygues UK Ltd dated 19 August 2015 (Ref: WSP BYG A0 ALL REP SL 000001 Rev A)  
Design and Access Statement - prepared by LSI dated September 2015

Energy Statement - prepared by Harley Haddox dated September 2015 (amended October 2015 Issue 05)  
 External Lighting Assessment Rev 02 - prepared by Harley Haddox  
 External Noise Assessment - prepared by Aecom dated August 2015 (Ref: 60300819)  
 Flood Risk Assessment - prepared by Ramboll Environ dated 22 September 2015 (Ref: UK14-18934)  
 Foul Drainage and Utilities Statement - prepared by Bouygues UK Ltd dated 24 August 2015 (Ref: WSP BYG A0 ALL REP SL 000001 Rev A)  
 Heritage Impact Assessment - prepared by NLP dated 18 September 2015 (Ref: 13349/NG/KD)  
 Planning Statement - prepared by NLP dated 24 September 2015 (Ref: 13349/NG/RHi)  
 Preliminary Ecological Assessment (Habitat Survey) - prepared by Middlemarch Environmental dated October 2015 (Ref: RT-MME-120792-01)  
 Interim School Travel Plan - prepared by TTP Consulting dated September 2015  
 Site Waste Management Plan - prepared by Bouygues UK Ltd dated 19 August 2015 (Ref: WSP BYG A0 ALL REP SL 000001 Rev A)  
 Statement of Community Involvement - prepared by NLP dated 24 September 2015 (Ref: 13349/NG/JHy)  
 Sustainability Statement and Checklist - prepared by Bouygues UK Ltd dated September 2015  
 Transport Statement - prepared by TTP Consulting dated September 2015  
 Ventilation Statement Rev 01 - prepared by Harley Haddox

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

- 3 No music, public address system or any other amplified sound system shall be installed or used externally on the site without the prior written approval of the Local Planning Authority. Any proposed system(s) shall be submitted to and approved in writing by the Local Planning Authority prior to installation and thereafter only installed and operated in accordance with the details so approved.

Reason: To safeguard the amenities of the adjoining occupiers.

- 4 Vegetation clearance shall be undertaken outside of the nesting bird season (generally extends between March and September inclusive). If this is not possible then any vegetation that is to be removed or disturbed shall be checked by an experienced ecologist for nesting birds immediately prior to works commencing. If birds are found to be nesting any works which may affect them is required to be delayed until the young have fledged and the nest has been abandoned naturally.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

- 5 The swimming pool building hereby approved shall be ancillary to the use of the main school building within the site (with the exception of community access as secured as part of this planning consent), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enable to Local Planning Authority to consider the highway impact of in dependant use of the swimming pool building.

- 6 No development shall take place, including any works of demolition, until a Construction Method Statement and Construction Logistics Plan has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

(i) The best practical means available in accordance with British Standard Code of Practice BS5228-1:2009 shall be employed at all times to minimise the emission of noise from the site;

(ii) The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 08:00 - 18:00 Mondays-Fridays, 08:00 -13:00 Saturdays and at no time on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority;

(iii) Details on how the bus stop and pavement will not be blocked or impeded from its



- normal usage during construction;
- (iv) A photographic dilapidation survey of the pavement;
- (v) the parking of vehicles of site operatives and visitors;
- (vi) construction traffic routes to the development site;
- (vii) loading and unloading of plant and materials;
- (viii) storage of plant and materials used in constructing the development;
- (ix) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (v) wheel washing facilities and schedule of highway cleaning;
- (xi) measures to control the emission of dust and dirt during construction;
- (xii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- (xiii) School access during the construction phase (including staff car parking, servicing and delivery arrangements);
- (xiii) Enter into the Considerate Contractors Scheme

Reason: To protect residential amenity and ensure the development does not have an adverse impact on the highway.

- 7 No works shall commence on site prior to a Tree Protection Plan and Arboricultural Method Statement being submitted to and approved in writing by the Local Planning Authority. These shall include method statements and plans which:

- (i) adhere to the principles embodied in BS5837:2012
- (ii) indicate exactly how and when the retained trees on-site or off-site near the site boundaries will be protected during the construction works;
- (iii) show root-protection zones;
- (iv) detail method of pruning works to retained trees

Provision shall also be made for supervision of tree protection by a suitably qualified and experience arboricultural consultant and details shall be included within the tree protection statement. No works shall commence on site until the Council's Tree Officer has been on site to inspect the protection measures and, the development shall be carried out strictly in accordance with the agreed details.

Reason: To ensure retention and protection of trees on the site in the interests of amenity.

- 8 Prior to commencement of building works on site, further details of the following external materials (with samples to be pre-arranged to be viewed on site) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (i) Details of facing bricks including a sample board showing details of the mortar
- (ii) Details of the specification and colour of the window frames and doors
- (iii) Details of the finishing material and colour for parapet roof

The works shall be carried out in full accordance with the approved details, unless alternative materials are agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory development which does not prejudice the setting of the listed building.

- 9 Prior to commencement of building works on site, further details of the following shall be submitted to and approved in writing by the local planning authority. Such details shall include drawings, including sections where appropriate, at a suitably large scale (e.g. 1:5, 1:10, 1:20, 1:50 as appropriate) or manufacturer's literature which show:

- (a) the window and door reveals, headers and sills, including the depth of the reveals and the junction of materials around the returns;
- (b) measures to screen the open roof of the plant room;
- (c) details of the design, material and height of the external flue

- (d) details of the design and materials of the security gates

The development shall be completed in accordance with the details so approved before the swimming pool building is occupied.

Reason: These details are required to ensure that a satisfactory development is achieved.

- 10 Notwithstanding the plans hereby approved, within six months of commencing of works on site, further details of all hard and soft landscape works within the site shall be submitted to and approved in writing by the Local Planning Authority. The hard and soft landscaping shall be completed prior to first occupation of the swimming pool building hereby approved.

Details shall include:

- (a) all planting (including location, species, size, density) of replacement trees within the car park and along The Paddocks frontage as shown in the Proposed Landscape Scheme, details of low level planting along the front of the building, and planting within the courtyard;
- (b) specification of the green roof over the swimming pool building to include section plans and construction methodology, full details of all planting within the green roof (including location, species, size, density) that incorporating a biodiversity enhancement scheme as suggested within the Ecology Statement;
- (c) Details of bat boxes (suitable for pipistrelle species) and bird boxes (suitable for house sparrow) and
- (d) Details of ramped access for terrestrial mammals if excavations are left open overnight during the construction stages
- (e) Details of hard surface materials within the site including means of demarcated the private forecourt from the public highway
- (f) Details of external lighting including light spillage diagrams

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

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

- 11 Prior to commencement of works on site, further details of the retaining walls as set out in the Proposed Demolition Plan shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (a) details of the methodology for protecting the existing retaining wall along the stepped access to the site from Forty Lane during construction works;
- (b) details of the methodology for the demolition of the retaining wall along the car park and the low boundary wall along the frontage;
- (c) details of the methodology for the rebuilding of the retaining wall along the car park (with the additional five courses) and the low boundary wall along the frontage, including details of materials and mortar (to be prearranged to be viewed on site) and elevation plans.

The approved methodologies shall be carried out in full accordance with the approved details, and the swimming pool building shall not be occupied until the retaining wall along the car park and the low boundary wall along the frontage have been rebuilt to the satisfaction of the Local Planning Authority.

Reason: In the interests of the setting of the listed building.

- 12 Prior to commencement of the development, the applicant shall make appropriate arrangements in writing to enter into an agreement with the Local Highway Authority and Transport for London to provide the following highway works:

- (i) works to the bus stop cage, shelter and associated works.

The new swimming pool building shall not be occupied (or other timescales to be agreed in writing by the Local Planning Authority) until the above works have been completed to the satisfaction of the Local Highway Authority and have been certified in writing as being substantially complete by or on behalf of the local planning authority. The works shall be carried out at the applicants expense.

Reason: In the interests of highway and pedestrian safety.

- 13 Within 2 months of occupation of the new swimming pool building, a Energy Assessment Review shall be submitted to and approved in writing by the Local Planning Authority. This review by an approved independent body shall verify that the development has met or exceeded the following:

- (i) Minimum 35% improvement on Part L 2013 Building Regulations Target Emission Rate ("TER") for CO2 emissions;
- (ii) BREEAM 'Excellent' rating
- (iv) Minimum score of 44% on Brent's Sustainability Checklist

If the review specifies that the development has failed to meet the above levels, compensatory measure shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development.

The approved Sustainability and Energy Strategies (or as amended) shall be fully implemented and maintained for the lifetime of the Development unless otherwise agreed in writing with the Council.

Reason: To ensure a satisfactory development which incorporates sustainability measures that are commensurate to the scale of development proposed.

- 14 Prior to the commencement of the use of the new swimming pool buildings, an updated School Travel Plan of sufficient quality to score a PASS rating when assessed under Transport for London's ATTrBuTE programme (or any replacement thereof), to incorporate targets for minimising car use, monitoring of those targets and associated measures to meet those targets, shall be submitted to and approved in writing by the Local Planning Authority.

On first Occupation of the new school building the Travel Plan shall be fully implement for the lifetime of the Development, or as amended by the agreement of the Local Planning Authority in writing.

Reason: In order to promote sustainable transport measures where on-street parking and manoeuvring may cause highway safety problems.

- 15 Prior to first occupation of the swimming pool building hereby approved, further details of an access strategy for the building shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of how inclusive access is provided for all users. The approved access strategy shall thereafter be implemented in full when the building is first occupied, and thereafter retained throughout the lifetime of the development.

Reason: In the interests of inclusive access.

- 16 Prior to occupation of the new swimming pool building, a car park management plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include the management of car parking on site for community access during weekends. The car park management plan shall be implemented in accordance with the approved details, and maintained throughout the lifetime of the development unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of highway safety.

- 17 Prior to occupation of the new swimming pool building, a servicing and delivery plan for deliveries, refuse collection and coaches shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details throughout the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety and the amenities of neighbouring occupiers.

- 18 Prior to the occupation of the new swimming pool building, a Community Access Plan shall be submitted to and approved in writing by the Local Planning Authority, and a copy of the approved agreement has been provided to the Local Planning Authority. The Plan shall allow for a minimum of 30 hours of community use each week. The Plan shall include details of:

- (i) written notification to the local planning authority of the date of implementation of the Plan within 21 days of commencement;
- (ii) the facilities to be made available including: the swimming pool, activity studios and ancillary changing rooms and parking facilities
- (iii) access by non-school users/non-members and management responsibilities including the ongoing promotion of the availability of the facilities for community use including up-to-date information about this on the school website;
- (iv) rates of hire based upon and comparable with those charged at other public facilities;
- (v) terms of access;
- (vi) a mechanism for review after one year following implementation of the Plan

The approved Community Access Plan shall be brought into operation within 3 months of occupation of the new school and it shall remain in operation for the duration of the use of the development.

Reason: To secure well-managed, safe community access to the sports and other community facilities, to ensure sufficient benefit to the development of sport and to accord with local and regional policies for the maximum use of community facilities.

- 19 Prior to the installation of any plant equipment, an assessment of the noise level from any installed plant (such as air handling units, generators, ventilation/extraction systems) together with any associated ducting, achieving 10 dB(A) or greater below the measured background noise level at the nearest noise sensitive premises, shall be submitted to and approved in writing by the Local Planning Authority. The method of assessment shall be carried out in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. If the predicted noise levels of the plant exceed those specified within this condition, then a scheme of insulation works to mitigate the noise shall be included. The recommendations provided within the noise assessment together with any required mitigation measures shall be carried out in full accordance with the approved details prior to first use of the plant equipment hereby approved.

Reason: To protect that users of the surrounding area do not suffer a loss of amenity by reason of noise nuisance.

- 20 Prior to first occupation of the swimming pool building hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority of the boilers and/or CHP system installed, demonstrating that the rated emissions of Oxides of Nitrogen (NOx) do not have an adverse impact on local air quality. If any mitigation measures are required, these shall be carried out in full accordance with the approved details prior to first use of the boilers and/or CHP system hereby approved.

Reason: To protect local air quality.

- 21 Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have

been completed.

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

- 22 Prior to first occupation of the new swimming pool building, further details of the PV panels on the roof of the annex building (including the size, location and orientation of the photovoltaic panels) in accordance with the sustainability measures secured as part of this development, together with details of how the PV panels will be linked to the swimming pool building, shall be submitted to and approved in writing by the Local Planning Authority. The PV panels shall be installed prior to first occupation of the swimming pool, and thereafter maintained throughout the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of sustainability and the setting of the listed building.

- 23 Prior to occupation of the new school, further details of the cycle spaces within the courtyard with details of how the cycle stands will be secure, shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To ensure satisfactory level of cycle parking.

- 24 Prior to first occupation of the swimming pool building hereby approved, further details of external signage (to be conservation style) including details of any illumination shall be submitted to and approved in writing by the Local Planning Authority. The signage shall thereafter be installed in accordance with the approved details.

Reason: In the interests of the setting of the listed building and highway safety.

- 25 (a) Prior to the commencement of works, a Training & Employment Plan shall be submitted to and approved in writing by the Local Planning Authority which shall include but not be limited to the following (unless otherwise agreed in writing by the Local Planning Authority):

1. Details of the Training & Employment Co-ordinator;
2. A methodology to target:
  - i. 1 in 10 of the projected number of construction jobs being held by Brent Residents and
  - ii. the provision of training for a previously unemployed Brent Resident or School leaver for 1 in 100 construction jobs;
3. Details of the procedures to report the provision of jobs and training to the Council's Head of Employment;
4. A commitment to offer an interview to any job applicant who is a resident in Brent provided that they meet the minimum criteria for the particular job;

The approved Training and Employment Plan shall be implemented throughout the construction phases of the development for the lifetime of the construction of the Development.

(b) Prior to occupation of the building, a Training & Employment Verification Report shall be submitted to and approved in writing by the Council. The report shall set out how the measures approved pursuant to part (a) of this condition have been implemented and shall evidence the number of jobs and training opportunities held by Brent Residents during construction.

Reason: In the interest of providing local employment opportunities.

Any person wishing to inspect the above papers should contact Victoria McDonagh, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5337

## COMMITTEE REPORT

Planning Committee on 13 January, 2016  
Item No 04  
Case Number 15/4141

## SITE INFORMATION

**RECEIVED:** 24 September, 2015

**WARD:** Barnhill

**PLANNING AREA:** Kingsbury & Kenton Consultative Forum

**LOCATION:** Lycee International De Londres, 54 Forty Lane, Wembley, HA9 9LY

**PROPOSAL:** Listed building consent for the erection of a part basement building fronting Forty Lane to house a five lane swimming pool and studio with a green roof and associated works to include courtyard entrance, security gates, cycle parking, demolition and reinstatement of retaining wall, landscaping and installation of PV panels on the roof of the new Annex building.

**APPLICANT:** Wembley Educational Charitable Trust

**CONTACT:** Nathaniel Lichfield & Partners

**PLAN NO'S:** Refer to condition 2

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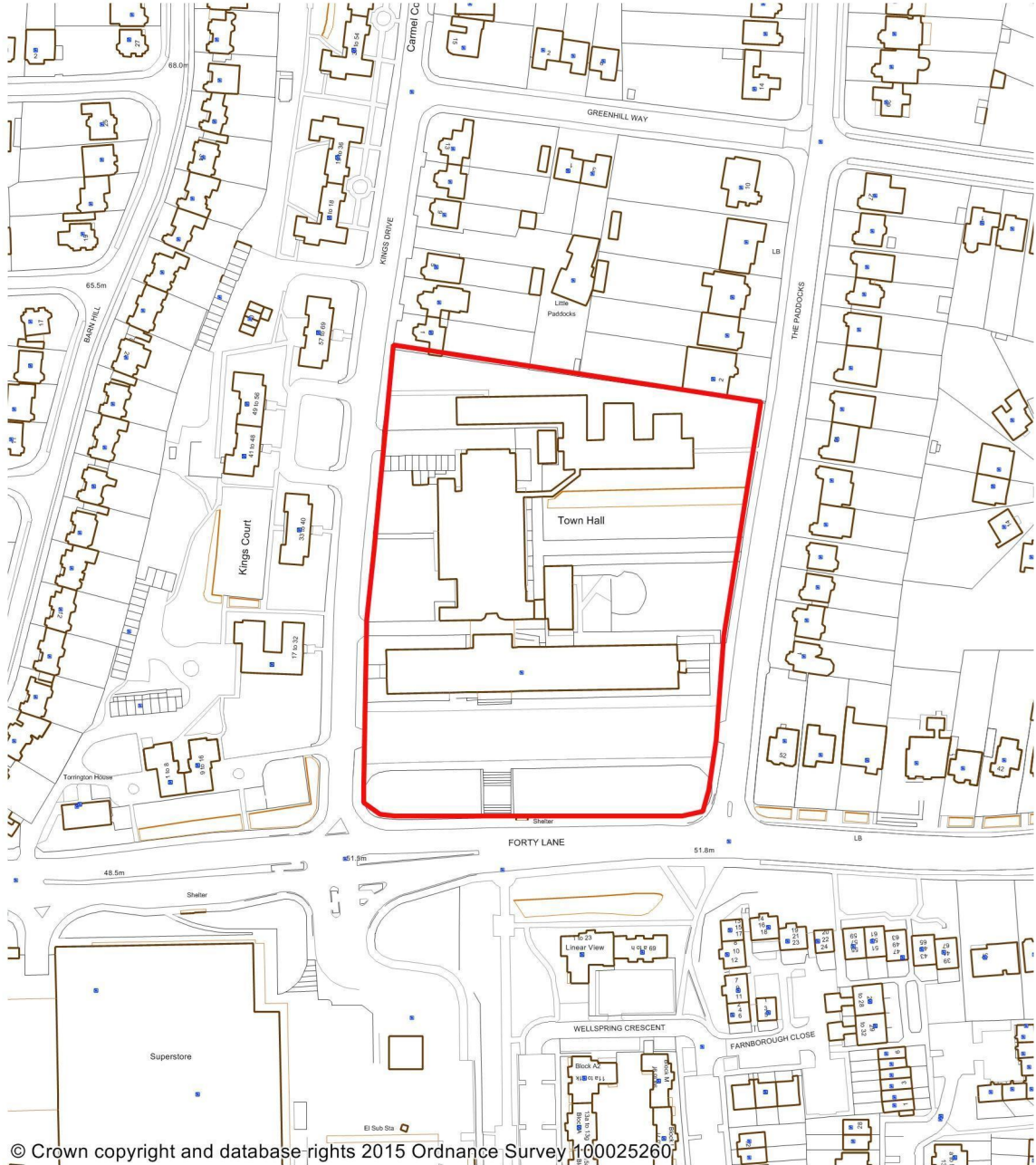
# SITE MAP



## Planning Committee Map

Site address: Lycee International De Londres, 54 Forty Lane, Wembley, HA9 9LY

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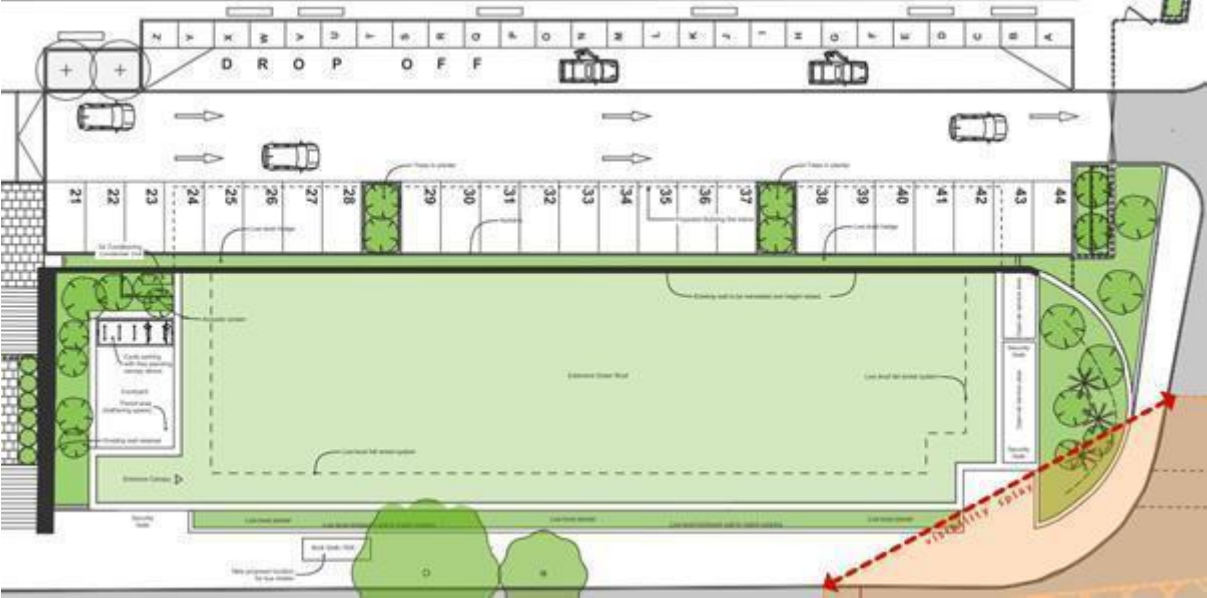
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This map is indicative only.

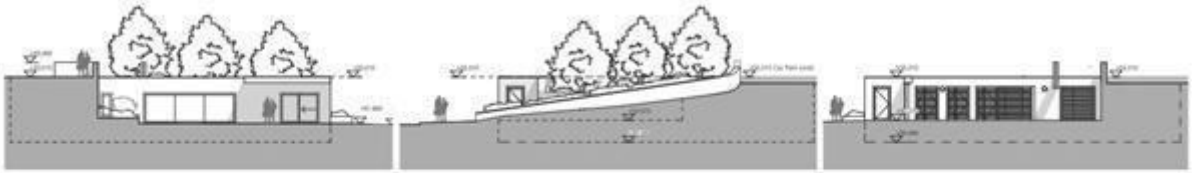




**Proposed Roof Plan**



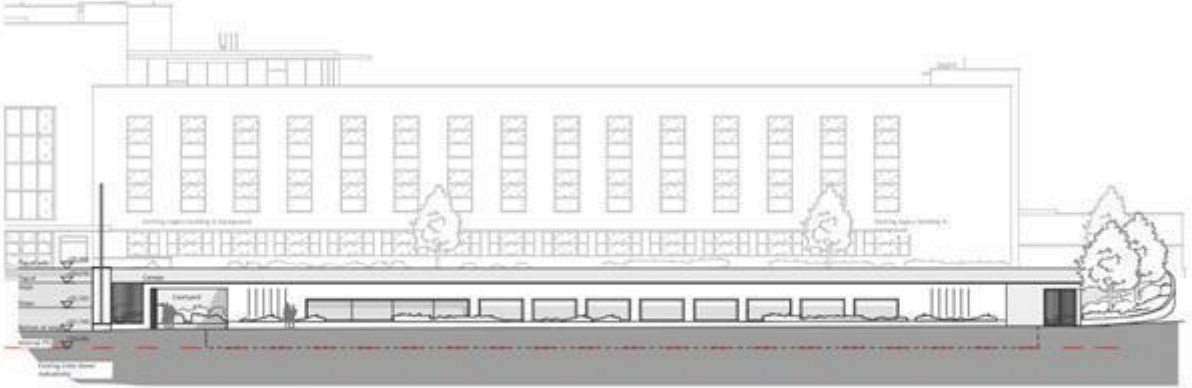
**Proposed Elevations**



1. West Elevation

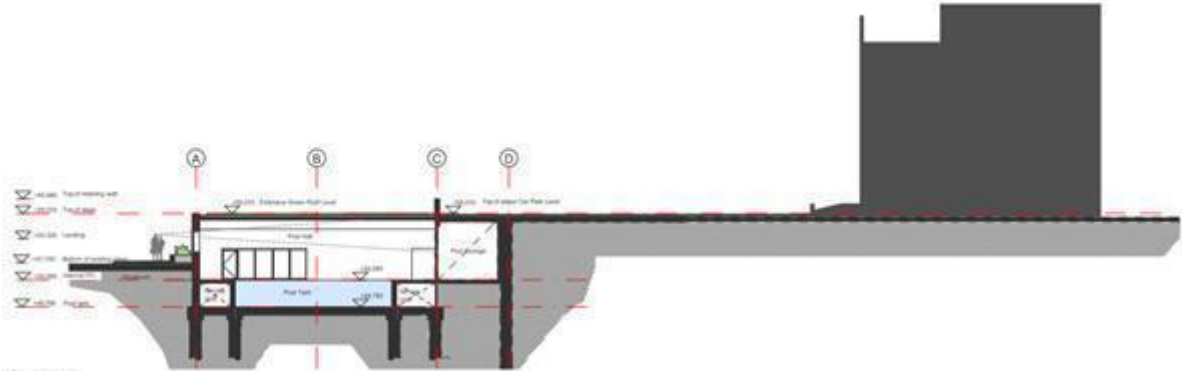
2. East Elevation

3. Plant Elevation (East)

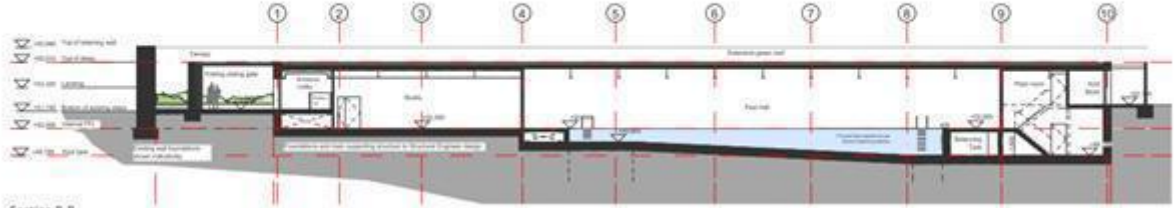


4. South Elevation

**Proposed Sections**



Section A-A



Section B-B

**Proposed Visual**



## INTRODUCTION

The application is reported to the Planning Committee under the provisions of Clause 24 of the Planning Code of Practice following the resolution at the previous meeting on 16 December 2015 of 'minded to refuse', contrary to the Officer recommendation to grant consent.

In making this resolution, Members raised concerns about the development related to reason highlighted below. No additional material or information has been submitted by the applicant for Officers to comment on. Members are reminded that any appeals are assessed by the Planning Inspectorate and that appeal performance is a planning 'quality' indicator. Appeals also involve costs in terms of staff time and legal advice and the appellant's costs can be awarded if an Inspector considers that a reason for refusal to be unreasonable. The test of unreasonableness is different from not agreeing with the Council's decision.

### (1) Concern about siting, height and design of the building and associated impact on the setting of and views to the Listed Building

As the report outlines, the proposal followed pre-application advice including with Heritage England and the 20th Century Society. However, the assessment of impact is a matter of judgement. If the Planning Committee are still minded to refuse on this ground then the following is a possible reason for refusal;

*The proposed pool building, by reason of its design, size and siting and, in particular, its location within the principal frontage of the Grade II listed former Brent Town Hall, results in a detrimental impact on the setting of a Grade II listed building, reducing the visibility of the listed building when viewed from the immediate frontage of the property. This is contrary to Policy 7.8 of the London Plan (consolidated with further alterations since 2011) and the National Planning Policy Framework.*

**Recommendation: Officers continue to recommend that permission is granted subject to the conditions set out in the original report and supplementary report.**

**The original report and supplementary report from previous Committee Agenda is set out below:**

## RECOMMENDATIONS

**Grant Listed Building Consent**, subject to the conditions set out in the Draft Decision Notice.

### **A) PROPOSAL**

Listed building consent for the erection of a part basement building fronting Forty Lane to house a five lane swimming pool and studio with a green roof and associated works to include courtyard entrance, security gates, cycle parking, demolition and reinstatement of retaining wall, landscaping and installation of PV panels on the roof of the new Annex building.

### **B) EXISTING**

The application site comprises Lycee International de Londres Winston Churchill located on Forty Lane. It is a primary and secondary school with 9 forms of entry at secondary level for pupils aged 11 to 18 (total number of 900 pupils), and a single form entry primary school for pupils aged 5 to 11 (total number of 170 pupils). It will accommodate 1070 pupils when at full capacity.

The building is a Grade II listed building and formally accommodated the main civic offices of the former Borough of Wembley and subsequently Brent since 1940. The Town Hall was statutorily listed on 24 September 1990 at Grade II. The main civic offices of Brent are now located within the new Brent Civic Centre on Engineers Way.

This application relates to listed building consent and will focus on the Town Hall as a heritage asset and the impact of the proposal upon this heritage asset and wider area including the Barn Hill Conservation Area. The wider planning considerations of the proposal are discussed within the full planning application ref: 13/1995.

The school occupies a site of approximately 2.1 hectares and fronts onto Forty Lane. As part of the change of use of the former Town Hall into a school, a new two to three storey annex was approved to provide additional school accommodation including a dining hall.

The main entrance to the building is accessed via Forty Lane with an access road and car parking running across the length of the building fronting Forty Lane at a higher level than the pavement on Forty Lane. There are significant level changes across the site with the land rising by around 9.4m from the pavement on Forty Lane to the base of the boundary wall to the north of the site.

The eastern boundary of the Town Hall abuts The Paddocks and its western boundary abuts Kings Drive. Both The Paddocks and Kings Drive are predominantly residential in character. Its northern boundary abuts the rear gardens of properties on Kings Drive and The Paddocks. To the south on Forty Lane is Asda Superstore, a Kwik Fit car garage and public house, with the Chalkhill Estate behind these buildings. Opposite the site on Bridge Road is the Ark Academy Primary and Secondary School and to the west beyond Kings Drive is the Barn Hill Conservation Area.

## C) AMENDMENTS SINCE SUBMISSION

During the course of the application, the following amendments have been made to the proposal:

- Alterations to the corner of the swimming pool building on the Forty Lane/The Paddocks junction to not interfere with visibility splays

Car parking spaces reduced to 46 to 44 spaces with increased tree planting in the car park

## D) SUMMARY OF KEY ISSUES

**Impact on heritage asset (Listed Building):** The proposed works do not cause substantial harm to the significance of the heritage asset. The works are to less significant elements of the curtilage of the listed building, most of which will be retained. The setting has been carefully considered and the views to the building will not be harmed. The new build has been carefully considered to reflect and complement the special interest of the listed building.

The new building, as a result of its siting and layout within the school site in compliance with SPG17 guidance, will not adversely impact on the amenity of neighbouring occupiers.

**Landscaping and trees:** A number of trees within the lower landscaped terrace where the swimming pool is to be located are to be removed. These will be replaced elsewhere within the school site in the car park or along the frontage with The Paddocks. The memorial trees will be replanted with new trees in Chalkhill Park and two memorial leafs provided on the memorial tree in the Civic Centre.

## RELEVANT SITE HISTORY

Relevant planning history

### Associated full planning application:

**15/4140:** Full Planning Permission sought for erection of a part basement building fronting Forty Lane to house a five lane swimming pool and studio with a green roof and associated works to include courtyard entrance, security gates, cycle parking, demolition and reinstatement of retaining wall, landscaping and installation of PV panels on the roof of the new Annex building - under consideration.

### Previous consents relating to the school use and associated works

**13/1995:** Full Planning Permission sought for Change of use and refurbishment of the existing Town Hall (Sui Generis) into a new primary and secondary French International School (Use class D1) involving the demolition of a number of ancillary buildings (single storey pre fabricated building and freestanding garages to the rear, and the existing print room attached to the main Town Hall building) and the erection of a part 2/part 3 storey extension along with associated works, subject to a Deed of Agreement dated 28 January 2014 under Section 106 of the Town and Country Planning Act 1990, as amended - **Granted, 29/01/2014.**

**13/1996:** Listed building consent for the change of use and refurbishment of the existing Town Hall (Sui Generis) into a new primary and secondary French International School (Use class D1) involving the demolition of a number of ancillary buildings (single storey pre fabricated building and freestanding garages to the rear, and the existing print room attached to the main Town Hall building) and the erection of a part 2/part 3 storey extension along with associated works - **Granted, 29/01/2014.**

## CONSULTATIONS

A joint consultation letter was sent out to 268 neighbouring properties for the full planning application and listed building consent application on 9 October 2015.

Site Notice: 27/10/2015 - 17/11/2015  
Press Notice: 15/10/2015 - 05/11/2015

### Public Consultation

Two letter of support received on the following grounds:

- The opening of the school represented a significant and positive investment in the old town hall building.
- The site proposed for the swimming pool is currently under-utilised and has little environmental/ecological merit.
- The proposed design includes suitable environmental features to enhance the site.
- Approval by the Council will demonstrate the Council's continued commitment to the school and its development, with consequent benefits to the wider Wembley community.
- New infrastructure that will benefit everyone in the neighbourhood.

### **QARA**

No objections to the proposal in principle. Has queried whether there is scope to provide more landscaping on the roof.

### Statutory Consultation

#### **Historic England**

No objections raised. Advised that the application is determined in accordance with national and local policy guidance, and on the basis of Brent's conservation advice.

#### **Greater London Archaeological Advisory Service (GLAAS)**

No objections raised.

#### **The Twentieth Century Society**

No objections subject to conditions being imposed to secure details of the precise brick colour and size and details of signage that should be conservation signage.

#### **Transport of London**

No objections raised subject to the following:

- During the construction of the site the bus stop should not be not blocked or impeded from its normal usage in any way.
- A Travel Plan and Construction Logistics Plan should be secured through condition.

### Internal Consultation

#### **Heritage Officer**

Advised that the proposal will sustain the significance of heritage assets. Have advised that conditions should be applied to the following:

- Full recording of the frontage for the London Parks and Garden's Trust Register
- A brickwork panel of the new brick bonding to be approved on site before the commencement of works.
- a brickwork panel using the old bricks to be approved on site before the commencement of works.
- Details of new signage.
- Colour and section of the window frames, associated boundary treatment, external doors and hard landscaping.
- 

#### **Landscape**

No objections in principle. Replacement trees to be planted within the school site.



Concerns have been raised with the use of Pyracantha and Berberis in narrow planting areas fronting the street. Alternatively planting should be secured by condition.

### **Sustainability**

No objections raised.

### **Transportation**

No transportation objections subject to the following conditions

- (a) A revised drawing to be submitted showing the boundary wall, near the junction, to be no higher than 1m, in order to maintain junction visibility.
- (b) The bus stop relocation, proposed new shelter, removal of the existing shelter and relocation of the bus cage marking should be arranged with Transport for London and Brent Council as a Highway Authority.
- (c) The school car park is made available to community use of the pool
- (d) A revised travel plan should be submitted for LPA approval.

## **POLICY CONSIDERATIONS**

### **The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990**

The above legislation provides specific protection for buildings and areas of special architectural or historic interest. Section 66(1) of the Act states that in the consideration of proposals for planning permission which affect a listed building or its setting, the local planning authority shall pay special regard to the desirability of preserving i) that setting, or ii) any features of special; architectural or historic interest it possesses.

### **National level policy and guidance**

The National Planning Policy Framework (NPPF) was published in March 2012. It discusses the need to conserve and enhance the historic environment. Paragraph 126 of the NPPF outlines that the conservation of heritage assets can bring wider social, cultural, economic and environmental benefits. In accordance with paragraph 128, applicants are required to describe the significance of their heritage asset affected by a proposal, including any contribution made by their setting. Paragraphs 133 and 134 provides guidance with regards to the impact of a proposal on the significance of the heritage asset, and states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

### **Regional level policy and guidance**

*The London Plan - The Spatial Development Strategy for London Consolidated with Alterations since 2011 (adopted March 2015)*

Strategic planning in London is the shared responsibility of the Mayor of London, 32 London boroughs and the Corporation of the City of London. Under the legislation establishing the Greater London Authority (GLA), the Mayor has to produce a spatial development strategy (SDS) – which has become known as ‘the London Plan’ – and to keep it under review. Boroughs’ local development documents have to be ‘in general conformity with the London Plan, which is also legally part of the development plan that has to be taken into account when planning decisions are taken in any part of London unless there are planning reasons why it should not.

Key policies include:

- 7.4 Local Character
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology

### **Local level policy and guidance**

*Brent Unitary Development Plan 2004*

Within the 2004 UDP the following list of saved polices are considered to be the most pertinent to the application.

#### Strategic

- STR11 The quality and character of the Borough's built and natural environment will be protected and enhanced.
- STR14 New development should make a positive contribution to improving the quality of the urban environment.
- STR15 Major development should enhance the public realm.
- STR16 The particular characteristics of the Borough's Listed Buildings will be conserved or enhanced.

#### Built Environment

- BE6 Public Realm: Landscape Design
- BE7 Public Realm: Streetscape
- BE9 Architectural Quality
- BE22 Protection of Statutory Listed Buildings
- BE23 Setting of Listed Buildings
- BE30 Enabling Development & Heritage Asset Conservation
- BE31 Sites of Archaeological Interest

#### *Brent Core Strategy 2010*

The following spatial policies are considered relevant to this application:

- CP 7 Wembley Growth Area  
Sets out the vision for Wembley to be a high quality, urban, connected and sustainable city quarter reflecting its designation as a Strategic Cultural Area for London.
- CP17 Protecting and Enhancing the Suburban Character of Brent  
Requires the distinctive suburban character of Brent to be protected from inappropriate development.

## **DETAILED CONSIDERATIONS**

### Introduction

1 Lycee International De Londres Winston Churchill is a Grade II listed building. Up to 2013, it had accommodated the main civic offices of the former Borough of Wembley and subsequent Brent since 1940. The building was designed by the architect Clifford Strange in a Scandinavian influenced Art Deco moderne style.

2. The building was statutorily listed on 24 September 1990 at Grade II, and as such, enjoys legal protection under the Planning (Listed Buildings and Conservation Areas) Act 1990. Any alterations to the building including the interior and any buildings within the curtilage before July 1948 will require listed building consent.

3. The listing description reads:

*Municipal offices, library and assembly hall, Built 1935-40 as Wembley Town Hall by Clifford Strange, Brick - clad steel frame; flat roof. Multi-function and sloping site expressed in T-shaped plan set around central entrance hall with Council chamber above and assembly hall to rear, and library to left. Severe Scandinavian style 3-storey front, Tall central staircase tower, slightly recessed behind flanking windows, has tall window set above entrance with flat canopy and steps; 15-bay wing to right has upper windows set in tall recessed bays above continuous ground-floor windows with glazed tile piers to drip mould. Bay of some height to left of tower, with similar ground-floor fenestration and large first-floor window; lower 2-storey, 4-bay range to left has similar ground-floor fenestration and tall first-floor windows. Other elevations are similar, with stepped blocks making use of sloping site: entrance with canopy to library on left; assembly hall to rear has continuous strip of low-level fenestration.*

*Interior: marble walls and floors to entrance hall and foyer with Art Deco railings to staircase. Council Suite has 3 committee rooms separated by sliding partitions. Panelled dado to assembly hall, Circular light walls to*

library.

*Recommended as a town hall in the Scandinavian style which is an example of simple but effective 1930s municipal, planning, and interiors making much use of borrowed light and interior glazing. Pevsner called Wembley "the best of the modern town halls around London, neither fanciful nor drab".*

### **Key aspects of the design of the completed Brent Town Hall**

4. The following aspect of the design will focus on the frontage of the building rather than the internal arrangement or views further up Kings Drive or The Paddocks. This is to take into account the scale of this application which relates to the swimming pool at the front of the school site along Forty Lane.

#### *External Design*

5. When completed in 1940 the building occupied a prominent position, set back from and raised above Forty Lane. The building was built on an asymmetrical T-shaped plan, with a bi-axial arrangement. The plan form, as well as the structure and external fabric of the building, remains largely unaltered.

6. The building was designed as a steel framed building, clad with Lincolnshire bricks. The main elevation fronting Forty Lane is 107m in length, with a 15 bay wing to the right of the tall central entrance tower (with an additional glazed roof at roof level), and a four bay wing to the left. The following external architectural elements are of particular note:

- The asymmetrical plan form, with a bi-axial arrangement;
- The horizontal emphasis of the Forty Lane frontage;
- The recessed glazed tile piers between the ground floor windows;
- The cantilevered flower boxes either side of the front entrance and the east entrance to the Paul Daisley Hall;
- The stepped blocks that make use of the sloped site; and
- The curved form of the roof top office (formerly the staff canteen)

7. Details of the front facade of the building and its wider landscape setting are discussed below, and set out the differences between the 1940s completion of the building and the present day:

- When the building was constructed there was a distinct step down, with an exposed brick wall from the car park level to the landscaped area. This area was subsequently sloped between 1948 and 1990.
- When the building was first constructed that there was very limited amount of landscaping. Some small saplings were present that grew into extant trees.
- Since at least 1983 the western portion of the landscape area has been used as a memorial garden for the planting of commemorative trees. The majority of these trees were moved to the new Civic Centre when the property was transferred to the school.
- Parking is still available between the front of the building and Forty Lane but the car park and lower level of the building are currently partially obscured by trees where once there was an open view to the car park and base of the building.
- Overall, the frontage remains largely the same as when it was constructed.

### **Setting of Brent Town Hall**

8. The landscaped setting of the Town Hall was an important part of the architect's original design. To the front is an area for car parking, which separates the building from Forty Lane. The lower terrace area is included on the London Parks and Garden's Trust Register and described: 'Below the entrance front on the south are terraced lawns to the pavement, with lawns, floral displays and shrubs, and axial steps up to the front entrance. The garden is richly planted, with many Willows and specimen trees and is used by wedding guests. In 1948 the town hall was decorated for the Olympics with the logo, flags and banners; a photograph of the gardens in front at that time shows no trees as at present.'

9. To the west on Kings Drive, the boundary treatment includes a low brick wall and simple landscaping (grassed area with some mature trees and shrubs), allowing clear view of the Town Hall from Kings Drive. More recently railings have also been provided along Kings Drive frontage as part of the works associated with the change of use of the building into the school.

10. To the east on The Paddocks, the boundary treatment includes taller brick walls with stepped railings. This part of the site is more densely landscaped, with limited views of the Town Hall from The Paddocks. A

more formal framed view is provided by the axial footpath from The Paddocks, which runs east-west through the site. The new annex approved as part of the listed building and planning application for the change of use of the building into a school is sited in front of the main building when viewed from The Paddocks.

### **Relevant Planning History**

11. Since its completion in 1940, the Town Hall has been subject to a number of alterations both internal and external. However, the plan form, principal spaces and detailing have largely remained unaltered.

12. The most substantial alteration of the building in recent years, is the change of use and refurbishment of the building into a new primary and secondary French School, involving the demolition of a number of ancillary buildings and erection of a part 2/part 3 storey extension. This involved a significant amount of work to refurbish the internal areas of the building. Details of the relevant planning references are set out in the history above. There have also been a number of subsequent discharge of condition applications.

### **Significance of the building (heritage asset)**

13. The National Planning Policy Framework requires applicants to describe the significance of the heritage asset, including any contribution made by their setting, and use this understanding to inform development proposals. The significance may be archaeological, architectural, artistic or historic interest. Each of these interests is discussed below:

#### *Archaeological*

14. In line with the Town Hall Planning Brief an Archaeological Desk-Based Assessment has been submitted. This advises that there is a low potential for archaeological remains to be discovered within the application site. This is because the construction of the Town Hall in the 1930s would have required significant ground removal to facilitate the foundations of the building and the terracing that has taken place on the site, resulting in the possible removal of any buried archaeological remains.

15. GAALS have reviewed the Desk Based Assessment and have advised that no further investigation are required.

#### *Architectural*

16. Brent Town Hall has a high degree of architectural interest. The Town Hall was an innovative and extraordinarily modern building when it was completed in 1940. Instead of being designed with a courtyard plan with neo-classical proportions and detailing, which was typical for municipal buildings of the time, it took the new architectural approach being developed on mainland Europe and Scandinavia. It was later described by Pevsner as "the best of the pre-war modern Town Halls around in London, neither fanciful nor drab".

17. The architectural interest of Brent Town Hall lies in the following:

- The building is a very good example of 20th Century municipal architecture.
- The landscaped setting of the Town Hall contributes to the special interest of the building, softening the straight lines and large expanses of brick work. The landscaping deliberately masks and frames views of the Town Hall. The framed view of the Paul Daisley Hall from The Paddocks, along the axial east-west footpath is of particular importance.
- The principal elevation of the Town Hall fronting Forty Lane, including the uninterrupted 15 bay east wing with recessed glazed tile piers at ground floor level, the cantilevered flower beds at either side of the main entrance, and the curved glazed room at roof level which counterbalances the straight lines of the remainder of the building.
- The asymmetrical T-shaped plans of the building, with a bi-axial arrangement.
- The original critical windows, with varying horizontal or vertical emphasis.
- The principal internal spaces including the entrance foyer, Paul Daisley Hall, library, committee rooms and Council Chamber.
- The internal detailing of the Town Hall, including the marble entrance and foyer, curved stair rails, circular roof lights, original Council Chamber desks, curved glazed partition to the Council Chamber, integrated air extract pipes and wood veneers.

18. This application will not directly impact on the fabric of the listed building as described above.

#### *Historic*

19. The building has a high degree of local historic interest, with close associations with the former Wembley District Council, and more recent Brent Council. The building was purpose built to accommodate the Council's municipal functions prior to them being relocated to the new Civic Centre in June 2013. There are a number of memorial trees within the lower terrace facing Forty Lane which remain.

20. The building's association with architect Clifford Strange is also of some historic interest. However, he is not a prolific architect and the former Brent Town Hall is the best known of his buildings.

#### *Artistic*

21. The internal and external detailing of the building has some artistic value. Externally, this includes the cantilevered flower beds and the glazed tiles piers at ground floor level. Internally, features of artistic interest include the decorative circular roof lights, curved silver bronze handrails and wood veneers.

22. Once again, this application will not directly impact on the internal and external detailing of the building with artistic value as described above.

#### **Assessment of Proposed Development**

23. When assessing the impact of the proposed development on identified heritage assets and their setting, consideration needs to be given to paragraphs 133 and 134 of the NPPF. These set out tests for substantial and less than substantial harm.

24. This application proposes the following works:

- Demolition of a section of the low level front boundary wall and partial demolition of the existing retaining wall adjacent to the car park and its then reinstatement and increase in height by five brick courses;
- Erection of a partial basement building to accommodate a five lane swimming pool and studio with associated storage, plant, showers and changing rooms;
- Creation of a courtyard entrance to the west of the new building with security gates;
- Associated landscaping, including replacement tree planting. Installation of a green roof on the swimming pool structure; and
- Installation of PV panels on the roof of the new Annex building

#### *New build*

25. The new swimming pool is to be sited at the front of the site within the lower landscaped terrace area. It is to be sited to the east of the main step entrance located on Forty Lane. The siting of the new swimming pool building on the eastern side of the existing steps, respects the asymmetric principal elevation of the building. The building is to be set back 1.4m from the Forty Lane frontage to allow the low boundary wall to be retained and rebuilt in section.

26. The building will be a partial basement construction and when viewed from Forty Lane it will appear as a single storey building. It has been designed so that the roof of the swimming pool building is no higher than the car park level. The sinking of the building into the landscaped area will allow the front facade of the main building to remain visible, and for the extension to read as a subordinate addition rather than compete with the main building.

27. The new swimming pool building is to be in brick. The bricks will be the same proportions as the existing building, but will be a different colour to allow the new building to be recessive rather than dominant the existing building. The overall mass and scale sustains the appearance and setting of the former Town Hall.

28. The fenestration of the proposed swimming pool building has been designed to respect the main building. The form, spacing, size and rhythm of the windows are aligned with the corresponding windows of the main building. The windows closest to the entrance of the swimming pool building have been treated in a different manner, to be merged to form one continuous window, to differentiate and signal the entrance end of the proposed building. Details of the depth of window reveals have been indicated, which suggests two possible options. One is a deeper window reveal at 0.28m and the other is flush window reveal at 0.03m. It is recommended that further details of the window reveals are conditions to ensure that this detail is simple in its form and does not compete with the main building.

29. It is recommended that full details of external materials are conditioned to any forthcoming consent, together with full details of signage.

30. The plant room is located next to The Paddocks. This area will partially be screened by the existing retaining wall rising up along The Paddocks. A perforated brick wall is also proposed to restrict views of the courtes and doors to the plant equipment. A flue is proposed that is no higher than the retaining wall to the car park. It is recommended that further details of the flue are conditioned together with covering over the roof of the plant area.

#### *Landscape and boundary treatment*

31. As discussed above, the lower terrace level is included on the London Parks and Garden's Trust Register. It is recommended that a condition is secured to fully record this area as it currently exists prior to commencing works on site.

32. The proposal will require sections of the existing brick retaining wall to the rear of the lawn area and the low boundary wall at the front of the site to be demolished to facilitate the construction of the swimming pool building. The low boundary wall be reinstated to match the existing one to the frontage of the new building. This will retain this visual feature and allow a band of planting at low level to the building frontage. The retaining wall to the car park will be built up by five brick courses to prevent people stepping over the car park onto the roof of the swimming pool building. This solution is preferred to guard railing which would detract from the setting of the listed building. It is recommended that full details of how the existing boundary wall will be rebuilt and the materials for the increased height of the car park retaining wall are conditioned to any forthcoming consent.

33. The swimming pool building will have a green roof. When viewed from higher levels, the green roof will reflect the former landscaped area of the lower terrace. Full details of the green roof are recommended to be conditioned to any forthcoming consent.

34. The swimming pool building will result in the loss of trees within the eastern end of the lower terrace. As discussed above, these trees have limited reference to the significance of the setting of the listed building, with the exception of more recently planted memorial trees in connection with the former Town Hall status of the building. To compensate for the loss of the memorial trees, two new trees will be planted in Chalkhill Park and two leafs will be added to the 'memorial tree; within the Civic Centre garden. New general tree planting is proposed elsewhere within the site.

#### **Conclusions**

35. In conclusion, it is considered that the works do not cause substantial harm to the significance of the heritage asset. National Planning Guidance states that 'in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed.'

36. The works are to less significant elements of the building, most of which will be retained. The setting has been carefully considered and the views to the building will not be harmed. The new build has been carefully considered to reflect and complement the special interest of the listed building.

37. Subject to the conditions as set out above and within the decision notice, it is recommended that listed building consent is granted.

#### **SUPPLEMENTARY REPORT**

##### **Agenda Page Number: 85**

##### **Impact of setting of listed building**

As advised in the main committee report, the proposal has been subject to extensive pre-application discussions with Historic England and the 20th Century Society. Both of these statutory consultees have taken the view that the swimming pool building has been sensitively designed to respect the setting of the listed building, and read as a subservient addition to the main listed building.

The ancillary rooms (storage, plant, first aid and changing rooms) are to be situated under the car park. It is likely to be difficult to set the building further back from the road without reducing the width of the swimming pool itself as this would result in the open pool hall area projecting underneath the car park rather than just the ancillary rooms.

In light of the above, your officers are of the view that the proposed 1.4 m set back of the swimming building from the back edge of the pavement together with the height of the building at the same level as the car park is considered appropriate.

Full details of facing bricks for the swimming pool building together with details of windows (including depth of reveals) are recommended to be conditioned to any forthcoming consent.

**Recommendation: Remains approval**



**Brent**

**DRAFT NOTICE**  
PLANNING (LISTED BUILDING & CONSERVATION AREAS)  
ACT 1990

**DECISION NOTICE – LISTED BUILDING CONSENT APPROVAL**

=====

Application No: 15/4141

To: Miss Hill  
Nathaniel Lichfield & Partners  
14 Regent's Wharf  
All Saints Street  
London  
N1 9RL

I refer to your application dated 24/09/2015 proposing the following:  
Listed building consent for the erection of a part basement building fronting Forty Lane to house a five lane swimming pool and studio with a green roof and associated works to include courtyard entrance, security gates, cycle parking, demolition and reinstatement of retaining wall, landscaping and installation of PV panels on the roof of the new Annex building.  
and accompanied by plans or documents listed here:  
Refer to condition 2  
at Lycee International De Londres, 54 Forty Lane, Wembley, HA9 9LY

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

Date:

Signature:

Head of Planning, Planning and Regeneration

**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 approval does not include PLANNING PERMISSION or BUILDING REGULATIONS APPROVAL and the work should not be commenced before such permissions, if necessary, have been obtained.

DnLbcGC



**SUMMARY OF REASONS FOR APPROVAL**

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

The National Planning Policy Framework (NPPF)  
The London Plan - The Spatial Development Strategy for London Consolidated with Alterations since 2011 (adopted March 2015)  
Brent Unitary Development Plan 2004  
Brent Core Strategy 2010  
Wembley Area Action Plan

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment

- 1 The works to which this consent relates must be begun not later than the expiration of three years beginning with the date of this consent.

Reason: To conform with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

WFS LSI A31 SWI GA SL 000100 Rev A - Location Plan  
WFS LSI A31 SWI GA SL 000101 Rev A - Existing Site Plan  
WFS LSI A31 SWI ELV SL 000102 Rev A - Existing Elevations and Sections  
WFS LSI A31 SWI GA GND 000200 Rev B - Proposed Ground Floor Plan  
WFS LSI A31 SWI GA RF 000201 Rev B - Proposed Roof Plan  
WFS LSI A31 SWI ELV SL 000202 Rev B - Proposed Elevations  
WFS LSI A31 SWI SEC SL 000203 Rev B - Proposed Sections  
WFS LSI A31 SWI CGI SL 000204 Rev A - Proposed 3D Visual  
WFS LSI A31 SWI EXT SL 000300 Rev B - Proposed Landscape Scheme  
WFS LSI A31 SWI DET SL 000400 Rev A - Proposed Parapet Detail  
WFS LSI A31 SWI DET SL 000401 Rev A - Indicative Isometric View  
WFS LSI A31 SWI DET SL 000402 Rev A - Proposed Window & Door Details  
WFS LSI A31 SWI DET SL 000403 Rev A - Proposed Courtyard Security Gate  
WFS LSI A31 SWI DET SL 000404 Rev A - Proposed Plant Equipment Details  
WFS LSI A31 SWI GA SL 000500 Rev A - Proposed Demolition Plan

Supporting Documents

Archaeological Desk-Based Assessment prepared by Wessex Archaeology dated September 2013 (Ref: T17401.01)

Arboricultural Report - prepared by CBA Trees dated September 2015 (Ref: CBA10161 v 1B Pool)

Coach Management Plan - prepared by TTP Consulting dated September 2015

Community Access Plan - prepared by Bouygues UK Ltd dated 19 August 2015 (Ref: WSP BYG A0 ALL REP SL 000001 Rev A)

Design and Access Statement - prepared by LSI dated September 2015

Energy Statement - prepared by Harley Haddox dated September 2015 (amended October 2015 Issue 05)

External Lighting Assessment Rev 02 - prepared by Harley Haddox

External Noise Assessment - prepared by Aecom dated August 2015 (Ref: 60300819)

Flood Risk Assessment - prepared by Ramboll Environ dated 22 September 2015 (Ref: UK14-18934)

Foul Drainage and Utilities Statement - prepared by Bouygues UK Ltd dated 24 August 2015 (Ref: WSP BYG A0 ALL REP SL 000001 Rev A)  
Heritage Impact Assessment - prepared by NLP dated 18 September 2015 (Ref: 13349/NG/KD)  
Planning Statement - prepared by NLP dated 24 September 2015 (Ref: 13349/NG/RHi)  
Preliminary Ecological Assessment (Habitat Survey) - prepared by Middlemarch Environmental dated October 2015 (Ref: RT-MME-120792-01)  
Interim School Travel Plan - prepared by TTP Consulting dated September 2015  
Site Waste Management Plan - prepared by Bouygues UK Ltd dated 19 August 2015 (Ref: WSP BYG A0 ALL REP SL 000001 Rev A)  
Statement of Community Involvement - prepared by NLP dated 24 September 2015 (Ref: 13349/NG/JHy)  
Sustainability Statement and Checklist - prepared by Bouygues UK Ltd dated September 2015  
Transport Statement - prepared by TTP Consulting dated September 2015  
Ventilation Statement Rev 01 - prepared by Harley Haddox

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

- 3 Prior to commencement of building works on site, further details of the following external materials (with samples to be pre-arranged to be viewed on site) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:
- (i) Details of facing bricks including a sample board showing details of the mortar
  - (ii) Details of the specification and colour of the window frames and doors
  - (iii) Details of the finishing material and colour for parapet roof

The works shall be carried out in full accordance with the approved details, unless alternative materials are agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory development which does not prejudice the setting of the listed building.

- 4 Prior to commencement of building works on site, further details of the following shall be submitted to and approved in writing by the local planning authority. Such details shall include drawings, including sections where appropriate, at a suitably large scale (e.g. 1:5, 1:10, 1:20, 1:50 as appropriate) or manufacturer's literature which show:
- (a) the window and door reveals, headers and sills, including the depth of the reveals and the junction of materials around the returns;
  - (b) measures to screen the open roof of the plant room;
  - (c) details of the design, material and height of the external flue
  - (d) details of the design and materials of the security gates

The development shall be completed in accordance with the details so approved before the swimming pool building is occupied.

Reason: These details are required to ensure that a satisfactory development is achieved.

- 5 Notwithstanding the plans hereby approved, within six months of commencing of works on site, further details of all hard and soft landscape works within the site shall be submitted to and approved in writing by the Local Planning Authority. The hard and soft landscaping shall be completed prior to first occupation of the swimming pool building hereby approved.

Details shall include:

- (a) all planting (including location, species, size, density) of replacement trees within the car park and along The Paddocks frontage as shown in the Proposed Landscape Scheme, details of low level planting along the front of the building, and planting within the courtyard;
- (b) specification of the green roof over the swimming pool building to include section plans and construction methodology, full details of all planting within the green roof (including location, species, size, density) that incorporating a biodiversity enhancement scheme as suggested within the Ecology Statement;
- (c) Details of bat boxes (suitable for pipistrelle species) and bird boxes (suitable for house sparrow) and

- (d) Details of ramped access for terrestrial mammals if excavations are left open overnight during the construction stages
- (e) Details of hard surface materials within the site including means of demarcated the private forecourt from the public highway
- (f) Details of external lighting including light spillage diagrams

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

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

- 6 Prior to commencement of works on site, further details of the retaining walls as set out in the Proposed Demolition Plan shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include:

- (a) details of the methodology for protecting the existing retaining wall along the stepped access to the site from Forty Lane during construction works;
- (b) details of the methodology for the demolition of the retaining wall along the car park and the low boundary wall along the frontage;
- (c) details of the methodology for the rebuilding of the retaining wall along the car park (with the additional five courses) and the low boundary wall along the frontage, including details of materials and mortar (to be prearranged to be viewed on site) and elevation plans.

The development shall be carried out in full accordance with the approved details, and the swimming pool building shall not be occupied until the retaining wall along the car park and the low boundary wall along the frontage have been rebuilt to the satisfaction of the Local Planning Authority.

Reason: In the interests of the setting of the listed building.

- 7 Prior to first occupation of the swimming pool building hereby approved, further details of external signage (to be conservation style) including details of any illumination shall be submitted to and approved in writing by the Local Planning Authority. The signage shall thereafter be installed in accordance with the approved details.

Reason: In the interests of the setting of the listed building and highway safety.

Any person wishing to inspect the above papers should contact Victoria McDonagh, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5337

## COMMITTEE REPORT

Planning Committee on 13 January, 2016  
Item No 04  
Case Number 15/3599

## SITE INFORMATION

**RECEIVED:** 14 August, 2015

**WARD:** Tokyngton

**PLANNING AREA:** Wembley Consultative Forum

**LOCATION:** Red House building, South Way, Land and Pedestrian walkway between South Way and Royal Route, Wembley Park Boulevard, Wembley

**PROPOSAL:** 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.

**APPLICANT:** Quintain Estates and Development Plc

**CONTACT:** Signet Planning Ltd

**PLAN NO'S:** (See Condition 4)

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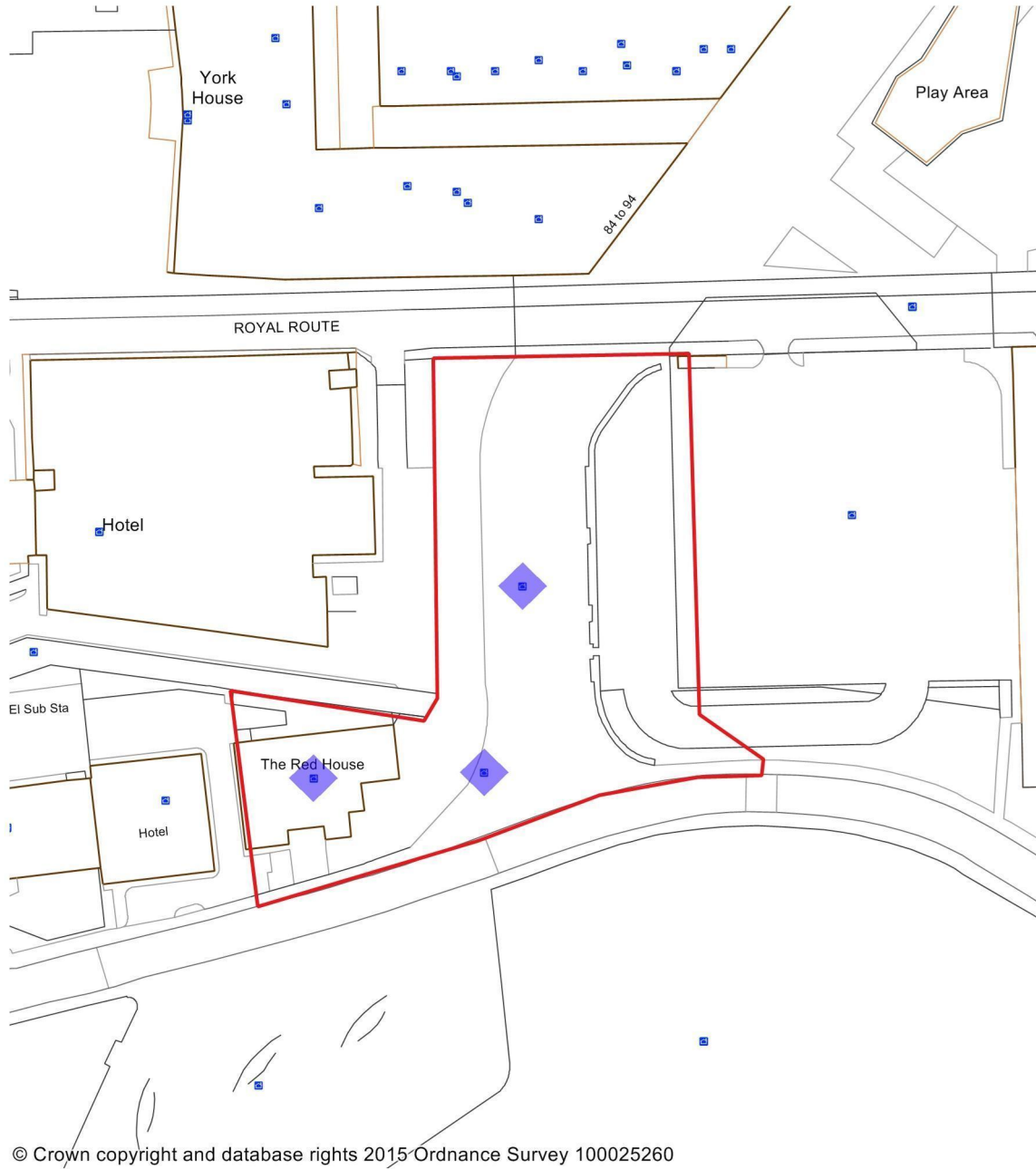
# SITE MAP



## Planning Committee Map

Site address: Red House building, South Way, Land and Pedestrian walkway between South Way and Royal Route, Wembley Park Boulevard, Wembley

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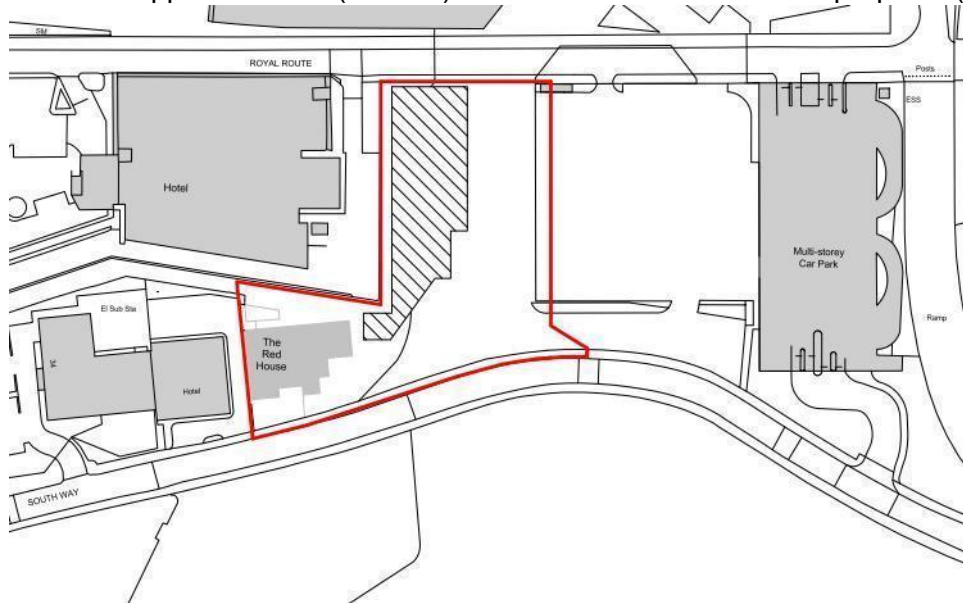
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This map is indicative only.

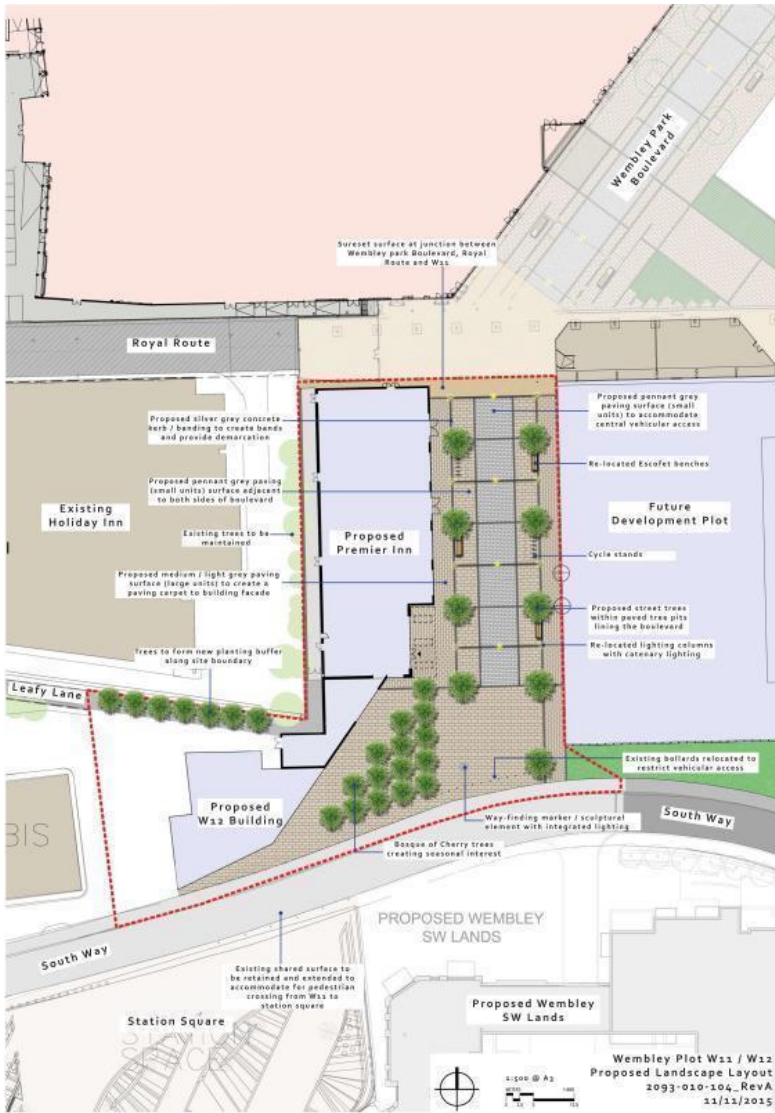
## SELECTED SITE PLANS SELECTED SITE PLANS

## SELECTED SITE PLANS SELECTED SITE PLANS

Extent of application site (red line) and Full Detailed element of proposal (hatched)



Permanent landscaping plan showing site layout



View from White Horse Bridge



View from White Horse Bridge of Proposed W11



View from South Way



View from South Way of Proposed W11

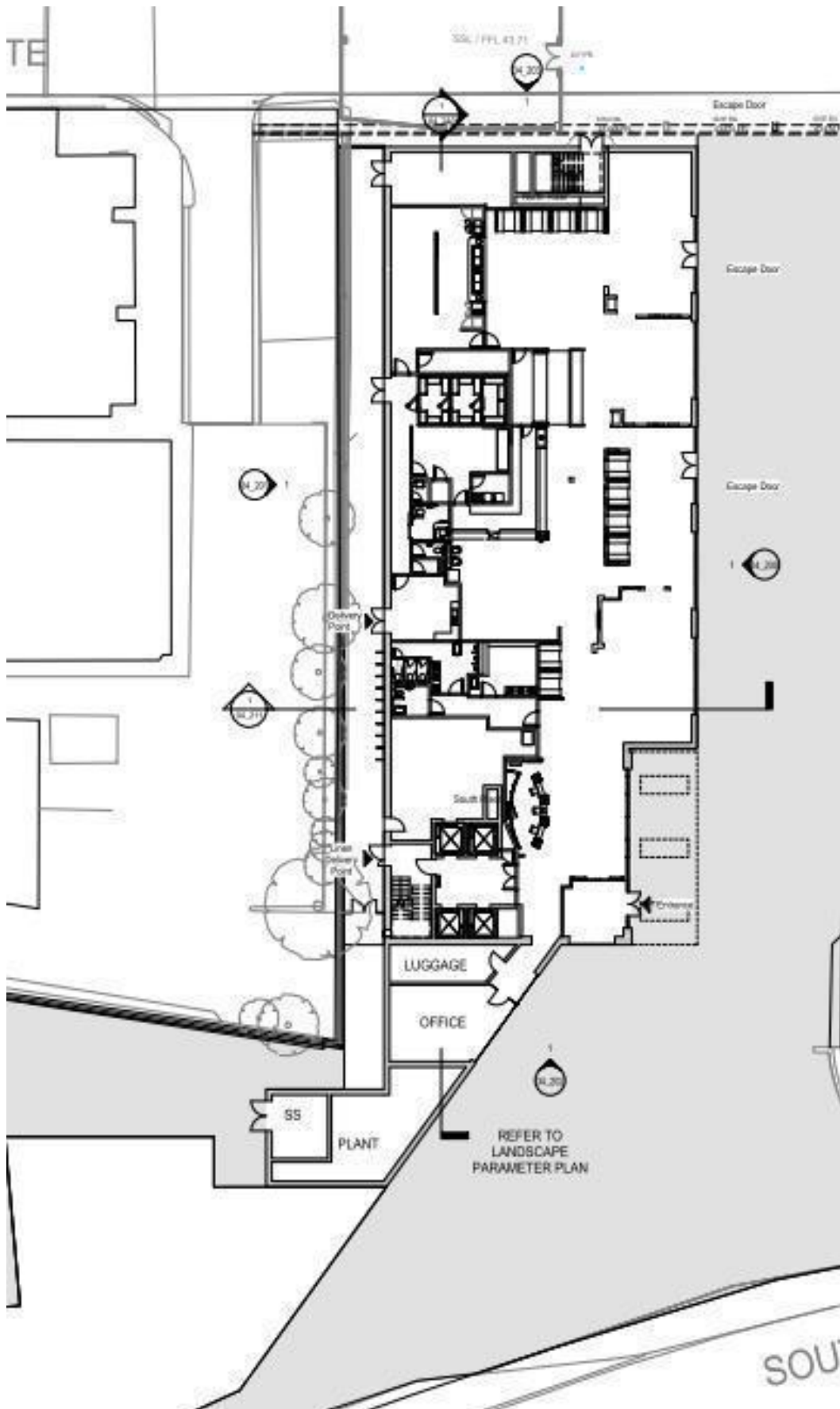
View from Wembley Park Boulevard



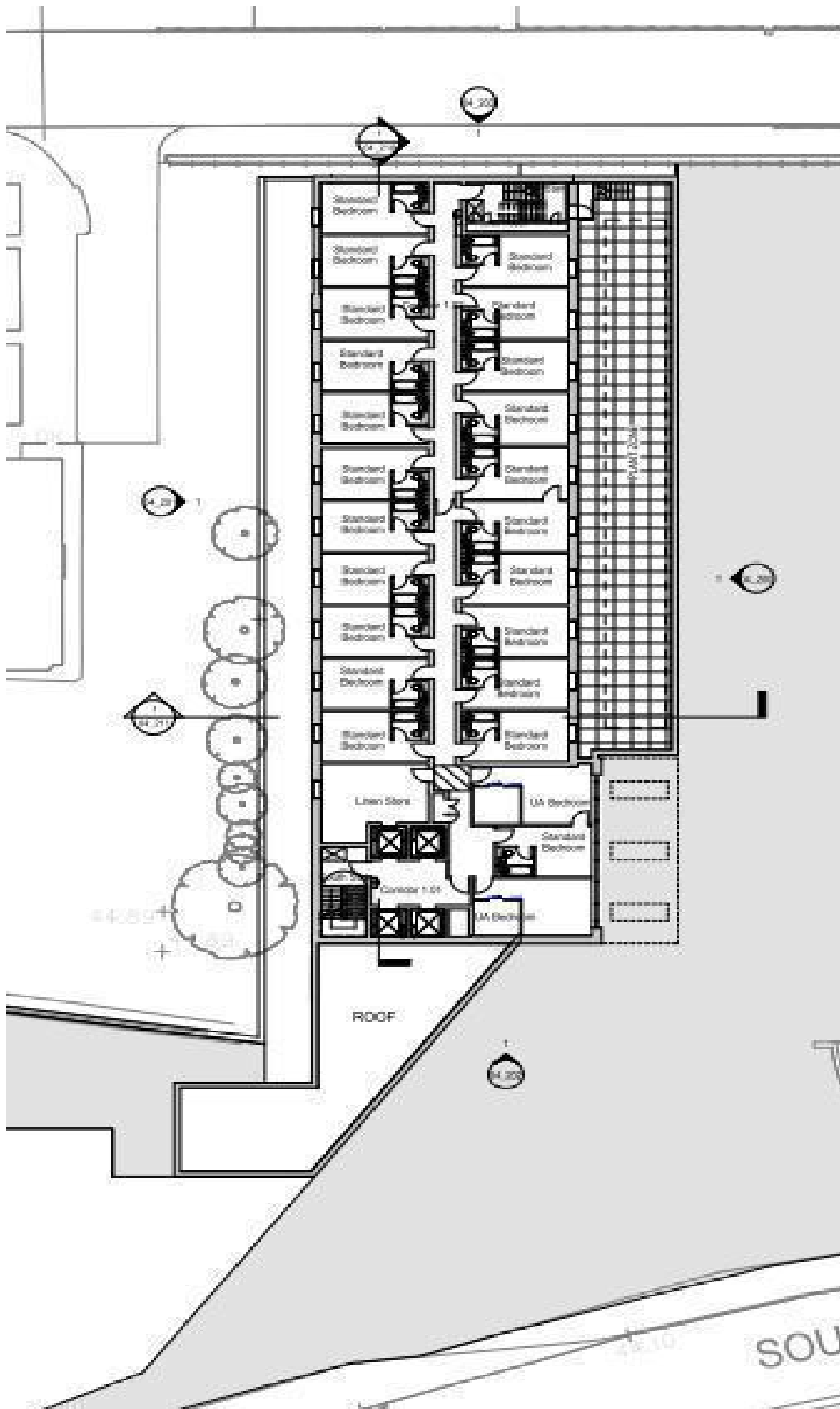
View from Wembley Park Boulevard of Proposed W11

Eastern elevation (to Boulevard)





Hotel: First floor plan (typical upper floor layout)



## INTRODUCTION

The application is reported to the Planning Committee under the provisions of Clause 24 of the Planning Code of Practice following the resolution at the previous meeting on 16 December 2015 of 'minded to refuse', contrary to the Officer recommendation to grant consent.

In making this resolution, Members raised concerns about the development related to the reasons highlighted below. No additional material or information has been submitted by the applicant for Officers to comment on. However, the applicant's have requested that the decision is deferred to allow an opportunity to respond to Members concerns and the Planning Committee can consider this.

Members are reminded that any appeals are assessed by the Planning Inspectorate and that appeal performance is a planning 'quality' indicator. Appeals also involve costs in terms of staff time and legal advice and the appellants' costs can be awarded if an Inspector considers that a reason for refusal to be unreasonable. The test of unreasonableness is different from not agreeing with the Council's decision.

### (1) Design, siting, scale and massing in relation to adjoining buildings

The report and supplementary discussed the relationship to existing buildings, the current masterplan and proposed future changes. Officers consider that the siting and scale issues are generally appropriate to development within the wider growth area and recognise the change in the applicant's ownership. However, if Members are minded to refuse on similar grounds then the following is a possible reason for refusal which concentrates on design issues and the corner location:

*The proposal provides an unacceptable response in terms of its design, detailing (including materials) and siting to its prominent corner location and to its relationship to the primary pedestrian route from the High Road, including the legibility of the London Designer Outlet centre, and in the context of the wider masterplan and other development proposals. The proposal is accordingly detrimental to the character and appearance of the area, contrary to saved policies BE2, BE3, BE7, BE9, BE10 of the Brent Unitary Development Plan 2004, policy CP5 of the Brent LDF Core Strategy 2010 and Policies WEM1, WEM2, WEM5 of the Wembley Area Action Plan 2015.*

### (2) Impact on Wembley Park Boulevard in terms of its width during construction and its future alignment to Stadium Station Square

The report explained the reasons for the realignment of the original route of the "boulevard" to link with Stadium Station Square to the south of South Way. Amendments were sought to the layout of the building to respond to this change and, on balance, the principle issue is the legibility of the route and its attractiveness and design for the function intended. If Members are minded to refuse on this ground then the following is a possible reason for refusal;

*The proposal, by reason of the reduced width of the interim "boulevard" during construction, fails to demonstrate that the proposal will not result in conditions prejudicial to pedestrian safety during Major Events at Wembley Stadium. This is contrary to saved policy TRN10 of the Brent Unitary Development Plan 2004.*

**Recommendation: Officers continue to recommend that permission is granted subject to the conditions set out in the original report and Supplementary report.**

**The original report and supplementary report from previous Committee Agenda is set out below:**

## RECOMMENDATIONS

**Approval**, subject to the conditions set out in the Draft Decision Notice.

### **A) PROPOSAL**

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.

## B) EXISTING

The site comprises an area of 0.53 hectares, located within the Wembley Regeneration area situated between South Way and the elevated Royal Route. It is adjacent to, and part of the site also comprises the Wembley Park Boulevard. An existing two-storey building is located within part of the site, this is known as the Red House building and is currently occupied by a children's play facility (Use Class D2). The existing occupiers of this are due to vacate the building on expiry of their existing lease.

## C) AMENDMENTS SINCE SUBMISSION

Since the application submission the following amendments have been made to the scheme:-

1. The fenestration of the hotel, namely the rendered section has been amended to remove individual vents that were initially proposed. These were considered a poor design feature. The window openings have now been amended to incorporate these vents.
2. Interim service arrangements have been proposed, this envisages a service lay-by being provided on the highway abutting the site (South Way).

## D) SUMMARY OF KEY ISSUES

In considering the proposals the following are considered to be key issues:-

- Principle of proposed uses and how these fit in with the wider regeneration aims and future growth in this area, within the context of the Wembley Area Action Plan and Opportunity Area designations.
- Effect of proposals on pedestrian connectivity through Wembley Park Boulevard, which has a high level of importance with regard to the connectivity between the LDO and the existing town centre and between the three stations.
- How the sites can be accessed and serviced by vehicles in the interim period and longer term.
- Building design, scale and massing on this prominent gateway site.

Sustainability credentials of the development, including reduction in carbon emissions and future connection to the District Heat Network

## E) 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)
Assembly and leisure	879		879	-879	
Hotels	0		0	11055	11055

### Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total

## RELEVANT SITE HISTORY

The Quintain "Stage 1" consent

03/3200 - Granted

Outline planning application for:

- Works for the re-orientation of Wembley Arena
- Class A1 (Retail) comprising up to 14,200m<sup>2</sup> designer retail outlet, 11,800m<sup>2</sup> sports retailing
- Class A1/A2 shops/financial and professional services up to 8,000m<sup>2</sup> (including up to 2,000m<sup>2</sup> supermarket)
- Class A1 (Retail) comprising up to 400 square metres of hotel boutique retail

- Class A3 (Food and Drink), up to 12,700m<sup>2</sup>
- Class B1 (a) (b) and (c) Business, up to 63,000m<sup>2</sup>
- Class C1 (Hotel), up to 25,400m<sup>2</sup>
- Class C1/Sui Generis (Hotel apartments), up to 26,700m<sup>2</sup>
- Class C2 (Residential institutions) up to 5,000m<sup>2</sup>
- Class C3 (dwellings) up to 277,000m<sup>2</sup>, (up to 3,727 dwellings)
- Student accommodation (Sui Generis), up to 16,600m<sup>2</sup>
- Class D1 (Non-residential institutions), up to 8,200m<sup>2</sup>
- Class D2 (Assembly and Leisure), up to 28,500m<sup>2</sup> (including the existing Arena of 13,700m<sup>2</sup>)

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

AND;

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

Key elements of the Stage 1 development which have been completed so far, or are currently under construction, comprise:-

- Refurbishment of Wembley Area and creation of Arena Square
- Construction of Wembley Park Boulevard
- Construction of Forum House (formerly plot W01) and Quadrant Court (formerly plot W04), these provide 500 mixed tenure units and commercial uses.
- A new 361 bed four star Hilton
- 660 unit student accommodation (formerly plot W05)
- The London Designer Outlet development (24, 000sqm) and nine screen cinema
- Multi-storey car park to serve the LDO.

Related applications

#### **The Quintain "South West Lands" application**

This site is situated on the opposite side of South Way from the site for this application.

#### **14/4931 - currently being considered**

A hybrid planning application, for the redevelopment of the site to provide seven mixed use buildings up to 19 storeys in height accommodating:

- 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
- full planning permission for a basement beneath Plots SW03 - SW05 to accommodate 284 car parking spaces and 19 motor cycle spaces; Building 3A within Plot SW03 to accommodate 183 residential units and 368 cycle spaces at ground floor; and associated infrastructure, landscaping and open space

#### **The Quintain "North West" Lands consent**

This scheme is situated at the opposite end of the boulevard and is therefore some distance from the application site but has been included within this section to provide context.

#### **10/3032 - Granted**

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

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

and associated infrastructure including footways, roads, parking, cycle parking, servicing, open spaces, landscaping, plant, utilities and works to Olympic Way, and subject to a Deed of Agreement dated 24



## CONSULTATIONS

Press Notice published on 10/09/15

Site Notice(s) displayed on 11/09/15

Statutory consultation period of 21 days started on 01/09/15. In total 87 properties were notified of the proposal.

To date one objection has been received on behalf of Wembley National Stadium Limited (WNSL). Additional information received during the course of the application has been forwarded to WNSL on 17/11/15. Some of the information forwarded responds to the grounds for objection. Following this no further comments have been received.

Grounds for objection	Response
The submitted Transport Statement does not provide sufficient detail.	<p>TfL did not advise at pre-application stage that a detailed Transport Assessment would be required. Your Transport officers have not stated one as necessary to assess the impacts of the development either. In any event the application is supported by a detailed TS.</p> <p>The quantum of development proposed is not greater than that which could be implemented under the extant Stage 1 planning permission. In granting permission for this the transport impacts have been evaluated, and deemed to be acceptable by both TfL and the Council. On this basis a detailed TA is not considered necessary.</p>
Improper consideration has been given to access and vehicle movement on Stadium event days.	<p>Due consideration has been given to site access during construction, as set out in the Construction Phase Plan, and Construction Management Plan.</p> <p>The applicant is willing to accept conditions to restrict vehicles from visiting the site, via South Way for a period of 4 hours before and after a major Stadium event. This will fit in with the TMO which is in place along South Way during event days.</p> <p>Due consideration has also been given to access by other vehicles on Stadium event days and this matter has been considered by the Council's Highways officers.</p>
No details of a servicing and delivery strategy plan have been provided.	<p>This is normally secured through condition. However, a Delivery and Servicing Plan has now been submitted, a copy of this was forwarded to WNSL on 17/11/15. Compliance with this is secured by condition.</p>
In the event of approval then a condition should restrict event day vehicle access and egress to and from the development at specific times.	<p>This is secured via an appropriately worded condition.</p>
Further detail should be provided in the form of a Construction Logistics Plan	<p>This is also normally secured through condition. However, a Construction Phase Plan has since been provided, a copy of this was forwarded to WNSL on 17/11/15. The plans is submitted in accordance with TfL guidance.</p>
The effect of the development on Royal Route has not been addressed.	<p>Your Transport officers have considered the potential impacts of the development and are of</p>



	<p>the view that the impacts would not warrant off-site improvements to Royal Route.</p> <p>Any potential impact during the construction period is to be managed through adherence to the Construction Phase Plan.</p> <p>The final development does not impact on Royal Route.</p>
Further analysis on pedestrian movement is required.	<p>Wembley Park Boulevard has only been available for use for a little over two years. It is not one of the Stadium's critical egress routes.</p> <p>Pedestrian counts have been taken during a major Stadium event in March 2015 to establish peak demands. It is considered that even at the reduced width of 6m the boulevard will still be able to accommodate pedestrian movement.</p> <p>The final state boulevard will be 23.1m wide, this is an overall improvement on the existing width.</p> <p>Every day pedestrian access will be maintained during construction. This route will be well lit, as set out in the Construction Phase Plan.</p>
Any approval should include conditions to achieve acceptable internal noise levels for the hotel, due to its proximity to Wembley Stadium.	<p>This is captured via an appropriately worded condition.</p>

#### STATUTORY CONSULTEES

##### **Transportation;-**

No objection has been raised, subject to a number of things being secured by conditions and/or s38/278 agreement (see remarks section for detailed discussion).

##### **Landscape Design / Principal Tree Officer;-**

The tree removal plan clearly shows existing trees proposed to be removed or lost and this is accepted. It is felt that the number of trees within the boulevard could potentially be extended. The proposed group of Cherry trees to the boulevard is welcomed. A condition is suggested to secure the successful trans-relocation of existing trees, as indicated.

##### **Regulatory Services (Environmental Health);-**

The Land Quality Statement submitted considers the potential for ground contamination and any remedial measures required for the sites development. This is in the process of being reviewed by officers and an update will be reported in a Supplementary report.

##### **Sustainability Officer (internal);-**

This is considered to be supported by a thorough and detailed Energy Statement with explanation of the measures proposed to meet the Part L regulations. The report shows parallel calculations for (1) including a connection to the district heat network from the Wembley Energy Masterplan (in the longer term) and (2) not connecting to the network and therefore using renewable measures to achieve the target reductions in the short term. The report suggests that when connected to the district heating network the development will exceed the 35% requirement.

##### **Thames Water;-**

Thames Water recommend that conditions are attached related to drainage infrastructure.

##### **Greater London Authority (GLA);-**

The application is referable to the Mayor of London under the provisions of the The Town & Country Planning (Mayor of London) Order 2008. The application is referable under categories 1A, 1B and 1C of the Schedule to the Order 2008, namely the proposed building is more than 30 metres high.

The Stage 1 report was received from the GLA on 08/10/15. In their report it is stated that the principle of a mixed use development is strongly supported, but concerns relating to visitor infrastructure, urban design, access, sustainable energy and transport mean the application doesn't fully accord with London Plan Policy. The following could address these deficiencies;

- **Urban Design;**- The parameter plans for the outline part of the application should be secured by condition and the palette of materials should be provided before stage 2 referral.
- **Sustainable Energy;**- Based on the submitted assessment the carbon dioxide savings exceed the target set within Policy 5.2 of the London Plan however whilst the proposals are broadly acceptable further information is required before the carbon savings can be verified. The applicant is required to provide further evidence of how the cooling demand from proposed mechanical cooling has been minimised. Given the site is within a district heating opportunity area and within close proximity to the Wembley district heating network the applicant should commit to providing a single site wide heat network compatible for future connection. Further information in respect of the air source heat pump (ASHP) proposed should be provided to show how this would operate when connected to a heat network. Further confirmation is also required in respect of the proposed use of PV panels.
- **Transport;**- Transport for London (TfL) has raised issues in relation to access to the cycle parking, the proposed arrangements for coach drop-off and taxi rank, and such issues need further discussion. A Delivery & Servicing Plan and Construction Logistics Plan should be secured by condition, and the full travel plan also needs to be secured.

It has since been confirmed by the GLA on 27/11/15 that the proposed energy strategy is now agreed. There are no further concerns related to energy and sustainability.

**Ward Councillors for Tokyngton and Wembley Central;-**  
No responses have been received.

**Wembley National Stadium Ltd;-**  
Objection raised - see table above for summary of this.

## **POLICY CONSIDERATIONS**

### **National Planning Policy Framework (NPPF) – 2012**

#### **London Plan (consolidated with alterations since 2011) - March 2015**

- 2.7 Outer London Economy
- 2.13 Opportunity Areas and Intensification Areas
- 4.1 Developing London's Economy
- 4.3 Mixed use Development and Offices
- 4.5 London's Visitor Infrastructure
- 4.6 Support for and Enhancement of Arts, Culture, Sport and Entertainment
- 4.7 Retail and Town Centre Development
- 5.1 Climate Change Mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design & Construction
- 5.5 Decentralised Energy Networks
- 5.6 Decentralised Energy in Development Proposals
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water Quality and Wastewater Infrastructure
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.4 Enhancing London's Transport Connectivity
- 6.5 Funding Crossrail and Other Strategically Important Transport Infrastructure
- 6.7 Better Streets and Surface Transport
- 6.8 Coaches
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.3 Designing Out Crime

- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.7 Location and Design of Tall Buildings
- 7.14 Improving Air Quality

**Brent Unitary Development Plan (UDP) – 2004;-**

- BE2 Local Context
- BE3 Urban Structure: Space & Movement
- BE4 Access for disabled people
- BE5 Urban clarity and safety
- BE6 Landscape design
- BE7 Streetscene
- BE9 Architectural Quality
- BE10 High Buildings
- BE11 Intensive and Mixed Use Developments
- BE12 Sustainable design principles
- EP2 Noise & Vibration
- EP3 Local air quality management
- EP6 Contaminated Land
- EP12 Flood protection
- TRN2 Public transport integration
- TRN3 Environmental Impact of Traffic
- TRN4 Measures to make transport impact acceptable
- TRN6 Intensive development at selected transport interchanges
- TRN9 Bus Priority
- TRN10 Walkable environments
- TRN11 The London Cycle Network
- TRN12 Road safety and traffic management
- TRN13 Traffic calming
- TRN14 Highway design
- TRN22 Parking Standards – non-residential developments
- TRN30 Coaches and Taxis
- TRN34 Servicing in new developments
- TRN35 Transport access for disabled people & others with mobility difficulties
- PS1 Parking standards – Operation of these parking Standards
- PS11 Parking standards – Hotels (Use Class C1)
- PS15 Parking for disabled people
- PS16 Cycle parking standards
- PS21 Hotel Servicing Standards
- TEA6 Large-Scale Hotel Development

**Brent Core Strategy - 2010**

- CP1 Spatial Development Strategy
- CP5 Placemaking
- CP6 Density & Design in Place Shaping
- CP7 Wembley Growth Area
- CP14 Public Transport Improvements
- CP15 Infrastructure to Support Development
- CP18 Protection and enhancement of open space, sports and biodiversity
- CP19 Brent Strategic Climate Change Mitigation and Adaption Measures

**Brent Council Supplementary Planning Guidance and Documents**

- SPG12 Access for disabled people
- SPG17 Design Guide for New Development
- SPG19 Sustainable design, construction and pollution control
- SPD Section 106 Planning Obligations

**Wembley Area Action Plan - January 2015**

- WEM1 Urban Form
- WEM2 Gateways to Wembley

**WEM3** Public Realm  
**WEM5** Tall Buildings  
**WEM6** Protection of Stadium Views  
**WEM8** Securing Quality Design  
**WEM15** Car parking standards  
**WEM16** Walking and cycling  
**WEM24** New retail development  
**WEM25** Strategic Cultural Area  
**WEM30** Decentralised Energy

### **Site proposal W8 - Land West of Wembley Stadium**

This identifies that the Boulevard connection is a key component in this area. This is critical in ensuring a connection to, and therefore integration with the High Road. The Boulevard connection should enable the use of buses, taxis and cycles. Sites should contain a mix of uses appropriate to a town centre location (retail, office, leisure, community and residential). At ground level their should be active frontages to the boulevard.

## **DETAILED CONSIDERATIONS**

### **Nature of application**

1. The application is submitted as a hybrid and seeks full detailed consent for the development of a new hotel on plot W11, and outline planning consent for a mixed use development on plot W12 and a new pedestrian boulevard. The site currently comprises of land partly within Wembley Park Boulevard, land to the east of existing Holiday Inn hotel, land to the west of the existing red car park and the Red House building located on South Way. In relation to the outline proposals all matters are reserved and the information that accompanies this application in respect of plot W12 and the boulevard is therefore indicative. However, a number of matters will be secured through condition and furthermore, parameters for the building and site are to be secured through a set of parameter plans.
2. The proposed development would be undertaken in phases. Phase 1 would be the construction of plot W11, and the hotel, which is to be operated by Premier Inn. Phase 2 would involve plot W12 and the final boulevard layout, these would follow on after the approval of Reserved Matters for both.

### **Site context**

3. The application site is to the west of Wembley Stadium and within the boundary of the Wembley Area Action Plan (WAAP) and the Wembley Opportunity Area. Existing Holiday Inn and Ibis hotels are to the west of the site and the new Wembley London Hilton hotel is approximately 20m to the north. It is within the Wembley regeneration area which has seen significant growth, change and regeneration in recent years.
4. There are many examples of tall and large buildings locally. Buildings of this scale are very much part of the local character and surrounding built forms. For example the LDO, Ibis hotel, Holiday Inn hotel, York House, and Red car park are all buildings within close proximity of the site that are 30m or higher.
5. The northern part of the site lies within land the subject of outline planning permission 03/3200, known as the "*Stage 1 Development*". This consent has been implemented to a large extent, resulting in the LDO centre, Forum House, Quadrant Court and the Wembley Hilton Hotel. This application puts forward alternative proposals for development on the site of the Red House.

### **General principle of the uses**

6. A number of uses are proposed within these two plots;
7. W11 is proposed to accommodate a 13-storey building comprising a 312-bed hotel (Use Class C1) and ground floor uses including a restaurant, bar, offices and gym (Use Classes A1-A4, B1 and/or D2).
8. W12 (outline) will accommodate a 4-storey building comprising 1610sqm of and/or A1-A4/B1/D1 and D2 uses, with all matters reserved and new pedestrian boulevard (outline).
9. An associated service yard, landscaping works, and infrastructure works including alterations to Wembley Park Boulevard are also proposed.
10. The principle of a mixed use development of a hotel and office/leisure/retail use is supported in this location. This complies with the London Plan, reflects London Plan Opportunity Area Planning

Framework (OAPF) policy guidance, the WAAP aims and local site specific policies.

11. It is not known at this stage if the non-hotel uses for W11 will be ancillary to the hotel use, or if they will operate as stand alone planning units within Use Classes A1-A4, B1 and D2 . The operator is not clear on this. In either event the mix of uses are considered to be acceptable in policy terms in this town centre location and these would be considered acceptable as ancillary or standalone uses.

#### **Policy context**

12. The site is located within the Wembley Opportunity Area where development is guided by London Plan policy 2.13. This opportunity area is identified as having employment capacity for 11,000 jobs and 11, 500 new homes.
13. The WAAP, adopted in January 2015 sets out the strategy for growth and regeneration in Wembley over the next 15 years. The site is located within the Stadium Comprehensive Development Area (SCDA) and the area is designated as a strategic cultural area where leisure, tourism and cultural uses are all encouraged.
14. The site is specifically identified as site allocation W8 where major mixed use development is supported.
15. The hotel use is supported by London Plan policy 4.5 (London's visitor infrastructure) which seeks to achieve 40,000 net additional hotel bedrooms by 2031.
16. Other relevant policies are referred to in the policy section of this report.
17. In principle, the proposed uses are accordingly considered to be in accordance with current and planning policy at a regional and local level.

#### **Quantum of uses**

<b>Proposed Use plot W11</b>	<b>Floorspace (sqm)</b>
Hotel (including ancillary uses)	11,055

<b>Proposed Use plot W12</b>	
A1-A4/B1/D1 and D2 Use Classes	1610

<b>Total</b>	<b>12,586</b>
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(N.B . The floorspace related to the outline part of the application (plot W12) is not calculated at this point for CIL liability purposes.)

#### **Layout and Height**

18. This is considered in two parts due to nature of the application seeking full consent for a hotel on plot W11 and outline consent for plot W12.

#### *Plot W11:-*

19. The proposed hotel will be built on land south of the elevated Royal Route, north of South Way, east of the existing Holiday Inn hotel and partly on the existing boulevard link. The hotel will be situated on the western side of the boulevard to continue the strong built edge and activation along this route that is evident with buildings to the north such as the LDO centre.
20. At ground level the hotel proposes to have main reception, restaurant and bar facilities to activate the boulevard, with back of house functions situated to the western side, conveniently placed for the servicing arrangements . Principle pedestrian access will be from the boulevard at the base of the taller element. In this position it is considered the entrance will be prominent, visible from more than one direction and legible. On the upper floors the layout of bedrooms is repeated across each of the 13 floors. All bedrooms are east or west facing. Each floor will have a total of 24 bedrooms, 2 of which will be designed for full wheelchair access. The southern end of the building accommodates the circulation core and larger wheelchair accessible rooms. At roof level the majority of plant is proposed to be located.
21. The building comprises three distinct elements; the plinth, the main body and the tower. The plinth accommodates the ground floor uses, and notably the precedent for a plinth is seen in the adjacent LDO centre to the north. The main body is arranged over 13 floors and the tower element projects slightly above this to articulate the mass of the building and provide a strong gateway element to the building as you approach this from the south-west. The building would be 50.2m high on the tower element, stepping down to 44.2m high on the main body of the building. Tall and large buildings of a similar scale are part of

the established local character, and within this context the scale of the proposal is considered appropriate.

*Plot W12;-*

22. The outline plans define the parameters within which reserved matters will come forward. The indicative plans show how the floors could be arranged, within a maximum 1610sqm of floorspace. It is proposed to have retail uses (A1 - A4) at ground floor, which is welcomed as this would further activate the boulevard. Upper levels could accommodate a mix of office, non-residential institutions (Use Class D1) and / or leisure uses. This range of uses are appropriate in policy terms, and can be supported by the London Plan and Brent Core Strategy and WAAP.

### **Design and external appearance**

*Plot W11;-*

23. The building design comprises of these three distinct elements mentioned (the plinth, the body and the tower) with each emphasised differently in their external appearance with the use of materials and fenestration. The plinth element is intended to provide a solid base level for the building and is to be demonstrated by the use of a dark grey brick, there is precedent for this approach on the adjacent LDO development. The main body proposes a light render treatment, which will contrast with the darker more solid plinth and tower elements. Again there is precedent for this external finish locally on a number of new buildings within the regeneration area. Projecting dark coping is proposed as a 'top' to this element. For the tower element a dark grey brick finish is also proposed. This will contrast with the render finish on the main body and the tower will interrupt the plinth so that this strong feature element is grounded at the main hotel entrance.
24. The arrangement of fenestration is also different on each of the building elements. At base (plinth) level large glazed openings are proposed. These will activate the boulevard, provide sight of activity within the building and reflect the design of the lower levels of the adjacent LDO development. This activation is welcomed and this is considered an appropriate response to this route. The main body, which is where the majority of hotel bedrooms will be accommodated has an ordered arrangement of windows/openings which is reflective of the consistent floor layouts. Windows have been grouped into vertical recessed slots with dark metal panels between glazing. The scheme has also been amended to incorporate the AC room units extract and intake ventilation grille as part of the window opening. The reveals to this windows will be metallic gold finish, which it is considered would add an interesting detail to the building. The tower element incorporates individual punched windows with deeper recesses. The southern elevation proposes recessed slots which add interest to this prominent elevation and provide articulation. At the top of the tower an opening has been created on all sides with translucent polycarbonate. This will be back light and will glow to make this an interesting feature element. At the base of this is a large glazed opening to the main hotel entrance, and this is covered with a canopy to emphasis this as the main entrance point.
25. The GLA welcomes the treatment at ground floor which will activate the frontage. It is considered that the design creates a strong feature of the tower, which is appropriate for a building on this gateway point. The approach to the massing, in terms of a base, main body and tower is considered to have a sound rationale. The palette of materials is considered logical as it breaks the building down into these three distinct elements.

*Plot W12;-*

26. All matters are reserved, however precedent images have been submitted to demonstrate the palette of materials and external finish that is envisaged. The detailed design of this would be secured by condition. What is clear is that the parameter plans demonstrate a building of appropriate height, mass and layout that could sit comfortably next to the hotel building.

### **Transport impact and servicing considerations**

27. A detailed Transport Statement and Travel Plan have both been submitted by i-Transport in support of the proposals, and due consideration has been given to the national, regional and local policy context.

*Existing site conditions;-*

28. South Way, which is located south of the site provides a continuous east-west link for pedestrians with footways of 2m - 2.5m wide on both sides of South Way. To the site's northern boundary is the elevated Royal Route, continuous footways of 2m are present along here, with the exception of the southern side as it passes the Holiday Inn hotel. The site's eastern boundary is the current temporary extension to Wembley Park Boulevard, this route is important for pedestrian connectivity. Pedestrian wayfinding signage exists within the vicinity of the site, in addition Quintain's private estate also has a

comprehensive pedestrian wayfinding strategy. The boulevard provides an important connection for pedestrians between South Way and Engineers Way to the north, this route is currently 18.9m wide through this section.

29. The site is served by seven bus routes, all of which stop within 640m walking distance. Wembley Stadium station is approximately 100m from the site, Wembley Central station approximately 850m and Wembley Park station approximately 500m.
30. There are two existing TfL appointed taxi ranks within close proximity to the site. These are within Quintain's estate at the following locations:-
  - Northern end of Wembley Park Boulevard, outside Wembley Arena (Arena Square)
  - Within the set-down and pick-up areas for the Wembley Hilton hotel on Lakeside Way.
31. There are existing double yellow lines 'no waiting restrictions at anytime' along South Way. There are also traffic calming raised tables along the carriageway of South Way within close proximity to and abutting the site boundary. South Way is also subject to a Traffic Management Order (TMO) on major Stadium event days, this prohibits vehicles from using this route.

*Proposed changes to transport networks:-*

32. It is considered by your Transport officers that the impact of the development does not warrant any concerns for significant off-site improvements, with the exception of the highway immediately abutting the site. Nor does it impact on future works planned to the highway network.

*Assessment of impact:-*

33. The proposed hotel floorspace is within the floorspace quantum previously approved within the Stage 1 Lands application (03/3200), and not yet built out. The floorspace associated with the proposed hotel on plot W11. This level of impact was therefore assessed previously and accepted by the highway authority as having an acceptable impact on the highway subject to the mitigation measures that were secured within that consent.
34. Pedestrian access to the hotel will be provided on the eastern elevation of the building. Access to plot W12 (outline) is expected to be along the southern elevation, fronting South Way. This detail will be confirmed in a later Reserved Matters application. Cycle access will be gained from the boulevard, or from South Way. The development will easily link into the established pedestrian and cyclist connections.
35. In terms of access to public transport the access to these existing services will not be affected by the proposals. The development will maintain the existing high quality connections for pedestrians between the site and bus, rail, underground and overground services. As discussed previously there will be an interim period whereby the width of the boulevard is reduced for construction works, however upon completion of the hotel the applicant will be required to instate the boulevard to the interim width, which for the avoidance of doubt is proposed to be 15m. The final state boulevard will be 23.1m, which is an improvement on the current interim (temporary) layout.
36. Your Transport officer does not consider that the proposal will prejudice the potential delivery of future public transport proposals on South Way and Wembley Park Boulevard. There are TfL plans to introduce buses along South Way, at present there are no bus routes on South Way or Royal Route so there would be a benefit to linking the development with a bus stop. To this end improvements to bus services is an important consideration. A new bus stop is indicatively shown to be located on the eastbound side of South Way abutting the site. This is indicative only at this stage and its final location will be subject to consultation between the local authority and TfL Buses, should it be decided that buses will use South Way in the future. The current proposal does however demonstrate that the proposed works will not be prejudicial to future delivery of a bus stop lay-by Your officers have suggested a possible location to the east of where the boulevard connects with South Way, abutting the boulevard and The Red car park and request that further details of this be secured through condition. As the delivery of this would require works to be carried out within the highway and footways outside of the highway boundary then a section 38/278 agreement would need to be entered into with the applicant/owner, and this is secured by condition.
37. The extant Stage 1 consent proposed a possible bus route along the boulevard itself. This has not been implemented to date, and a study has recently been commissioned by the Council to examine the feasibility of providing access to the boulevard for buses, either by removing or reconfiguring Royal Route. A number of options were proposed, these have now been examined and the Council is in the process of putting forward preferred options to TfL for further discussion. Although it still remains

inconclusive at this time your officers have been able to advise that the choice of preferred options being explored will not prejudice or be detrimental to the design and delivery of plot W11 and W12. Crucially it is not expected that the delivery of a bus route through the boulevard (if agreed and delivered) would have a significant impact on the proposed development. A condition is recommended which will capture the submission and approval of further details of the final state boulevard to demonstrate the construction specification of this route, including the sub-surface treatment in order to ensure this would be constructed to a standard that would be able to accommodate buses at a future point.

#### *Pedestrian infrastructure*

38. The proposed hotel is in the location of the current interim pedestrian link between Station Square and Wembley Park Boulevard to the north. The permanent boulevard was intended to continue along the alignment of the existing boulevard, with a bend in the boulevard adjacent to the Ibis Hotel so that it terminates at a right angle to South Way, directly opposite Wembley Stadium Station Square. This layout relied upon the use of part of the Holiday Inn site which at the time of the stage 1 consent was owned by Quintain. However, Quintain sold this site during the construction of the LDO and the original alignment could no longer be delivered. The connection between the LDO and Stadium Station Square is considered to be of significant importance. The expansion of the town centre boundary to include the LDO was predicated on the strength of the connection between the existing and new centre and proposals must therefore maintain or improve that connectivity.
39. The proposal looks to alter the alignment of the boulevard from the original approval so that the bend in the road takes place where it meets Royal Route. The Boulevard will terminate further east than was previously envisaged and will not be opposite Station Square. To address this, the southern end of the boulevard includes an area of public realm that is chamfered towards the square. The South West Lands application (currently being considered) also extends the square to the east, resulting in the creation of an open space that spans South Way, connecting the Boulevard with Station Square. The extension of the existing raised table on the highway is also proposed so that the table will run from the western end of Station Square to the eastern end of the Boulevard. This work will be undertaken at the applicant's expense. Whilst the proposed layout alters the connection between the LDO and Stadium Station Square, the proposed public realm layout is considered to maintain the strength of that connection.
40. The central element of this connection would be a paved boulevard framed with trees along either side. The treatment of this section of the boulevard and the furniture used will be reflective of the existing section of boulevard to the north. Towards the southern end as you approach South Way the boulevard widens out significantly, and this is where the bosque of trees is proposed (with new seating) which will enhance the public realm.
41. Construction work for plot W11 will require a temporary narrowing of the boulevard along the section between the elevated Royal Route and South Way to 6m. This is required to accommodate a hoarded compound for the storage of materials, receiving of deliveries and to accommodate cranes for construction. Whilst unfortunate, this interim position is a necessary consequence of the build and is required for practical construction reasons.
42. The existing width of the current (interim) pedestrian link between the Boulevard and South Way is 18.9m. During construction an interim walkway width of 6m will be provided to maintain adequate width for pedestrian flows, which is considered acceptable based on the peak observations from a major Stadium event in March 2015. Upon completion of the hotel the temporary hoardings will be removed and the boulevard is proposed to be provided at an interim width of 15m, with the delivery of this is secured by condition. Once the remaining building within Plot W10 comes forward (adjacent to the Red Car Park), the boulevard will be delivered in its final state, involving an increase in width to 23.1 m. A condition will secure the implementation of the interim boulevard width of 15m prior to occupation of the hotel development, and further details of interim landscaping are also to be agreed.
43. It is crucial that the existing boulevard route, which is to be made narrower is protected and remains unimpeded and attractive at all times during the construction programme. How this will be secured is set out in the Construction Phase Plan. Traffic calming measures in the form of a raised table to aid pedestrians crossing South Way currently exists, and your officers advise that this table will need to be extended as a result of the footprint of the hotel development and the proposed boulevard realignment works. Further details of this modified table will need to be captured as part of a section 38/278 agreement and secured through condition, with delivery required prior to occupation of the hotel.
44. New footways adjacent to South Way are to be secured as part of any s38/278 agreements and are to be provided at a width of 2.4 m - 2.5 m.



### *Parking*

45. Vehicle parking is not proposed on site for the development. Visitors to the development will be able to use the adjacent red car park, or other nearby public car parks and pay the appropriate tariff for their length of stay. Blue badge parking can also be accommodated within these existing car parks, this is available free of charge, 24 hours a day in the adjacent red car park, and the approach is acceptable to the GLA and has been accepted on earlier consents within the local vicinity.
46. Further clarification in terms of wayfinding for pedestrian routes from the proposed developments to the red car park, and for demonstration of how access can be provided that is accessible for all users is to be secured through condition..
47. Motorcycle parking spaces are to be available in the adjacent red car park.
48. Cycle parking for the hotel will be provided for 22 cycles, in the form of Sheffield stands. Details of cycle parking for plot W12 will be submitted as part of the Reserved Matters application. The location of hotel cycle parking has been clarified at the request of the GLA, with long-stay cycle parking proposed to the rear of this hotel, with direct access provided from the hotel entrance in a safe and convenient way via a set of doors to the southern stairwell. Visitor cycle parking for both plots will be delivered within the nearby public realm (i.e the boulevard) and further details of cycle parking will need to be secured by condition.

### *Coach parking, servicing and taxi drop-off/pick-up*

49. Coach drop off and pick up will in the long-term take place from a shared service yard, which is to be shared in the context of other delivery and servicing activity taking place for both plots. This off-street service yard won't be delivered upon completion of the hotel development. The timing for this is dependant on gaining vacant possession of the Red House and the demolition of the building. A condition is recommended to capture timescales for the demolition of the existing building and the delivery of the off-street service yard.
50. TfL had raised concern regarding the use of the servicing yard for coaches from a pedestrian safety perspective In response to concerns raised the applicant submits that coach demands are anticipated to be low, and established using the TRICS survey. The coach demands are anticipated to be up to a maximum of three per day. This final state servicing solution requires the demolition of the existing Red House building in order to provide the shared service yard, and it has now been demonstrated that a safe pedestrian route direct from service yard to ground floor can be provided. This should overcome pedestrian safety concerns raised by TfL with regards the long-term servicing arrangements.
51. As the development will be phased, and due to the fact the Red House building will be contained within phase 2, after the approval of Reserved Matters an interim service solution is required to serve the hotel development when this comes forward initially. The interim arrangement proposes the formation of a shared lay-by on the northern side of South Way (on adopted highway land) which is capable of accommodating a 15m coach and/or a 12m rigid HGV servicing the hotel. It has been demonstrated that such a bay can be delivered on land which is wholly within the public highway with additional adopted footway to be provided through the dedication of land within Quintain's ownership. The Council's Highways officers do not object to this interim arrangement but do advise that sufficient footway width must be provided at the back of the lay-by and that this footway will be the Council's responsibility, as such an adoption agreement will need to be established under sections 38/278 of the Highways Act 1980. The use of this service lay-by will be restricted through condition, as part of the condition to secure the implementation of a Delivery & Service Plan for the hotel operations, and the removal of the lay-by may be required once the final stage off-street servicing solution has been delivered on site.
52. A Delivery and Service Plan (DSP) has been reviewed and considered acceptable by your Transport officers, subject to further clarification on a booking management system to ensure the hotel operator effectively co-ordinates the arrival of delivery vehicles and coaches, in order to ensure that the interim lay-by is only used by one vehicle at a time. The requirement for a booking management system will need to be secured by condition. It is anticipated that only two servicing vehicles will be required, and that these will generally take place between 06:30am and 18:00pm and as such is it is anticipated the lay-by / service area will be empty for the majority of the day. No service vehicles are anticipated in the evenings, on Sundays or Bank Holidays. In addition servicing will be restricted to specific hours either side of a major Stadium event. This will need to be consistent with the Stadium Event Management Traffic Management Plan, which stipulates that service vehicles will not be permitted between four hours before the start to four hours after the end of a Stadium event. This restriction on timings will be secured by

condition.

53. The final service yard solution, and the interim shared lay-by in so far as these relate to coach drop off and pick up will need to be arranged directly with the hotel operator. This will enable the hotel to co-ordinate coach times with anticipated service times. In the interim period hotel guests will be able to safely disembark from coaches onto the southern end of the boulevard. In any event a fully detailed Delivery and Servicing Management Plan will be secured by condition.
54. TfL commented that the proposed hotel should be provided with a formal taxi rank. The applicant has provided further justification for not providing a formal rank as part of the proposals. The justification put forward is that the surrounding area is currently well served by two existing TfL appointed taxi ranks located outside the Wembley Hilton and on Wembley Park Boulevard, adjacent to Arena Square. Combined these two ranks provide nine spaces. The walking distance to each of these, from the hotel entrance is 350m. Furthermore the existing rank at the Hilton was surveyed on a non event day, and over the course of the day at no point was the rank used by a taxi. This suggests that there is sufficient capacity within the existing taxi rank provision to meet any increased demand that may follow this development. It is also noteworthy that provision for taxis has been incorporated into the proposals for the south-west lands application, to the south of the site. This application (14/4931) is currently under consideration. In addition your Transport officers do not support the provision of a formal taxi rank on South Way, there is considered to be sufficient provision for this locally. On balance, given the provision locally and the proximity to the red car park which would provide further drop off and pick up opportunities it is not considered necessary to secure an additional taxi rank facility.

#### *Construction Phase Plan (CPP)*

55. The submitted CPP details matters such as working hours, site access and traffic management, site security and hoardings specification, site traffic and pedestrian management, deliveries, storage of materials, vehicle holding area and vehicle access routes.
56. **Working hours** - Mon - Friday between 08:00am and 18:00pm. On Saturdays 08:00 - 01:00pm. On Sundays some allowances may be made for critical works subject to prior agreement.
- **Hoardings specification** - 2.4m hoarding is proposed around the exposed boundaries of the site. Along the eastern boundary the hoarding will be installed to the underside of the red car park, with appropriate points of pedestrian access provided. This hoarding will be required to be removed upon practical completion of the hotel development.
  - **Site traffic & pedestrian management** - There is a commitment to employing a traffic marshal to manage the entrance and exit of delivery vehicles on site and control the pedestrian interface with South Way. The 6m wide temporary walkway will be lit to 50 lux, with signage.
  - **Site access & traffic management** - It is proposed all materials offloading will take place within the site compound. Construction traffic will not be permitted on Royal Route other than for special deliveries (including delivery and collection of scaffold and hoardings for the north boundary of the site). If at any time access to the Stadium is deemed to be at risk then the Stadium will be consulted in sufficient time in order to agree suitable arrangements.
  - **Deliveries** - Timings of deliveries to and from the site will need to be effectively managed. A vehicle booking management will be put in place, all deliveries will need prior arrangement. Vehicles will be guided by a banksman/signal man at all times.
  - **Storage of materials** - All materials will be stored within the site compound in designated areas.
  - **Vehicle holding area** - This can be accommodated within the site compound, as shown in Appendix 2 - Construction Management Plan.
- Your Transportation officers consider that details submitted in relation to site access and traffic management are broadly acceptable. Deliveries and vehicle activities to and from the site will not be permitted 4 hours before and after a Stadium event, and this restriction will be captured by condition. In any event the applicant acknowledges this restriction, as referred to in their Delivery and Servicing Plan. With regards the erection of temporary hoardings it is accepted that there is a necessity for the boulevard to be reduced to a temporary 6m width whilst construction works are carried out. It is crucial that this route is consistently maintained and appropriately lit at all times, to this end the provision of lighting will be secured by condition. It is not clear how long the hoardings will need to be in place for, as such further details of a phasing plan showing timelines from start of construction through to the end position will need to be secured through condition.
57. Compliance with the submitted Travel Plan is secured through condition to ensure an on-going commitment to sustainable modes of travel to site.

### **Access**

58. Level access into the hotel is provided, this will be an accessible facility for all users. It is proposed that 10% of rooms within the hotel will be wheel chair accessible, and this satisfies London Plan policy 4.5.

### **Landscape works & impact on the boulevard**

59. The development will require the removal of some protected trees and details of compensatory planting has been provided. Proposed new planting comprises of nine new street trees that will line the boulevard, a bosque of cherry trees and the translocation of seven existing lime trees to provide a buffer along the service area boundary. This planting approach represents an overall increase in tree coverage and is agreed by your Principal Tree officer.

60. External seating is to be provided within the bosque of cherry trees and in other places along the boulevard.

61. The interim boulevard width of 15m which will be provided upon practical completion of the hotel development will need an appropriate landscape treatment and further details of this will be captured by condition.

62. The details submitted do indicate that the new final state and realigned boulevard through this section will be finished to an acceptable standard in order to maintain this important pedestrian route as a high quality public space. As the proposal in so far as it relates to the boulevard is submitted in outline only at this stage, with all matters reserved then further details will be secured by condition.

### **Daylight/Sunlight effects**

63. There are no residential units around the site at present. The study has therefore considered the impact of the development on residential units that are being proposed as part of the south-west lands application. To clarify this application has not been determined. The units within this scheme with rooms facing north are the only ones that required testing. The analysis found that off all the rooms tested these will retain higher levels of daylight than the British Standard requirement in order to achieve BRE compliance.

### **Noise**

64. A noise report has been submitted considering all acoustic matters related to plot W11. A noise survey was carried out to assess the suitability of the site for a hotel use, with noise from Wembley Stadium being a consideration. Relevant to this is the fact that nearby planning consents required noise mitigation to achieve levels of 33dBA at night and 38dBA during the day. Premier Inn have their own internal noise criteria which goes beyond these levels, which should ensure an acceptable environment is achieved. A condition is recommended to ensure suitable ambient noise levels are achieved internally.

### **BREEAM**

65. A bespoke pre-assessment has been carried out due to the nature of the hotel use. This approach is recognised by BREEAM. Plot W11 is targeting a BREEAM 'Excellent' rating, which satisfies Brent Core Strategy policy CP19. Verification of the level achieved will be secured by condition. Plot W12 will come forward at a later stage and will be registered and assessed under the appropriate assessment type for its future occupancy type at the relevant time. This will be secured by condition.

### **Flood risk**

66. The site is located in Flood Zone 1, classed as having less than 1 in 1000 chance of flooding occurring each year. As the site is less than 1 hectare in size it was not necessary to consult the Environment Agency. No flood issues are presented.

### **Summary**

67. It is considered the proposed development would provide further regeneration benefits to the Wembley growth area and it would bring activity to the southern end of the Wembley Park Boulevard pedestrian route. The principle of a hotel development is deemed to be acceptable in this location, as are the other range of uses sought. The scale and massing of the building is acceptable in this location and fits in with its immediate context. This will deliver a highly sustainable scheme that will also safeguard this important pedestrian connection.

68. Officers consider that the application can be supported, subject to referral to the London Mayor for his Stage 2 response. As things stand the Mayor considers that the application does not fully comply with the London Plan for the reasons set out above. He states that there are remedies that could address these deficiencies. If the Council decides to make a decision on this application it must consult the Mayor, once

again, and give him a period of 14 days within which to allow the draft decision to proceed unchanged, to direct the Council to refuse the application or to issue a direction that he is to act as the Local Planning Authority and proceed to determine the application, otherwise known as the Stage 2 response. The applicant has addressed the Mayor's concerns in respect of Energy and this is all agreed with the GLA. A response to the Transport matters has also been provided, as set out in this report.

Members are therefore asked to delegate the final decision to approve the scheme to the Head of Area planning provided that the GLA's stage 2 response does not require any significant changes to the scheme.

## **SUPPLEMENTARY REPORT**

### **Agenda Page Number: 21-56**

Members visited the site on 12 December 2015. Further clarification was sought on the points listed below:-

#### **Confirm the distance between the existing IBIS and Holiday Inn hotel buildings to the proposed hotel building.**

*Response*;- At the closest point will be separation distance of 39m between the proposed hotel building and the IBIS building. The western facade of the Holiday Inn will be 14.2m from the hotel building, and it should be noted there are no windows within the facing flank wall.

#### **Confirm the width of the hotel and the remaining boulevard.**

*Response*;

##### Proposed hotel building

- At ground floor the hotel building is to be 21.1m at its widest part. On the upper floors it is set back, so there is a resulting reduced width of 16.6m, this reduces down further to 15.5m above ground floor level.

##### Existing boulevard

- The existing boulevard between Royal Route and South Way is 18.9m wide.
- The boulevard adjoining the Outlet Centre is 21 m wide (face of building to concrete seats). It will be 25 m wide when the buildings on the eastern side are constructed.

##### During construction works

- The boulevard adjacent to the proposed hotel will be reduced to 6m wide during construction.

##### Upon completion of the hotel building and removal of hoardings

- The boulevard will be 19m wide, reaching the edge of the lower level of the existing temporary red car park;

##### Final layout

- The boulevard adjacent to the hotel will be 23.1m wide. This will be delivered when the temporary two-storey car park has been demolished and the site redeveloped.

#### **Can the service yard accommodate coaches manoeuvring and service vehicles?**

*Response*;- The off-street service yard can accommodate a coach and a servicing vehicle at the same time, as demonstrated on tracking drawings that accompany the Delivery and Servicing plan. Only two servicing vehicles are anticipated to visit each day. Up to three coach visits may occur per day, though the number of times this number of coaches would visit daily is anticipated to be low. It is anticipated therefore that up to five servicing vehicles will use the service yard daily, and that it will be empty for long periods. As such it does not give rise to any highway safety concerns.

#### **What is the future of the children's play centre currently being run from the Red House building?**

*Response*;- This was always envisaged to be a meanwhile use of the building until such time that the site came forward for development, and that alternative premises would then need to be found. There is no specific policy protection afforded to the existing D2 use. It is however understood that vacant premises may be available for them to re-locate to within the nearby Wembley Retail Park on Engineers Way.

It has been confirmed that the current occupiers have an existing lease which means that vacant possession of the building cannot be achieved until May 2018.

Aside from the above site visit queries consultation responses have been received from Regulatory Services (Environmental Health) and the MET police which require additional conditions to be attached. These are as follows:-

#### **Contaminated Land condition 1**

Following the demolition of the building ("The Red House") and prior to commencement of building works

related to (b) Plot W12 / Phase 2, 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 the Local Planning Authority, 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. The written report is subject to the approval in writing of the Local Planning Authority.

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

#### **Contaminated Land condition 2**

Post remedial works verification report to be provided, stating that such works have been carried out in accordance with the approved remediation scheme and that the site is suitable for end use.

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

#### **Control of noise and vibration from plant**

Prior to installation further details of the plant equipment to be installed within the ground floor sub-station shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include, but are not limited to proposed mitigation measures to guard against and eliminate exposure of end users to electromagnetic frequencies, noise and vibration. Thereafter the development shall be carried out in accordance with the approved details.

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

#### **MET Police condition**

The MET Police have requested that conditions are added to the consent regarding measures that may be required to ensure that the proposed development is suitable resilient to terrorism. It is accordingly recommended that an additional condition is attached to the consent requiring the submission and approval of details relating to the resilience to terrorism. This submission, when received by the Council, will be discussed with the MET Police.

Recommended condition:

Details of any proposed counter-terrorism measures shall be submitted to and approved in writing by the Local Planning Authority in consultation with the MET Police prior to the commencement of works to the superstructure for the hotel (plot W11) and the superstructure for plot W12, the approved details shall be implemented in full thereafter prior to completion of the development hereby approved.

Reason: To ensure that the development accords with Policy 7.13 of the London Plan 2011.

#### **Additional condition relating to public access**

It is recommended that the following condition is added regarding public access to the new element of the boulevard that is proposed:

Following first occupation of any building approved pursuant to this consent, the areas within the application site to the east and south of the land identified as W11 and W12 within drawing 3559\_01\_0204\_ Rev A shall be made public accessible on foot and by cyclists on every day of the year subject to:

- Partial closure for such periods as are reasonably required for the purposes of maintenance, cleaning, construction;
- Partial closure to allow market stalls or other similar buildings or uses;
- Other periods of temporary closure, details of which shall be submitted to and approved in writing by the local planning authority prior to the closure and no such closure shall take place unless the submitted details have been approved;

An unobstructed route of a minimum width of 10 m shall be maintained between South Way and the Boulevard to the north of the site throughout any closure pursuant to this condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the area is sufficiently permeable in the interest of sustainable transport, placemaking and the linkage between the London Design Outlet Centre and the Wembley High Road.

**Recommendation: Remains approval, subject to the additional conditions being attached.**

## **SUSTAINABILITY ASSESSMENT**

Sustainability and energy measures which are coming forward as part of this proposal, are outlined in the applicant's supporting Energy Strategy and Sustainability Statement. The energy statement sets out measures as to how the development will comply with London Plan policy 5.2, which requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the

energy hierarchy to;

Be Lean: use less energy

Be Clean: supply energy efficiently

Be Green: Use renewable energy

The GLA confirmed in their Stage 1 report that the applicant has broadly followed the energy hierarchy, however further information was required in order to verify the proposed carbon savings.

The approach is based on range of passive design features and demand reduction measures, proposed to reduce the carbon emissions of the building. It is noted that both air permeability and heat loss will be improved beyond the minimum values required by building regulations. Other features include mechanical ventilation with heat recovery. The demand for cooling will be minimised through solar control glazing and internal blinds. Mechanical cooling is proposed throughout, and the GLA requested further verification of this.

The site is within the Wembley opportunity area and within the vicinity of the proposed district heat network (DHN) and is proposing to connect to this once available. This is a long-term solution. In the interim the development will adopt a standalone solution. Further information in respect of this future connection was requested by the GLA.

A communal heat network is proposed for domestic hot water of the hotel (plot W11) and a separate centralised heating system for the hotel (VRF space heating). A separate heating system is proposed for plot W12. Further verification of this was required by the GLA.

A range of renewable technologies have been considered, and some discounted for feasibility reasons. The strategy proposes the use of air source heat pumps (ASHP) to provide hot water in the interim period before connection to the DHN. A separate VRF space heating/cooling network is also proposed. Roof mounted PV panels are proposed on the roof of the hotel, with a layout also provided.

*Applicants response to GLA Stage 1 queries;*

- The applicant has provided evidence of how the cooling demand has been minimised, including the BRUKL document.
- The applicant has provided evidence to show that all areas of the building will pass the Part L solar gain criteria.
- Further information was submitted on future connection to the DHN. The GLA understands that the DHN will be delivered as part of the Wembley Masterplan, and at this stage has yet to appoint an operator for the network. It has been clarified that connection from the DHN to the application site is likely to be in Phase IV of the Wembley Masterplan (which is currently proposed to be between 2031 and 2035).
- It has been confirmed that plots W11 and W12 will connect to the DHN once available at the site boundary.
- Information has been submitted to the GLA to verify how the ASHP will connect to the DHN, and the GLA are satisfied with this.
- It has been confirmed that the PV modelling has taken into account the taller raised element to the south of the building, as such no further information is required.

With the additional information and verification that has been provided since issuing their Stage 1 report the GLA have now confirmed they are able to support the proposed energy strategy. This will achieve carbon dioxide savings in excess of the target set within London Plan policy 5.2 in the long-term. In the interim period the standalone strategy which is based on the use of air source heat pumps, a VRF system for space heating and cooling and PV panels results in very minor shortfall below the 35% target. The proposed interim strategy is predicted to achieve 34.5%, and on balance this would broadly be policy compliant. As sufficient evidence has been submitted to demonstrate the strategy will achieve the necessary targets the implementation of the energy strategy and future connection to the DHN will be secured by condition.

## CIL DETAILS

This application is liable to pay **£1,607,676.83\*** 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): 767 sq. m.

Total amount of floorspace on completion (G): 11055 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
Hotels	11055		10288	£100.00	£35.15	£1,189,550.00	£418,126.83

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	259	
<b>Total chargeable amount</b>	£1,189,550.00	£418,126.83

\*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.**

**The building which is subject of Plot W12 has not been calculated for CIL liability purposes at this stage. The quantum of different uses will be established at Reserved Matters stage, at this point the CIL liability of this building will be calculated.**

**The proportion of the eligible reduction for the hotel building calculated on a pro-rate basis is 767sqm and for plot W12 is 112sqm.**



DECISION NOTICE – APPROVAL

=====

Application No: 15/3599

To: Miss Paula Carney  
Signet Planning Ltd  
56 Queen Anne Street  
London  
W1G 8LA

I refer to your application dated 14/08/2015 proposing the following:

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.

and accompanied by plans or documents listed here:

(See Condition 4)

at Red House building, South Way, Land and Pedestrian walkway between South Way and Royal Route, Wembley Park Boulevard, Wembley

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:

Signature:

Head of Planning, Planning and Regeneration

**Notes**

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

DnStdG



**SUMMARY OF REASONS FOR APPROVAL**

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

National Planning Policy Framework 2012  
London Plan (consolidated version 2015)  
Brent Core Strategy 2010  
Brent Unitary Development Plan 2004  
Wembley Area Action Plan 2015

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment  
Environmental Protection: in terms of protecting specific features of the environment and protecting the public  
Town Centres and Shopping: in terms of the range and accessibility of services and their attractiveness  
Tourism, Entertainment and the Arts: the need for and impact of new tourists and visitor facilities  
Transport: in terms of sustainability, safety and servicing needs  
Wembley Regeneration Area: to promote the opportunities and benefits within Wembley Site-Specific Policies

- 1 The development to which this permission relates referred to as part (a) 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 Application for approval of the Reserved Matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason: To ensure planning applications are carried out within a reasonable time period in accordance with Section 92 of the Town and Country Planning Act 1990.

- 3 The development to which the outline planning permission relates shall commence either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To ensure planning applications are carried out within a reasonable time period in accordance with Section 92 of the Town and Country Planning Act 1990.

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

Plots W11 and W12 Parameter Plans;  
3559\_01\_200\_revA  
3559\_01\_201\_revA  
3559\_01\_202\_revA  
3559\_01\_203\_revB  
3559\_01\_204\_revA  
3559\_01\_205\_revA  
3559\_01\_206\_revA  
3559\_01\_207\_revA  
3559\_01\_208\_revA

Plot W11 (hotel) detailed plans;

3559\_02\_200\_revA  
3559\_02\_201\_revA  
3559\_02\_202\_revA  
3559\_02\_203\_revA  
3559\_02\_204\_revA  
3559\_02\_205\_revA  
3559\_02\_206\_revA  
3559\_02\_207\_revA  
3559\_02\_208\_revA  
3559\_02\_209\_revA  
3559\_02\_210\_revA  
3559\_02\_211\_revA  
3559\_02\_212\_revA  
3559\_02\_213\_revA  
3559\_02\_214\_revA  
3559\_02\_215\_revA

Plot W11 (hotel) proposed elevations;

3559\_04\_200\_revB  
3559\_04\_201\_revB  
3559\_04\_202\_revB  
3559\_04\_203\_revB  
3559\_04\_210\_revB  
3559\_04\_211\_revB

Landscape parameter plans;

2093-010-100 revA  
2093-010-102 revA  
2093-010-104 revA  
2093-010-106 revA  
2093-010-107 revA  
2093-010-109  
2093-010-110  
2093-010-112

Other;

3559\_07\_310\_  
3559\_SK\_013\_  
3559\_SK\_023 rev1

ITL10209-SK-046

ITL10209-SK-056 revB

Construction Management Plan, Issue 2, McAleer & Rushe (5.3 Appendix 3)

Construction Phase Plan, Issue 3, McAleer & Rushe (dated 13/11/15)

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

- 5 Approval of the details of the following reserved matters shall be obtained from the local planning authority in writing in respect of part (b) of the development, which for the avoidance of doubt part (b) relates to Plot W12 and the new pedestrian boulevard (hereinafter called "the reserved matters")

(a) Access

(b) Appearance

(c) Landscaping

(d) Layout

(e) Scale

Reason: To ensure the development is carried out in accordance with the prevailing relevant policy

- 6 Approval of the drawings and particulars of the Reserved Matters for part (b) works referred to in Condition 5 shall be obtained from the Local Planning Authority in writing prior to the commencement of any part of the development to which those Reserved Matters relate except that this shall not prevent works of site clearance, ground investigation and site survey works, interim boulevard work, erection of temporary boundary fencing or hoarding and works of decontamination and remediation (hereafter 'preparatory works') and shall be carried out only as approved.

Reason: To ensure full details of each phase are provided to ensure an acceptable standard of development

- 7 Prior to the commence of works on the superstructure of the hotel building in part (a) (plot W11), a drainage strategy detailing any on and/or off site drainage works, shall be submitted to and approved by the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

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

- 8 Construction of the part (a) (plot W11) development shall be undertaken in full accordance with the Construction Phase Plan and Construction Management Plan (Appendix 3) hereby approved unless a revised details are submitted to and approved in writing by the Local Planning Authority and thereafter implemented in full for the duration of construction, unless otherwise agreed in writing by the Local Planning Authority.

Reason; In the interests of pedestrian and highway safety

- 9 For the duration of the construction periods for the development hereby approved (parts (a) and (b)), no construction vehicles shall access or egress site during the period starting four hours before the start time to four hours after the end time of a Major Event at Wembley Stadium unless otherwise agreed in writing by the Local Planning Authority.

Reason;- In the interests of pedestrian and highway flow and safety.

- 10 No servicing, delivery vehicles or coaches shall access or egress the site during the period from four hours before the start time and four hours after the finish time of a major event at Wembley Stadium, unless otherwise agreed in writing by the Local Planning Authority.

Reason;- In the interests of pedestrian and highway flow and safety.

- 11 No vehicle access to the boulevard is permitted other than for emergency vehicle access purposes, unless otherwise agreed in writing by the Local Planning Authority.

Reason; In the interests of pedestrian safety.

- 12 Upon delivery of the final state off-street servicing yard the interim lay-by shall be offered by the applicant to be reinstated to footway at the applicants own expense at no cost to the Council in accordance with an agreed programme of works and within a timescale agreed with the Local Highway Authority.

Reason; In the interests of highway flow and safety.

- 13 Prior to the commencement of works on the relevant part of the development described as part (b) within the description of development, a detailed landscaped scheme shall be submitted to and approved in writing by the Local Planning Authority. Such landscaping work shall be

completed prior to first use or occupation of the relevant part of the development hereby approved and thereafter maintained.

The submitted scheme shall include details of:

- a) The planting scheme for the site, which shall include species, size and density of plants, sub-surface treatments;
- b) Details of any trees to be trans-located;
- c) Any walls, fencing and any other means of enclosure, including materials, designs and heights;
- d) The treatment of areas of hardstanding and other areas of hard landscaping or furniture, including materials;
- e) details of levels and contours within the site and adjoining the site;
- f) a landscaping maintenance strategy, including details of management responsibilities;

Any trees and shrubs planted, trans-located in accordance with the landscaping scheme and any shrubs 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 as soon as practicable as those trees or shrubs have been affected.

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

- 14 Not less than 10% of rooms within the hotel shall be wheel chair accessible.

Reason; To ensure suitable facilities for disabled users, in accordance with the London Plan policy 4.5.

- 15 The hotel building shall achieve internal noise criteria of stated in paragraph 5.3.1 (table 10) of the Planning Noise Report, which for the avoidance of doubt states the following internal ambient noise criteria:-

Period	Noise Level
Daytime (07:00-23:00)	L Aeq,1hour 35 dB
Night-time (23:00-07:00)	L Aeq,1hour 30 dB L AFmax 42 dB

Reason: To safeguard the amenity of future occupants of the development

- 16 A permanent and unimpeded route to the ground floor of the hotel shall be provided for pedestrians arriving by coach and disembarking within the final state off-street service yard. This shall be provided upon first use of the off-street service yard.

Reason: In the interests of pedestrian safety

- 17 Prior to commencement of works to the superstructure on part (a) (plot W11) further details of the interim boulevard shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include and demonstrate:-

- The detailed layout of the interim boulevard;
  - Details of how the interim boulevard will be appropriately landscaped with details of planting;
  - Details of street furniture, including but not limited to benches/seating and cycle parking;
  - Details of sub-surface treatments, which shall include silva cell root management systems (or similar) for the trees and a sub-surface treatment for the central hardsurfaced areas suitable of accommodating buses and emergency vehicles, unless otherwise agreed in writing by the Local Planning Authority;
  - The width of the interim boulevard, which shall be to the edge of the temporary red car park, or as otherwise agreed in writing by the Local Planning Authority;
  - The provision of cycle routes including signage of the routes;
  - Details demonstrating the extent to which those works can be retained within the final design and layout of the Boulevard; and
  - A schedule of timescales for implementation of works hereby referred to in (a) (b) and (c);
- Thereafter the works shall be carried out fully in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority and thereafter maintained save for

those alterations required to deliver the final boulevard.

Reason; To ensure adequate pedestrian routes are maintained to ensure a strong connection between the LDO and Stadium Station Square, in the interest the vitality and viability of the town centre, the visual amenity of the area and connectivity and sustainable transport within Wembley.

- 18 Prior to first occupation of the hotel hereby approved a detailed phasing programme for the implementation of works for the final future boulevard width shall be submitted to and approved in writing by the Local Planning Authority and the works shall be carried out in accordance with the approved details.

Reason; To ensure adequate pedestrian routes are maintained to ensure a strong connection between the LDO and Stadium Station Square, in the interest the vitality and viability of the town centre, the visual amenity of the area and connectivity and sustainable transport within Wembley.

- 19 Prior to commencement of works on the superstructure of Phase 1 (plot W11), further details regarding the extension to the existing raised table across South Way, including drawings detailing the design and layout, surface and subsurface treatment and any street furniture that may need to be removed or installed shall be submitted to and approved in writing. The developer shall enter into an agreement with the Local Highway Authority to agree the extent of such works and to provide this modified raised table.

The new hotel shall not be occupied (unless alternative timescales have been agreed in writing by the Local Planning Authority) until the above works have been completed to the satisfaction of the Local Highway Authority, at no cost to the Council, and have been certified in writing as being substantially complete by or on behalf of the Local Planning Authority.

Reason: In the interests of highway and pedestrian safety.

- 20 Details demonstrating that the developer or constructor has joined the Considerate Constructors Scheme shall be submitted to the Local Planning Authority prior to commencement of works on the relevant part of the development and the developer or constructor shall thereafter adhere to the requirements of the Scheme for the period of construction for that part of the development.

Reason: In the interest of the amenities of the adjoining and nearby owners and occupiers.

- 21 Within 3 months of practical completion of the new hotel building (part (a) - plot W11), a Energy Assessment Review shall be submitted to and approved in writing by the Local Planning Authority. This review by an approved independent body shall verify that the hotel development has met or exceeded the following:

- (i) Minimum 34.5% improvement on Part L 2013 Building Regulations Target Emission Rate ("TER") for CO2 emissions;
- (ii) 108sqm of photovoltaic (PV) panels

If the review specifies that the development has failed to meet the above levels, and it has been satisfactorily demonstrated that it has not been possible or feasible to incorporate any of the measures proposed within the Energy Statement and/or the Sustainability Strategy then details of alternative measures or alternative means by which the impacts of the failure to implement the measures will be mitigated shall be submitted to and approved in writing by the Local Planning Authority within 2 months of the review, and implemented in full thereafter in accordance with a timescale agreed with the Local Planning Authority.

The approved Sustainability and Energy Strategies (or as amended) shall be fully implemented and maintained for the lifetime of the Development unless otherwise agreed in writing with the Council.

Reason: To ensure a satisfactory development which incorporates sustainability measures.

- 22 Following the practical completion of part (a) (plot W11) development, a review by a BRE-approved, independent body, shall be commissioned to determine whether the measures

set out within the Sustainability Strategy (or within a Sustainability Strategy that is subsequently approved in writing by the Local Planning Authority) have been implemented and a BREEAM 'Excellent' standard for the development has been achieved. If the review determines that a BREEAM 'Excellent' standard has not been achieved, proposed measures to remedy the identified shortcomings and/or compensatory works shall be submitted to and approved in writing by the Local Planning Authority. The review, together with such proposed measures (if required), shall be submitted to the Council within 6 months of practical completion of the building. Any remedial/compensatory measures approved pursuant to this condition shall be fully implemented within 12 months of the date of practical completion and thereafter maintained.

Reason: To ensure a sustainable development.

- 23 Prior to the commencement of works on the superstructure of the buildings hereby approved, details demonstrating how the buildings can be easily connected to a District Heat Network at the site boundary in the future shall be submitted to and approved in writing by the Local Planning Authority. Any works identified within the approved details as being required to be carried out during the construction of the building(s) shall be completed in full prior to first occupation of the building(s).

Reason; In the interests of sustainable development.

- 24 Prior to commencement of works on part (b) (plot W12 and the boulevard) a Construction Phase Plan / Construction Management Plan relating to the relevant part of the development shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in full for the duration of construction unless otherwise agreed in writing by the Local Planning Authority.

Reason; In the interests of pedestrian and highway safety

- 25 Use of the hotel development within plot W11 shall be undertaken in full accordance with a revised Delivery and Servicing Plan that shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of use. The revised plan shall include details of a booking management system to demonstrate how the different servicing demands (including coaches) will be appropriately managed by the hotel operator on site in both the interim period which is reliant on the interim lay-by being provided on South Way and the final state solution which is reliant on a service yard within the site. Thereafter the approved plan shall be implemented in full for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason; In the interests of pedestrian and highway safety

- 26 The uses hereby approved in relation to Plot W12 shall not commence until an updated Delivery and Servicing Plan has been submitted to and approved in writing, by the Local Planning Authority which shall include further details to demonstrate how the different servicing demands will be appropriately managed on site. Thereafter the approved plan shall be implemented in full for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason; In the interests of pedestrian and highway safety

- 27 The Travel Plan hereby approved shall be implemented in full from first occupation/use of the development, unless otherwise agreed in writing by the Local Planning Authority. The travel plan shall be reviewed at years 1, 3 and 5 from first occupation, and the reviews shall be approved in writing by the Local Planning Authority as follows:

a) A review of the Travel Plan measures over the first 12 months from first occupation shall be submitted to the Local Planning Authority within 15 months of the commencement of the use and the review shall be approved in writing within 18 months and associated measures implemented unless otherwise agreed in writing by the Local Planning Authority;

b) A review of the Travel Plan measures over the first 3 years from first occupation shall be submitted to the Local Planning Authority within 39 months of the commencement of the use

and the review shall be approved in writing within 42 months and associated measures implemented unless otherwise agreed in writing by the Local Planning Authority;

c) A review of the Travel Plan measures over the first 5 years of operation shall be submitted to the Local Planning Authority within 63 months of the commencement of the use and the review shall be approved in writing within 66 months and associated measures implemented unless otherwise agreed in writing by the Local Planning Authority;

Reason: In order to promote sustainable transport measures and in the interest of the free and safe flow of traffic on the local road network.

- 28 Notwithstanding the plans hereby approved, the hotel for Phase 1 (plot W11) shall not be occupied until such time as Certificates of Substantial Completion have been issued for the alterations to the existing adopted highway under an Agreement pursuant to Sections 278 of the Highways Act 1980 and the construction of the interim service lay-by and the new areas to be constructed as new footway to an adoptable standard, and those elements of new footway within the site have been offered to the Local Authority for adoption as public highway pursuant to Section 38 of the Highways Act 1980, unless otherwise agreed in writing by the Local Planning Authority. Details submitted shall be accompanied by a Stage 2 road safety audit. The works and land to be offered for adoption shall be in accordance with drawing ITL10209-SK-056 revB (or other such plan as is approved in writing by the Local Planning Authority pursuant to this condition), and shall include the installation of any required signage as well as the submission of details to demonstrate how this interim lay-be could be easily adaptable in the future to a bus stop lay-by. The works shall be carried out at the developers own expense and the land shall be offered for adoption at no cost to the Council.

Reason; In the interests of highway flow and safety and to ensure adequate servicing and coach parking facilities in the interim period.

- 29 Prior to commencement of works to the the superstructure for the hotel (plot W11) a detailed phasing plan for development as a whole shall be submitted to and approved in writing by the Local Planning Authority. The phasing plan shall include details setting out the timeframe for delivery of the off-street servicing yard and coach area, and a timeframe for demolition of the existing Red House building.

Reason; In the interests of highway safety

- 30 Details of materials for all external work shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced to the superstructure for the hotel (plot W11). The work shall be carried out in accordance with the approved details thereafter, unless otherwise agreed in writing by the Local Planning Authority.

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

- 31 Further details of the number and location of visitor cycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the superstructure for the hotel (plot W11). Such details shall confirm the location of all external cycle spaces. Thereafter the development shall not be occupied until the approved cycle parking spaces have been delivered in accordance with the details as approved and these facilities shall be retained thereafter.

Reason: To ensure satisfactory facilities for cyclists.

- 32 Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be at least 10 dB below the measured background noise level when measured at the nearest noise sensitive premises. The method of assessment should be carried in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound'.

An assessment of the expected noise levels and any mitigation measures necessary to achieve

the required noise levels shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any plant and the plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To protect acceptable local noise levels, in accordance with Brent Policy EP2

- 33 (a) Prior to the commencement of development on the relevant part of the site, or in relation to Plot W11, prior to the commencement of work on the Superstructure, a Training & Employment Plan shall be submitted to and approved in writing by the Local Planning Authority which shall include but not be limited to the following (unless otherwise agreed in writing by the Local Planning Authority):

1. Details of the Training & Employment Co-ordinator;
2. A methodology to target:
  - i. 1 in 10 of the projected number of construction jobs being held by Brent Residents and
  - ii. the provision of training for a previously unemployed Brent Resident or School leaver for 1 in 100 construction jobs;
3. Details of the procedures to report the provision of jobs and training to the Council's Head of Employment;
4. A commitment to offer an interview to any job applicant who is a resident in Brent provided that they meet the minimum criteria for the particular job;

The approved Training and Employment Plan shall be implemented throughout the construction phases of the development for the lifetime of the construction of the Development.

(b) Prior to occupation of the relevant part of the development, a Training & Employment Verification Report shall be submitted to and approved in writing by the Council. The report shall set out how the measures approved pursuant to part (a) of this condition have been implemented and shall evidence the number of jobs and training opportunities held by Brent Residents during construction.

Reason: In the interest of providing local employment opportunities.

## INFORMATIVES

- 1 A Wembley Stadium major event is any event with a projected capacity of at least 10,000 people.
- 2 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](http://www.brent.gov.uk/CIL).
- 3 Prior consent may be required under the Town and Country Planning (Control of Advertisements) Regulations 1990 for the erection or alteration of any
  - (a) illuminated fascia signs
  - (b) projecting box signs
  - (c) advertising signs
  - (d) hoardings
- 4 Attention is drawn to the provisions of s151 of the Highways Act 1980, which requires that all construction vehicles leaving the site must be cleansed as necessary to avoid depositing mud and other material onto neighbouring roads.
- 5 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](http://www.communities.gov.uk)



- 6 For the avoidance of doubt:  
The part of the development referred to as part (a) within the conditions relates to:  
"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"

The part of the development referred to as part (b) within the conditions relates to:  
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).

Any person wishing to inspect the above papers should contact Gary Murphy, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5227

## COMMITTEE REPORT

Planning Committee on 13 January, 2016  
Item No  
Case Number **15/3572**

## SITE INFORMATION

**RECEIVED:** 22 July, 2015

**WARD:** Willesden Green

**PLANNING AREA:** Willesden Consultative Forum

**LOCATION:** ROUNDWOOD PARK, Harlesden Road, London

**PROPOSAL:** Proposed concrete skatepark within the grounds of Roundwood Park (to the north of Roundwood Youth Centre) with associated seating areas and soft landscaping

**APPLICANT:** Brent Council

**CONTACT:** Wheelscape Ltd

**PLAN NO'S:** See condition 2

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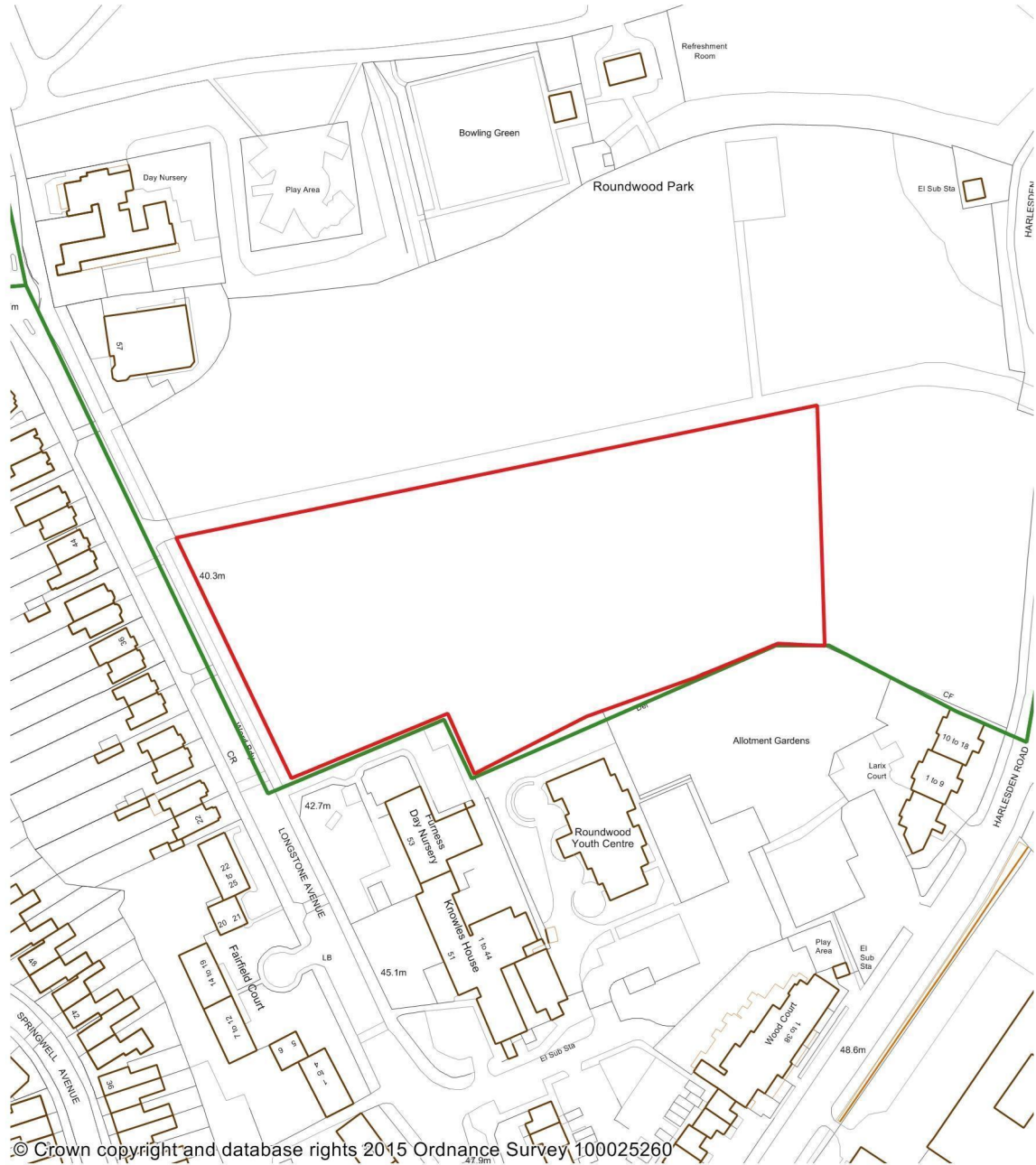
# SITE MAP



## Planning Committee Map

Site address: ROUNDWOOD PARK, Harlesden Road, London

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This map is indicative only.

# SELECTED SITE PLANS SELECTED SITE PLANS

## SITE LOCATION PLAN



3D VISUALISATION



## RECOMMENDATIONS

### Approval

, subject to the conditions set out in the Draft Decision Notice.

### **A) PROPOSAL**

The proposal is a concrete skate park of 488sqm within the southern part of the Roundwood Park annexe. Grass bunds are proposed to be built up to the raised edges.

### **B) EXISTING**

The site is the southern end of Roundwood park in the park 'annexe'. A path runs east to west across the site and the proposed location for the skate park is on the southern side of this path, north of Roundwood Youth Club.

Roundwood Park to the north is a Grade II Listed Park, laid out and opened in the 1890's and added to the register on 24th September 2001. The annexe to the south is not part of the listing.

The annexe is identified as a public open space but while the park to the north is a site of importance for nature conservation the annexe is not. It is approximately 3.5 hectares and consists of an open grass area with a tree lined perimeter and a path through the centre.

### **D) SUMMARY OF KEY ISSUES**

The key issues for consideration are:

- The principle of the proposed location in the annexe of Roundwood Park.
- The level of demand for this facility for older children and teenagers.
- The location and visibility of the skate park and the possibility of anti social behaviour.

## RELEVANT SITE HISTORY

No relevant planning history

## CONSULTATIONS

A site notice was put up on the gates at either end of the park on 17<sup>th</sup> September 2015.

8 individuals have objected to the application from 6 addresses on Longstone Avenue. One of these residents with mixed views about the proposal also submitted comments under 'support'.

Concerns raised include the following:

- The consultation on the application was insufficient and the site notice was not in place from the 17<sup>th</sup> Sept as is claims.
- The proposal is too close to the houses on Longstone Avenue and the noise of skateboards on concrete would be a nuisance
- The park is not closed at night so noise could be at any time
- It is right in the middle of an area used for football and other sports
- Other sites would be more suitable e.g. adjacent to the basketball courts or replacing the derelict theatre in the main part of the park which is closed at night, further from houses, better screened and has facilities
- Concern that points raised during consultation process have not been addressed, particularly the chosen location
- The space is used for temporary activities and events and this status would be lost to a permanent and irreversible concrete structure.
- When used by the funfair the space will be crucial to maintaining a right of way through the annexe
- The air ambulance has been able to land here as it can be kept safely clear
- The skate park will not enhance the open space and is not currently an activity associated with the annex
- The application should include an option appraisal, a cost benefit analysis, an analysis of the social and environmental impact on the neighbourhood

- No discussions have taken place with the police or other London Boroughs with experience of skateparks
- The skatepark is a risk to health & safety by not having immediate emergency access
- The provision of seats in an area currently of wet grass will encourage gatherings, drug deals are usually only observable by the gate
- Have seen no evidence of skateboarders in either part of the park
- No empirical justification for proceeding with what must be a costly scheme
- No information provided regarding likely numbers and use demonstrating demand
- If it is highly used what research has been undertaken regarding parking
- The skatepark will be an eyesore in what is currently a pleasant piece of parkland used by footballers, joggers and other leisure pursuers, dog walkers, etc
- The skatepark is poorly designed
- Will there be security lights and will there be a gate that can be locked?
- Neighbours were expecting further consultation before the application
- At Greyhound Road residents fought for a gate on the basketball court as the repetitive noise resulted in disturbance and noise pollution
- There is almost no interest in skating in the UK
- The funding could be used for apprenticeships for jobs or funding for the youth club
- It will be intimidating for school children to walk through the park

Ward Cllrs were consulted, Cllr Collier and Cllr Jones both responded in support of the application:

- Positive that it is aimed at older children and teenagers as other groups seem to have facilities specifically for them
- Contributing to much needed play and exercise facility for young people in the area
- Expect the residents concerns can be addressed in the planning process

Landscape officer - discussed in remarks

## **POLICY CONSIDERATIONS**

### **Core Strategy**

CP18 - Protection and Enhancement of Open Space, Sports and Biodiversity

Open space (including waterways) of local value will be protected from inappropriate development and will be preserved for the benefit, enjoyment, health and well being of Brent's residents, visitors and wildlife. Support will be given to the enhancement and management of open space for recreational, sporting and amenity use.

### **London Plan 2015 (Further Alterations)**

3.19 - Sports Facilities

Development proposals that increase or enhance the provision of sports facilities will be supported.

Where sports facility developments are proposed on existing open space they will need to be considered carefully in light of policies protecting open space as well as the borough's own assessment of needs and opportunities for both sports facilities and for green multifunctional open space.

7.18 - Protecting Open Space and Addressing Deficiency

Open spaces should be protected

## **DETAILED CONSIDERATIONS**

### **Background**

1. Groundwork London prepared the Roundwood Park Consultation Report in October 2011. An event was held on 17<sup>th</sup> September which was attended by 52 people, 179 completed surveys were also received. The idea of improving facilities particularly for teenagers was raised at this consultation with suggestions including a skate park, youth club, adventure playground, lido etc.
2. The idea of a skate park was progressed and a consultation event was held with local residents and skate park users which informed the design, for example resulting in the addition of a small stair set ensuring that it is designed to the specifications desired by future users. A questionnaire was completed at the consultation event and online providing further detailed feedback and the responses showed strong support for the skate park from the wider community. The questionnaire is also a useful measure of the level of interest in the skate park, 48 responses were received to the question of how frequently



individuals would use the park with 36 selecting at least on a weekly basis.

3. Residents, primarily from Longstone Avenue, expressed concerns about the chosen location and possibility of anti social behaviour. These issues are considered in detail below.

### **Principle**

4. Roundwood Park as a Grade II registered park is of historic as well as amenity value and its layout and character are considered to be important. The identification of the annexe as the proposed location of the skate park enables the registered park to be protected and not affected by more modern alterations.
5. In terms of the development of the skate park within an open space the proposal complies with Core Strategy and London Plan policy as it is an enhancement of the area for sporting activities. The proposal will introduce a new leisure facility, diversifying the range of users attracted to the open space and catering particularly for older children and teenagers who are underrepresented in leisure facilities.
6. The 488sqm concreted skate park, within an area of approximately 3.5 ha, represents a very small proportion of the annexe and would not impact on the ability of the park to accommodate other events or to be utilised for other informal recreation and leisure activities. Located directly north of Roundwood Youth Club it would be over 75m to Longstone Avenue and over 120m to Harlesden Road.
7. The skate park is designed to utilise the gradient of the site and grass bunds are proposed around exposed edges. The proposal represents an acceptable development within open space, its size is modest and it does not affect the designation or usability of the annexe as open space.

### **Neighbouring amenity**

8. Objections have been received from 8 neighbours expressing concern about the possible impact on neighbouring amenity.

### *Noise*

9. The issue of noise from skate boards was raised. All residential properties are at least 100m from the proposed site and separated by a line of trees and allotments or a road.
10. Your officers have researched this issue and studies show that a skate park is no noisier than the ambient surrounding noises that exist in parks, including play grounds, and they are not nearly as noisy as other sports (football games are given an example). The type of noise associated with the use is not the repetitive noise associated for example with basketball. It is also highlighted that concrete parks are notably quieter than wooden and metal skate parks.
11. The skate park is proposed to be located within a park used for sports and recreation activities adjacent to two fairly busy roads. A certain level of noise should be expected but will not be such that it would be unusual or unacceptable for the location.
12. *Anti social behaviour*
13. Objectors have expressed concern about anti social behaviour related to the use of the skate park particularly at night.
14. The skate park is set approximately 30m back from the path through the park, so while it will not block the route through the annexe, the space will be in clear sight to all passing members of the public providing passive surveillance which deters anti social behaviour. The gates to the park are not closed at night meaning that the skate park would remain accessible however no lighting is proposed which will effectively prevent its use after dark.
15. The applicant has consulted with other boroughs with experience of skate parks and the feedback, along with other publicly available reports, demonstrate that concerns prior to the development of a skate park significantly over estimate the problems associated with such proposals.
16. In Westminster a skate park under the Westway has experienced some antisocial behaviour due to it being under cover and so providing a shelter for rough sleepers, no problems have been associated with the skaters themselves.

17. Southwark have a skate park which is not closed at night and have not had any major antisocial behaviour issues. They have a warden service which patrols and would report any criminal issues to the police.
18. Croydon Council, while initially experiencing some minor anti social issues, found that the skate park users engaged well with officers organising events and have been involved in mentoring younger skaters resulting in the creation of a family atmosphere.
19. The applicants do not currently propose CCTV but have stated that it can be looked at in the medium term and could be located on the roof of Roundwood Youth Club. As this is not a firm commitment your officers have not given any weight to this statement.

### **Drainage & Access**

20. The council's landscape officer requires further detail of drainage to demonstrate that run off would be acceptably managed. Infiltration trenches and soakaways are shown however there is some concern given the level of permeability of the existing clay soil. It is recommended that final drainage details be conditioned.
21. Access from the footpath to the skate park has not been identified, in order to limit the extent of hardstanding proposed. Concern has been raised about the impact on the grass in wet weather and the agent has pointed out the skate parks are not used in wet weather. It is foreseeable that it could be used while the grass remains wet however and as there is a wide arrival area the agent feels that this will spread out the desire lines meaning that one particular route will not become overly trodden. Users will come from either side further dispersing the route. The applicant would be able to install a hardsurfaced route in future if this became required.

### **Highways**

22. The level of demand for parking would be no more than for other leisure and sporting activities which take place in the park. Pay and display parking is available on Harlesden Road and Longstone Avenue.

### **Neighbour comments**

<b>Neighbour comments</b>	<b>Officer response</b>
The consultation on the application was insufficient and the site notice was not in place from the 17 <sup>th</sup> Sept as is claims.	A site notice was put up at the gate at either side of the park on 17th September so that everyone accessing or passing the site would be informed of the proposal.
The proposal is too close to the houses on Longstone Avenue and the noise of skateboards on concrete would be a nuisance	Para's 9-11
The park is not closed at night so noise could be at any time	Para 14
It is right in the middle of an area used for football and other sports	Para 6
Other sites would be more suitable e.g. adjacent to the basketball courts or replacing the derelict theatre in the main part of the park which is closed at night, further from houses, better screened and has facilities	Para's 4-7
Concern that points raised during consultation process have not been addressed, particularly the chosen location	Pre-consultation reviewed the location and the applicant has remained of the view that this is the preferred location. The reasoning behind the location is set out above.
The space is used for temporary activities and events and this status would be lost to a permanent and irreversible concrete structure.	Para's 5-7
When used by the funfair the space will be crucial to maintaining a right of way through the annexe	The proposal doesn't impact on the footpath through the centre of the site and also does not fill the depth of the southern grassed area.

The air ambulance has been able to land here as it can be kept safely clear	While the site is not protected for this particular use, its ability to be used for landings would not be affected.
The skate park will not enhance the open space and is not currently an activity associated with the annex	Para's 1, 2, 5, 6.
The application should include an option appraisal, a cost benefit analysis, an analysis of the social and environmental impact on the neighbourhood	Pre-consultation reviewed the location and the applicant has remained of the view that this is the preferred location. The role of the planning application is to consider the specific proposal in this specific location.
No discussions have taken place with the police or other London Boroughs with experience of skateparks	Para's 15-18
The skatepark is a risk to health & safety by not having immediate emergency access	The location is accessible from the roads to either side and emergency vehicular access could be enabled through either gate.
The provision of seats in an area currently of wet grass will encourage gatherings, drug deals are usually only observable by the gate	The area will not be lit and no cover is provided so it is not anticipated that this will become an area of activity at night. Wardens will report any criminal activity to the police and CCTV will be considered in the mid term if issues were to arise
Have seen no evidence of skateboarders in either part of the park No empirical justification for proceeding with what must be a costly scheme No information provided regarding likely numbers and use demonstrating demand	Para's 1-2
If it is highly used what research has been undertaken regarding parking	Para 22
The skatepark will be an eyesore in what is currently a pleasant piece of parkland used by footballers, joggers and other leisure pursuers, dog walkers, etc	The skate park is small in proportion to the scale of the existing open space. In terms of its actual appearance it is designed to utilise the existing slope of the ground and where it projects above the ground level grass bunds will surround it.
The skatepark is poorly designed	Para 2
Will there be security lights and will there be a gate that can be locked?	Para 14
Neighbours were expecting further consultation before the application	Officers understand that the Groundwork event was held in 2011 and since that neighbours were consulted directly by the applicant prior to the submission of the application.
At Greyhound Road residents fought for a gate on the basketball court as the repetitive noise resulted in disturbance and noise pollution	Greyhound Road is a compact urban location and the basket ball court is immediately adjacent to terrace houses. Para's 9-11
There is almost no interest in skating in the UK	Para's 1-2
The funding could be used for apprenticeships for jobs or funding for the youth club	The funding of the proposal is not a material consideration for the planning application.
It will be intimidating for school children to walk through the park	The space is and will continue to be utilised by other older children/teenagers playing sports such as football. The space remains publicly accessible and can be used by all age groups. Para 18.



DECISION NOTICE – APPROVAL

Application No: 15/3572

To: Mr Matthew Hewitt  
Wheelscape Ltd  
Unit 46  
Easton Business Centre  
Felix Road  
Easton, Bristol  
BS5 0HE

I refer to your application dated 22/07/2015 proposing the following:  
Proposed concrete skatepark within the grounds of Roundwood Park (to the north of Roundwood Youth Centre) with associated seating areas and soft landscaping and accompanied by plans or documents listed here:  
See condition 2  
at ROUNDWOOD PARK, Harlesden Road, London

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:

Signature:

Head of Planning, Planning and Regeneration

**Notes**

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

Core Strategy 2010  
London Plan 2015 (Further Alterations)

- 1 No development shall take place until details of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure surface water run-off can infiltrate minimising potential for flooding.

- 2 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.

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

0979/101 A  
0979/110 B  
0979/301 A  
0979/701

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

Any person wishing to inspect the above papers should contact Liz Sullivan, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5377

## COMMITTEE REPORT

Planning Committee on 13 January, 2015  
Item No  
Case Number 15/4571

## SITE INFORMATION

**RECEIVED:** 21 October, 2015

**WARD:** Kensal Green

**PLANNING AREA:**

**LOCATION:** 124A - 124E INC Purves Road, London, NW10 5TB

**PROPOSAL:** Variation of planning permission reference 90/0669 dated 14/06/1990 for erection of a block of five flats and formation of vehicular access and parking to secure the development as parking permit-free

**APPLICANT:** Mr D SHAFIER

**CONTACT:** MILAN BABIC ARCHITECTS LTD

**PLAN NO'S:** P772NM/000

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# SITE MAP



## Planning Committee Map

Site address: 124A - 124E INC Purves Road, London, NW10 5TB

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This map is indicative only.



## RECOMMENDATIONS

### Approval

, subject to the conditions set out in the Draft Decision Notice.

### A) PROPOSAL

The proposal is to remove a condition requiring the retention of the parking area to the rear of the property.

### B) EXISTING

The proposal relates to a two storey building containing five self-contained flats positioned on the corner of Purves Road and College Road. The development is served by a vehicular access onto Purves Road leading to an area of hardstanding to the rear serving as parking for the flats. An electricity sub-station building borders the site to the north with the railway line beyond. College Road borders the site to the east and No.122 Purves Road adjoins the site to the west. The host building is not listed nor is it within a Conservation Area. The site has good access to public transport services (PTAL 4).

### D) SUMMARY OF KEY ISSUES

The key issue relating to the application are:-

- i) whether the removal of condition 2, and the protection it affords the existing parking area, would result in harm to highway and pedestrian safety.
- ii) whether the removal of condition 2, and the protection it affords the existing parking area, would result in a development that fails to provide appropriate access to transport for occupiers of the flats.

## RELEVANT SITE HISTORY

Reference No	Proposal	Decision
15/1711	Erection of a detached two storey two bedroom dwellinghouse with associated cycle parking, landscaping, provision for bin stores and recycling and amenity space on land rear of 124 Purves Road	Withdrawn
90/0669	Erection of a block of five flats and formation of vehicular access and	Permitted 14/06/1990

## CONSULTATIONS

### Public Consultation

Consultation letters, dated 4th November 2015, were sent to 14 neighbouring owner/occupiers. Three letters of objection have been received in response. The following concerns have been raised

Objection	Officers Comments
The proposal would result in over spill parking from the flats	The proposal would be parking-permit free and therefore residents of the development could not apply for on-street parking permits (see paras 4-9)
The conditions of the original permission relating to refuse storage have not been complied with.	The original permission was issued in 1990 and it is not disputed that the flats were constructed within the 5 years limit imposed on that permission. As such, any breach of condition of the original permission would have existed beyond the 10 year

	time limit for enforcement.
The loss of parking means that the flats would no longer be suitable for families	The existing accommodation is not considered to be particularly well suited to families (see para 7)
The proposal would harm highway and pedestrian safety, close to a school and width restriction gates	The proposal would have little affect on traffic movements and parking within the vicinity of the site and therefore would not have a harmful affect on highway and pedestrian safety (paras 4-9)

## Consultees

Transportation Unit - No objections to the proposal provided that a new condition is imposed restricting the occupiers rights to obtain on-street parking permits.

## POLICY CONSIDERATIONS

### National Planning Policy Framework (2012)

#### The London Plan (2015):

Policy 6.13 – Parking

#### Brent's UDP (2004)

TRN3 – Environmental Impact of Traffic

TRN23 – Parking Standards – Residential Developments

TRN24 – On-Street Parking

## DETAILED CONSIDERATIONS

### Background

1. The five existing flats on the site were granted under planning permission 90/0669 on 14th June 1990. The permission was subject to a number of conditions, including condition 2 which is now the subject of the current application. Condition 2 read:-

*All parking spaces, turning areas and footways shall be constructed and permanently marked out prior to commencement of use of any part of the approved development, or upon further application within such longer period as may be approved by the Local Planning Authority. Such works shall be carried out generally in accordance with the submitted plans; however, prior to construction further details shall be submitted to and approved by the Local Planning Authority, including layout providing spaces for minimum of 5 cars. They shall thereafter be maintained to the satisfaction of the Local Planning Authority and used solely in connection with the development hereby approved.*

*Parking spaces shall be constructed with minimum dimensions 2.6m x 4.8m.*

*Provision shall be made for vehicles to turn so that they may enter and leave the site in forward gear.*

*Reason: To ensure that the proposed development does not prejudice the free flow of traffic, or the conditions of general safety within the site and along the neighbouring highway.*

2. In effect condition 2 requires the retention of the parking area for use by occupiers of the existing flats. As set out in the history section of this report, the parking area was the subject of a recent planning application which sought permission to construct a dwellinghouse on the site. This application was withdrawn by the applicant prior to determination. However, it should be noted that informal officer advice was that the loss of the parking would be likely to be unacceptable as it could result in overspill parking in an area which is already heavily parked. Clearly, this would be to the detriment of high way and pedestrian safety.
3. The current application is made under s.73 of the Town & Country Planning Act 1990 which enables planning permissions to be varied by removing, varying or adding planning conditions to the permission. The application seeks to vary the original permission by varying condition 2 and inserting a new condition which would make the development 'permit-free' (discussed below) in order to address the concerns

raised regarding overspill parking.

### **Permit-Free Agreement**

4. A permit free agreement could potentially be used to overcome the concerns regarding overspill parking. However, permit-free agreements are not always an acceptable solution and therefore the local transport conditions and practicality of implementing such an agreement needs to be given careful consideration.
5. For new development UDP policy TRN23 allows for permit/car-free development in exceptional circumstances where there is a controlled parking zone in operation and the access to public transport is sufficient to enable car-free housing to work in practice. The site is located within controlled parking zone "KR" which operates on weekdays between 0830-1830. The public transport accessibility level (PTAL) of the site has been assessed by the Council's Transportation Unit and has been confirmed to be good (PTAL4). A PTAL 4 would normally be considered sufficient by the Council for the imposition of a permit-free agreement. Therefore if new housing were being proposed then the local transport conditions would be sufficient to satisfy the principle of a permit-free development on the site. However, as the flats on site already exist the practicality of imposing such a restriction retrospectively needs to be considered.
6. The applicant has confirmed that each of the existing tenants of the building is occupying their flat under an assured shorthold tenancy and copies of current lease agreements have been submitted for each flat (entered into between December 2014 and September 2015), showing clauses confirming that the tenant has no right to use the rear yard area for car parking and confirming that no tenant shall apply for an on-street parking permit for the property. During site visits it does not appear that the area is being used by the tenants for parking.
7. The existing flats comprise of two 1-bed and three 2-bed flats, all of which are all well below the current Technical Housing Standards. As such, the units are not particularly well suited to families and therefore being unable to own a car may not present any particular issues for occupiers given the good accessibility to public transport.
8. The above is of some comfort in terms of the likely impact on existing tenants but the lease agreements are a civil matter which cannot be guaranteed by the Local Planning Authority. However, Brent's Parking Service have confirmed that at present there are no parking permits issued on the property and therefore there is an opportunity to impose a permit-free agreement to the flats without causing prejudice to the existing tenants.
9. As discussed above, the application is made under s73 of the TCPA 1990 and therefore it is now possible to insert a condition on the varied permission which will ensure that existing and future tenants are not eligible to apply for on-street parking permits. A condition has been inserted on the draft decision notice below. Should Members be minded to grant permission the Council's Parking Service will be informed of this and the property will be added to the list of properties which are permit-free. As such, there would be no significant increase in pressure on local parking conditions and therefore highway and pedestrian safety would be preserved.

### **Interim Arrangements**

10. As discussed, through the current lease agreements the applicant has prevented tenants from using the car park. The future use of the car-park is therefore unclear and it may have been more appropriate to deal with this particular issue through a comprehensive planning application across the entire site if ultimately it is the ambition of the owner of the site to bring forward the redevelopment of the existing car-park. However, the current application has been submitted and this needs to be considered on its individual planning merits.
11. Whether planning permission for development or alternative use of the car-park would be granted is uncertain, particularly given the limited size of the site, the challenging level differences between the site and College Road and the tight relationship between the site and neighbouring residential occupiers. As such, consideration needs to be given to the future of the site should planning permission not be forthcoming. Potentially it could once again be made available to occupiers of the flats for car-parking or amenity space and this would be acceptable. However, it could be made available as a car-park where spaces are rented privately to those with no interest in the existing accommodation on site. Given the direct relationship between the car-park and the flats this has the potential to cause significant harm to the amenity and privacy of occupiers of the flats and therefore it is also recommended that the variation to condition 2 still retain the clause that the car-park, if brought back into use, should only be used in conjunction with the

existing residential accommodation on site. This would not preclude the site being brought into separate use should a further grant of planning permission be obtained for the car-park.



**Brent**

**DRAFT NOTICE**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 15/4571

To: Mr D Babic  
MILAN BABIC ARCHITECTS LTD  
151b Bermondsey Street  
Bickels Yard  
London  
SE1 3UW

I refer to your application dated 21/10/2015 proposing the following:  
Variation of planning permission reference 90/0669 dated 14/06/1990 for erection of a block of five flats and formation of vehicular access and parking to secure the development as parking permit-free and accompanied by plans or documents listed here:  
P772NM/000

at 124A - 124E INC Purves Road, London, NW10 5TB

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:

Signature:

Head of Planning, Planning and Regeneration

**Notes**

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

DnStdG

**SUMMARY OF REASONS FOR APPROVAL**

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

Brent Unitary Development Plan 2004

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Transport: in terms of sustainability, safety and servicing needs

- 1 The car-parking area to the rear of the property shall be used solely in connection with the development, hereby approved, to provide parking to residents of, or visitors to, the development.

Reason: In the interests of the amenity and privacy of occupiers of the development.

- 2 Occupiers of the residential development, hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. For the lifetime of the development written notification of this restriction shall be included in any licence transfer lease or tenancy agreement in respect of the residential development. For the lifetime of the development a notice, no smaller than 30cm in height and 21cm in width, clearly informing occupants of this restriction shall be displayed within the ground floor communal entrance lobby, in a location and at a height clearly visible to all occupants. On, or after, practical completion but prior to any occupation of the residential development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the residential development.

Reason: In order to ensure that the development does not result in an increased demand for parking that cannot be safely met within the locality of the site.

Any person wishing to inspect the above papers should contact David Raper, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 020 8937 5368

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## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

13 January, 2015  
  
**15/3616**

## SITE INFORMATION

**RECEIVED:** 19 August, 2015

**WARD:** Brondesbury Park

**PLANNING AREA:** Kilburn & Kensal Consultative Forum

**LOCATION:** Former Manor School, 3-7 The Avenue, London, NW6 7YG

**PROPOSAL:** Hybrid planning application for full permission for demolition of all buildings and the development of 74 residential units (Use Class C3) comprising of 33 x 1 beds, 23 x 2 beds and 18 x 3 beds in a part three / part four / part five storey building fronting The Avenue with related basement car park comprising 57 parking spaces; and a 3 storey plus basement building fronting Christchurch Avenue, new vehicular access; footways; landscaping and associated works ("Phase 1"); and Outline permission for a school (Use Class D1), with new vehicular and pedestrian access from Brondesbury Park, with details of "appearance", "scale", "layout" and "landscaping" being reserved ("Phase 2").

**APPLICANT:** Regal Brondesbury Park Ltd & The Secretary of State for Communities and Local Go

**CONTACT:** DP9

**PLAN NO'S:** See condition 4

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# SITE MAP



## Planning Committee Map

Site address: Former Manor School, 3-7 The Avenue, London, NW6 7YG

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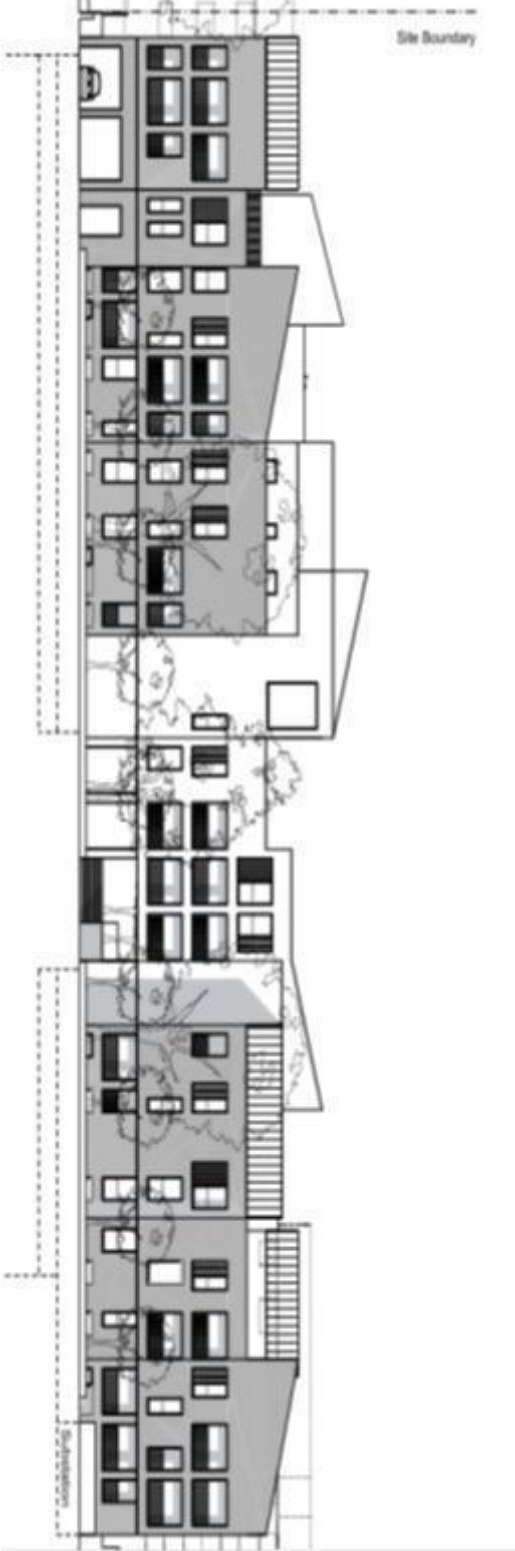
This map is indicative only.

# SELECTED SITE PLANS SELECTED SITE PLANS

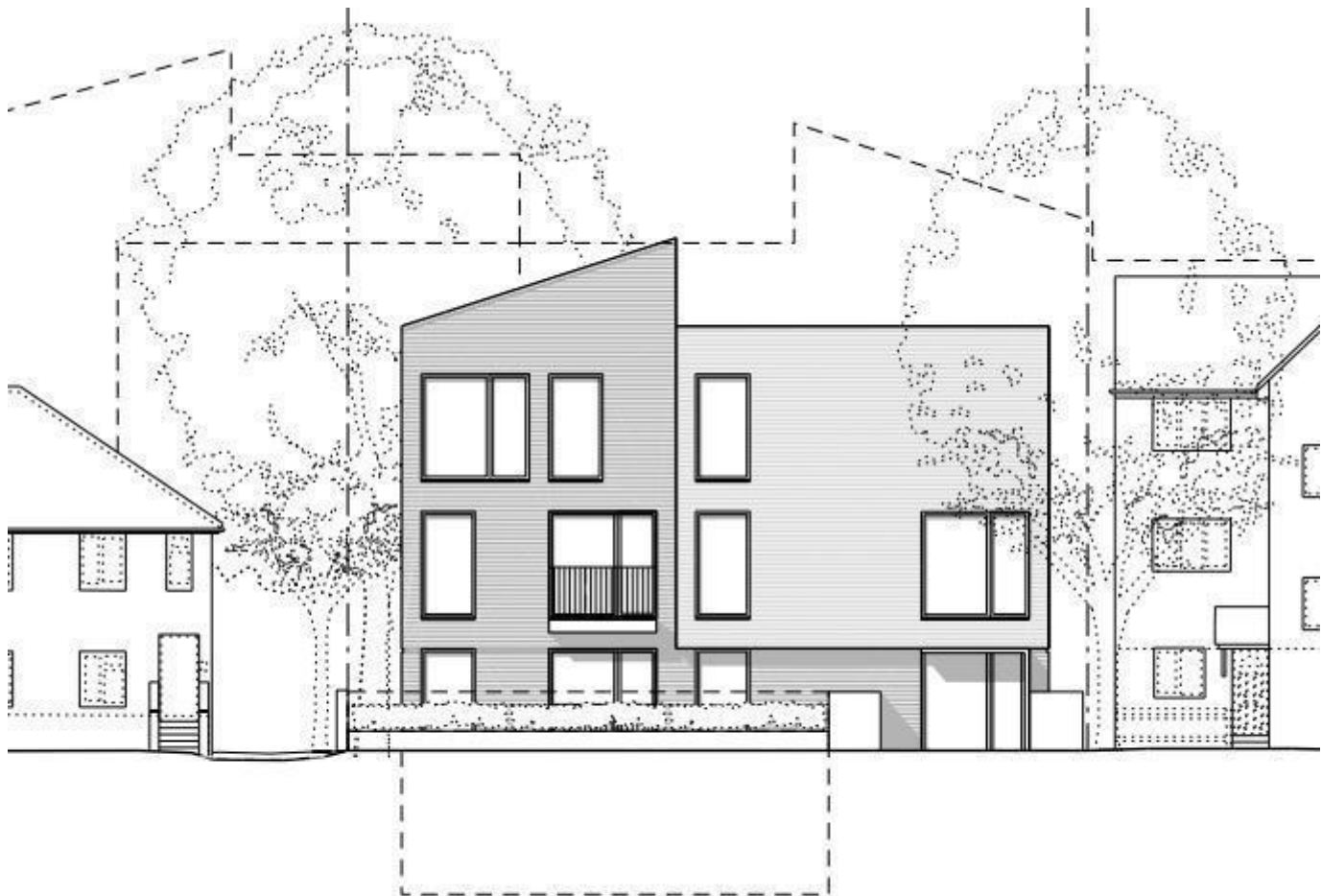
## Proposed Site Layout



**Front Elevation (The Avenue)**



## **Front Elevation (Christchurch Avenue)**



### **RECOMMENDATIONS**

Grant planning permission subject to the conditions set out in the draft decision notice attached to this report and completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement., subject to the conditions set out in the Draft Decision Notice.

#### **A) PROPOSAL**

The application is made in hybrid form with full planning permission sought for 74 residential units, set within blocks between 3-5 storeys in height on two separate sites fronting Christchurch Avenue and The Avenue, and outline permission for a new SEN school fronting Brondesbury Park. There is a significant change in level running north to south across the site which results in some of the southern blocks appearing at a lower level when viewed from the north.

#### **B) EXISTING**

The subject site is an irregular shaped piece of land located between the north-western side of The Avenue, NW6, the south-eastern side of Christchurch Avenue and the north-eastern side of Brondesbury Park. The site, which is currently vacant, has previous been used as a school, most recently as a temporary SEN school. The site is currently occupied by three permanent school buildings. The buildings comprise of a two-storey building at 3 The Avenue, a three-storey building at 7 The Avenue and a single-storey building located close to the junction between Brondesbury Park and Christchurch Avenue. All of these buildings would be demolished as part of the development

The character of the surrounding area is predominately residential. Towards the south, between the subject site and the junction between The Avenue and Brondesbury Park, there are three residential blocks which are between two and five storeys in height. Towards the west, fronting Christchurch Avenue, lies Willow Court, a

three-storey residential block which is bound to the rear and both sides by the subject site. Towards the north and east the site adjoins 56 Christchurch Avenue and Avenue House, respectively, both two-storey residential developments. The residential developments surrounding the site comprise of a mixture of traditional and contemporary architectural styles.

The sites to the north area generally set at a higher level than those to the south.

### C) AMENDMENTS SINCE SUBMISSION

The application has not been amended since it was submitted.

### D) SUMMARY OF KEY ISSUES

The key issues for consideration are as follows

- i) The partial loss of an existing school site for residential use.
- ii) The viability of the development and contribution towards affordable housing.
- iii) The transport impact of the proposed development
- iv) The impact of the development on the living conditions of neighbouring occupiers.

### E) 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)
Assembly and leisure	0		0	0	
Businesses / research and development	0		0	0	
Businesses and light industry	0		0	0	
Businesses and offices	0		0	0	
Drinking establishments (2004)	0		0	0	
Financial and professional services	0		0	0	
General industrial	0		0	0	
Hot food take away (2004)	0		0	0	
Hotels	0		0	0	
Non-residential institutions	0		0	3000	
Residential institutions	0		0	0	
Restaurants and cafes	0		0	0	
Shops	0		0	0	
Storage and distribution	0		0	0	

#### Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING ( Flats û Market )										
EXISTING ( Bedsits/Studios & Market )										
PROPOSED ( Flats û Market )	24	23	18							65
PROPOSED ( Bedsits/Studios & Market )	9									9

### RELEVANT SITE HISTORY

The site has a history of educational use. Most recently it was occupied on a temporary basis between 2011-2013 by the Swiss Cottage SEN school during the redevelopment of their permanent site. Planning permission (ref. 10/1691) for erection of temporary school buildings on the site during this period was approved in September 2010. These buildings have since been removed from the site which has now remained vacant since 2013.

# CONSULTATIONS

## Public Consultation

Consultation letters, dated 4th September 2015, were sent to 2215, neighbouring occupiers. As the proposal is a major development the application was also advertised by way of site notices displayed around the site on 5th September 2015 and a press notice published on 10th September 2015. To date 10 letters of objection have been received and 10 letters of support have also been received. The concerns raised by the objectors are summarised below.

Summary of Objections	Response
<b>Transport</b>	
Concerns that the development will increase traffic and congestion within the vicinity of the site. Has the transport assessment look at peak times of the day.	See paras 16 (residential) and 21-22 (school). Peak times have been considered as part of the assessment undertaken.
Concerns that the development will increase on-street parking problems within the vicinity of the site.	See paras 10-11
Concern regarding relationship of proposed vehicular access on the The Avenue to existing access to Dalton Lodge	See para 13
The proposal would result in an over concentration of schools within the area	Although currently vacant the existing site is already a school use. The need for an SEN school in this location has been identified by the EFA and funding secured.
There is a lack of parking enforcement during peak times which affects highway and pedestrian safety	If existing residents do experience issues with illegal or unsafe parking these should be referred to the Council's Transportation Unit who will be able to address the matter
<b>Amenity of Neighbours</b>	
Concerns regarding the impact of construction on the surrounding area in terms of noise/vibration, pollution and traffic. Access during to the site during construction also raised as a concern	See paras 24-27. Planning conditions are recommended to ensure that the submitted Construction Management Plan is adhered to and requiring the submission of a Construction Traffic Management Plan.
Concerns regarding disturbance from residents of the development using balconies and open spaces.	Normal use of the open spaces and balconies is unlikely to given rise to unreasonable disturbance within the urban context of the site. and the residential nature of this development and surrounding properties. If particular issues arise from unreasonable behaviour these can be directed to the Council's Noise and nuisance team.
Concerns regarding the impact of the development on the light of neighbouring occupiers at Dalton Lodge	See para 44
Concerns regarding potential noise created by the operation of car-lifts	A condition is recommended that ensures that any noise created by the operation of the car-lift would be kept within reasonable levels.
<b>Design &amp; Landscape</b>	
Concerns regarding the overall size, scale and height of the proposed development.	See paras 31-33
Concern regarding the details of boundary treatments to the site and particular issue	The existing wall in question is generally identified for retention. Further details of all boundary treatments,
<i>Document Imaged</i>	<p style="text-align: right;">DocRepF Ref: 15/3616 Page 3 of 24</p> <p style="text-align: center;"><b>Page 123</b></p>

raised regarding the future of the existing wall and gate that run along Brondesbury Park, between Christchurch Avenue and Marada House,	including any alterations, would be required by condition.
Concerns regarding the removal of existing trees from the site and impact on trees outside of the site.	See para 35
<b>Other</b>	
Concerns that the proposed development would reduce telecommunications bandwidth within the vicinity of the site.	This is a matter for the statutory undertakers. If residents do experience coverage issues this should be reported to their provider.
There are existing structures on the site which do not benefit from planning permission	The temporary structures used by the Swiss Cottage SEN school have been removed. All remaining structures would be demolished as part of the development
There is a lack of infrastructure to support the development	The proposed development would be required to make a contribution of approximately £2.3M towards local infrastructure under the CIL Regulations

## Consultees

**Transport** - There are no objections on transportation grounds to this proposal, subject to:-

- (i) A financial contribution sustainable transport improvements in the vicinity of the site;
- (ii) Undertaking of highway works along the boundaries of the site to include construction of new crossovers to the school and residential blocks and reinstatement of all redundant accesses to the site to footway with full height kerbs, together with associated alterations to parking bays, waiting restrictions, bus stops and street furniture to be carried out at the developers expense;
- (iii) Implementation of the submitted Residential Travel Plan;
- (iv) Submission and approval of a School Travel Plan prior to commencement of works to the school building;
- (v) A minor amendment to the basement car park layout to set all columns 800mm from the front of parking spaces;
- (vi) Submission and approval of further details of electric vehicle charging points;
- (vii) Submission and approval of further details of access, cycle and disabled parking for the school;
- (viii) A condition restricting the type of school to a Special Educational Needs school only;
- (ix) Submission and approval of a Construction Traffic Management Plan.

**Tree Protection Officer** - No objection subject to conditions requiring the implementation of the submitted tree protection plan.

**Heritage Officer** The Council's Heritage Officer raises no objection to the proposals. It is noted that the boundary wall, referred to in the representations received on the application, is identified for retention in the submitted D&A statement.

**Education Funding Agency (EFA)** - The EFA have written in support of the application.

**Sustainability Officer** - No objection to the proposals (see 'Sustainability comments').

## **POLICY CONSIDERATIONS**

The following planning policy documents and guidance are considered to be of relevance to the determination of the current application

- National Planning Policy Framework 2012 (NPPF)
- National Planning Practice Guidance (NPPG)
- Technical Housing Standards 2015



- London Plan 2015
- Mayors Housing SPG 2012
- London Borough of Brent Core Strategy 2010
- London Borough of Brent Unitary Development Plan 2004 ('saved' policies)
- Brent Supplementary Planning Guidance 17:- Design Guide For New Development
- Brent s106 Supplementary Planning Document

## **DETAILED CONSIDERATIONS**

### **Land Use Principles**

1. The existing site has a history of educational use and, as set out in the history section, has most recently been used to accommodate a temporary Special Educational Needs (SEN) school. However, the site has now been vacant since 2013. The current proposal now seeks to divide the site into separate uses, with 0.27Ha retained for the provision of a new SEN school and 0.53Ha released for residential development. As such, the proposed development would result in the net loss of land which has an educational planning use.
2. London Plan policy 3.18 sets out that proposals which result in the net loss of educational facilities should normally be resisted unless it can be demonstrated that there is no on-going or future demand for the facility. The future demand for the use of the site for educational purposes has been given significant consideration by officers, including discussions with colleagues in the Council's own school expansion programme and the Education Funding Agency (EFA). The outcome of this is that the EFA have secured funding to purchase part of the site from Regal Homes in order to deliver a new SEN school on the site which is required to meet local demand for SEN school places.
3. The EFA did not require the whole site to deliver the proposed SEN school and the Council are currently unable to identify any other alternative proposal for the remaining site. Therefore, at present, there are no other viable proposals to provide educational use on the remainder of the site. As such, it is considered that the proposed land-use mix between educational and residential use is an appropriate balance in terms of meeting identified future demand for educational facilities whilst also providing much needed homes.

### **Affordable Housing**

4. Regal Homes initially proposed no affordable housing on the proposed redevelopment of the Former Manor School, 3-7 The Avenue, London NW6 7YG and submitted a Financial Viability Assessment (FVA) undertaken by Gerald Eve (GE) that sought to justify this position. Officers appointed Lambert Smith Hampton (LSH) to undertake an independent review of the FVA. The LSH review concluded that the scheme could not be reasonable and viably support the provision of affordable housing, but recommended a review mechanism be introduced into the s106 agreement. After discussions with LSH and amendments to their report, Officers reached the stage where they were satisfied with most elements of the LSH review. Concerns were however raised with respect to the GE adoption of a Benchmark Land Value (BLV) of £18.25m and the LSH endorsement of that BLV. These concerns were brought to the attention of Regal Homes.
5. Regal Homes have taken the view that they are prepared to adopt a BLV of £15m as representative of the Existing Use Value (EUV) of the site, as well as a profit margin below the normally accepted range of 17%-20% of GDV, and in such circumstances deliver the proposed block of 6 flats on Christchurch Avenue as affordable shared ownership housing. Regal Homes explain that such an approach is deliverable and viable due to:
  - a) The relative marginality of viability and the potential for sensitivity to reduce the required return shortfall;
  - b) The profit element is reasonable in absolute terms
  - c) The holding costs for the land for this development site mean that it is advantageous to proceed to recover lost costs; and
  - d) The ability to take an individual view on landowner return because Regal Homes Ltd is both landowner and developer

- e) Exceptional circumstances relating to the delivery of a school for the DfE within strict timescales
6. Regal Homes have provided a letter setting out this offer and affirming that should planning permission be granted January 2016 they would not seek to challenge this position retrospectively. Whilst this letter provides some comfort this is unlikely to be considered legally binding and can only be given limited weight. Regal Homes have also instructed and provided an updated GE appraisal on the basis of the revised assumptions, and agreed this would form the basis of a full open book financial review of the scheme circa 6 months prior to practical completion of the scheme, which would be secured under the s106 agreement, and allow for additional affordable obligations in the form of a commuted sum to be ringfenced for delivery of affordable housing elsewhere in the borough if financially viable.
7. Officers consider the Regal Homes affordable housing offer to be reasonable in this case only and on the basis of 1) the LSH independent review of the GE FVA 2) the final GE appraisal of the scheme (which adopts a BLV much closer to the EUV of the site and £3.25m lower than the GE/LSH view on BLV), and adopts a profit margin below what is generally considered to be an acceptable developer margin 3) a full open book financial review of the scheme which would secure additional affordable housing obligations if viable 4) the written commitment of Regal Homes to not challenge this proposal retrospectively. As such, your officers give some weight to affordable housing provision in the overall consideration of this planning application.”

### **Housing Mix**

8. The proposed development would provide the following housing mix.

Unit type	Unit No.s	Mix (%)
Studio	9	12
1-bed	24	32.5
2-bed	23	31
3-bed	18	24.5
TOTAL	74	

9. Core Strategy policy CP2 sets out that 25% of all new housing should be family-sized (3+bedroom). The proposed development would provide 24.5% 3-bedroom units and therefore it is considered that the proposed mix is generally consistent with the Council's Core Strategy.

### **Transport**

#### **Residential**

10. Under the Council's maximum parking standards the 74 proposed flats would be permitted up to 89 car parking spaces and therefore the proposed provision of 57 spaces within a new basement is considered acceptable. However, Policy TRN23 also requires consideration to be given to the impact of any overspill parking on traffic flow and road safety in the area. In this respect, with all of the units proposed for private market housing, it is estimated that parking demand will total about 75% of the maximum standard, giving estimated demand totalling 68 spaces. This would lead to an overspill of about 11 cars from the site.
11. Policy TRN23 does allow on-street parking along site frontages to be counted towards parking standards though, as long as the adjoining street is a local access road that is not heavily parked and has sufficient width to safely accommodate parking along both sides. Both The Avenue and Christchurch Avenue fulfil these criteria and currently offer ten spaces along the two site frontages, with a further four spaces possible due to the removal of all but one vehicular access point. It is thus essential that the existing accesses that are no longer required for the development are reinstated to footway with full-height kerbs at the developer's expense and that the parking bays along the streets are amended accordingly.
12. The proposed basement car park layout meets standards in terms of parking space dimensions, aisle width and headroom, including for disabled high-top conversion vehicles. However, all columns need to be set at least 800mm from the front of parking spaces to aid manoeuvring and visibility and these details can be required by planning condition. Access and egress to the basement car park is proposed using two car lifts, with the lifts being set far enough back from the highway boundary to allow two cars to stand clear of the highway whilst waiting. The control system will also return lifts to ground floor level between calls, in order to minimise waiting time and queuing for cars entering the site.

13. The proposed vehicular access onto The Avenue at the western end of the site meets standards in terms of width, kerb radii and pedestrian and vehicular visibility splays. Eight wide disabled parking spaces have been indicated close to stair/lift cores from the basement, which ensures that over 10% of flats have access to an allocated space if required. At least 22 spaces should also be provided with electric vehicle charging points (eleven active and eleven passive) and the Transport Statement has confirmed that these will be provided. Further details of this are sought as a condition of any approval though. Standard PS16 requires the provision of at least one secure bicycle parking space per flat. A total of 108 spaces are proposed within two storerooms in the basement car park of the main building, whilst an internal storeroom with capacity for at least 8 bicycles is shown for the smaller block of six flats. Two further visitor spaces are shown in front of the main block. As such, standards are more than complied with in secure and sheltered locations that would be attractive for use by residents. Three motorcycle parking spaces are also proposed within the basement car park, which are welcomed.
14. Refuse storage for the large block is proposed within the basement car park and is proposed to be brought up to a ground floor area to the rear of the car lifts with adequate capacity for 16 Eurobins and 8 wheeled bins on refuse collection days by the management company. Refuse vehicles will then reverse into the site entrance area alongside the basement car lifts to load refuse. Refuse bins (7 wheeled bins) for the smaller block are to be stored at the front of the site, allowing easy collection from Christchurch Avenue.
15. The entrances to the two rear parts of the main block are over 45m from The Avenue, thus exceeding fire appliance access distances for the site. To address this, it is proposed to provide a means of access for fire appliances onto the 5m wide pedestrian entrance area to the main block from The Avenue by marking a gap in the parking bays along the site frontage with yellow lines and providing a vehicular crossover for emergency access. The Design & Access Statement confirms that the London Fire & Rescue Service has approved this arrangement in principle and the only concern is therefore to ensure that other unauthorised vehicular access onto this area is controlled through the use of drop-down bollards (or similar).
16. Likely future person trips to and from the proposed flats have been estimated based on comparisons with six similar residential blocks of flats in outer London with similarly moderate access to public transport services. This exercise produces estimated peak hour person trips totalling 6 arrivals/23 departures in the morning peak hour (8-9am) and 22 arrivals/10 departures in the evening peak hour (5-6pm) for these 74 proposed flats. These estimated trips have then been broken down by mode and for vehicular trips, peak hour flows of 2 arrivals/4 departures in the am peak hour and 5 arrivals/4 departures in the pm peak hour are estimated to be by car drivers. This is not considered to be significant in terms of its impact on the local highway network
17. To help to minimise future traffic emissions and congestion in the area, improve travel choice and promote active and healthy travel, a Travel Plan has been submitted for the residential element of the development. This sets out a wide range of measures (promoting public transport (incl. £50 oystercards/cycle vouchers), promotion of Car Clubs (incl. two years free membership), promotion of car sharing, personalised travel planning, broadband connection, parking management etc.) to be implemented and managed by a Travel Plan Co-ordinator. This aims to reduce the proportion of journeys to and from the site by car from 14% (estimated from 2011 Census data) to below 10% over the course of five years (although targets will be subject to review following the undertaking of initial surveys once 75% of units are occupied), with reviews undertaken after three and five years to assess progress towards targets. The Travel Plan has been assessed using TfL's ATTrBuTE programme and has comfortably scored a PASS. Operation of the Travel Plan should thus be secured by planning obligation

### School

18. The proposed school would not provide any parking for staff or visitors however the site is located within a controlled parking zone (CPZ) preventing long terms parking by staff within the vicinity of the site, who would instead need to rely upon public transport. Visitors would be able to make use of on-street pay and display bays in the vicinity of the site. As the proposed school would be for SEN the majority of the pupils would arrive and leave by minibus. A basement area measuring 33.5m x 13.5m is thus proposed to accommodate a minimum of eight minibuses. This level of provision is appropriate for a school of up to about 150 pupils, based on data accumulated from the former temporary Swiss Cottage SEN school on the site and from other SEN schools in the Borough.
19. Access to the basement is proposed via a 5.8m wide ramp from Brondesbury Park at the southern end of the plot. This currently emerges at the location of a bus stop, which clearly is not acceptable. An

alternative position for a shortened bus stop further south outside the adjoining Marada House has therefore been identified and agreed with London Buses and Brent's Transportation Unit. This location will displace on-street parking spaces though and these are to be resited in the location of the existing bus stop, which will also allow the number of spaces to be increased from three to four. All associated alterations to the bus stop, shelter, bus stop markings, parking bays, pay and display machines and other street furniture will need to be met by the developer as part of the costs of providing the site access, including the cost of amending Traffic Regulation Orders. Otherwise, the location of the proposed access is fine and adequate vehicular and pedestrian visibility splays will be provided. Tracking has been provided to demonstrate that minibuses are able to pass each other along the length of the access ramp, so there is no need for vehicles to wait in Brondesbury Park to enter the site

20. Further details of disabled parking, cycle parking and pedestrian access would need to be conditioned as reserved matters at this stage, although it is noted that the Transport Assessment confirms that a total of 22 cycle parking spaces are to be provided for the school.
21. Estimated trips to and from the proposed SEN school have been estimated using modal-split survey data provided as part of the former Swiss Cottage SEN school's Travel Plan, which recently operated from this site for a temporary period. This suggests that up to 8 minibuses would take 101 pupils to and from the site each day, whilst 22 further pupils would be dropped off by car. These pupil journeys would add a further 30 vehicular arrivals and 30 departures in the morning peak hour (n.b. as the school would be likely to close before the evening peak hour, associated traffic movements at the end of the day would tend to be between 3-4pm rather than in the evening peak hour). No car-parking is provided for staff who would have to rely upon public transport to get to and from the school as the surrounding area is located within a Controlled Parking Zone
22. These flows have then been compared to existing daily flows on The Avenue, Brondesbury Park, Christchurch Avenue and Willesden Lane, but in all cases, the development would increase existing traffic flows by less than 2%, which is not considered to be significant enough to warrant further analysis. Brent's Transport officers have also considered the likely impact solely during the morning peak hour, but even if staff traffic is not constrained by the absence of parking, the volume of traffic to and from the proposed flats and school along any particular road would amount to less than 5% of the existing flows, which remains small enough not to be of concern. On the basis of these estimated traffic flows into and out of the site, the proposal does not give rise to any concerns regarding traffic impact on nearby road junctions in the area. The estimated volume of trips to and from the site by bus and rail (approx. 150 trips per day) is not great enough to warrant further analysis of capacity, averaging less than one extra trip per service. The school would require a Travel Plan, but as it is an outline application no such document has been submitted at the current time. A s106 obligation is therefore sought requiring the submission and approval of a School Travel Plan prior to occupation on that part of the development.
23. Due to the specific characteristics of a SEN, the transport of pupils can therefore be accommodated satisfactorily. However, other types of school (particularly primary schools) would be of more serious concern, given the presence of the bus stop outside the site and the island preventing right-turning movements into and out of Christchurch Avenue. A condition restricting the use of the building to a Special Educational Needs school only is recommended as part of any permission.

#### Construction Management

24. A Construction Management Plan for the residential element of the development has been submitted with the application, setting out arrangements for the management of the construction works and associated traffic over the programmed 98 week construction period. This is proposed to be supplemented by a Traffic Management Plan for the works at a later date.
25. Deliveries over the course of the works contract will all be pre-booked through the site manager and co-ordinated (arriving between 8am-4.30pm on weekdays and 8am-1pm on Saturdays) to ensure that no delivery vehicles are queuing to access the site. The access route to the site is confirmed as being via Kilburn High Road, Willesden Lane and The Avenue, with egress via Salusbury Road southwards. This will be communicated to all suppliers and sub-contractors. Delivery vehicles will range up to a 16.7m articulated lorry (for the piling rigs and excavator), but will largely comprise 9.1m rigid tipper lorries to take waste from the site or to deliver concrete and 12m flat bed lorries for delivery of steel frames. The peak traffic period is estimated to be during the demolition phase, when up to 20 lorries per day are expected to remove waste (although a waste management plan is proposed to minimise waste-away). Deliveries are intended to take place from within the site using a crane, with two temporary crossovers proposed onto The Avenue. Delivery vehicles will then enter the site at the eastern access and egress at the

western crossover, with traffic marshals employed to aid safe movement into and out of the site to maintain pedestrian and cyclist safety.

26. Arrangements for the temporary crossovers will need to be made with Brent Council's Safer Streets team and tracking should be provided to ascertain the requisite width for the crossovers. Any parking bays that need to be suspended to achieve access (particularly for larger loads that cannot enter the site) will need to be organised through the Parking Management team and if any temporary footway closures or on-street loading bays are required, these need to be arranged through Brent's Transportation Unit.
27. The site is to be securely sealed with 2.1m high hoardings and gates around the site boundary; none of which are proposed to encroach over the public highway. It is confirmed that wheel washing equipment will be provided, particularly during the demolition and excavation works. Staff accommodation and welfare facilities will be provided within the site throughout the construction programme, but details of the location of such facilities at various stages of the works have not been provided at the present time. No staff parking is proposed to be provided within the site, with staff instead encouraged to use public transport to access the site, which is welcomed. Overall, the proposed Construction Management Plan is fine and is welcomed at this stage, but a future Construction Traffic Management Plan should be submitted to clarify requirements for loading and access from The Avenue.

### **Urban Design**

28. *Layout* - The proposed development would in effect subdivide the site into 3 plots, two residential and one plot for the school. The residential plots would have separate accesses from The Avenue and from Christchurch Avenue. A new access point to the school site would be provided from Brondesbury Park. The technicalities of providing this new access are discussed in further detail in the Transport section of this report, but the principle of providing access to the school from Brondesbury Park is considered acceptable as it will direct activity away from the The Avenue and Christchurch Avenue, which are generally quieter side streets, during school drop off and collection times.
29. The proposed residential block on Christchurch Avenue would have a fairly conventional siting and would repair a gap in the existing streetscene. The proposed block to the Avenue would have a more interesting layout, being arranged around 3 separate communal courtyards. The dimensions across these courtyards are in general compliance with the guidance contained in SPG17 and would provide suitable amenity, privacy, outlook and light for future occupiers. The proposed layout seeks to maximise the development potential of the site, which has considerable depth, by placing accommodation not only along the site frontage but also in blocks behind the main frontage. This does cause some potential issues in terms of the relationships with neighbouring sites (which is discussed in more detail in the 'Impact of Neighbouring Occupiers' section of the report) but it provides an efficient use of the space available to maximise the delivery of much needed new homes.
30. Both blocks have significant sets backs from the edge of the public footpath which would allow for extensive soft landscaping, including tree planting, which would complement the character of the surrounding area. It also results in a sensitive relationship with properties located on the opposite sides of The Avenue and Christchurch Avenue.
31. *Scale & Massing* - The surrounding area is characterised by varying forms of development which generally move between 2 and 5 storeys in height and the proposed development is consistent with this. The proposed development seeks to exploit the level difference across the site in order to place taller elements where they will have less visual impact. For example, the Christchurch Avenue block would appear to have three-storeys when viewed from the street as the level difference allows a lower ground level to be formed to the rear. Although at three-storeys this block would be a storey taller than the adjacent two-storey development at 56 Christchurch Avenue but the design responds using a pitched roof in order to provide a suitable transition in scale within the streetscene. A combination of pitched and flat roofs are used throughout the development in order to break up the massing of the proposed block and provide visual interest.
32. Along The Avenue the height of the blocks is generally kept to 3-storeys in height, with a lower ground level beneath, which is consistent with the existing properties along the opposite side of the street. Taller elements are generally directed to the rear of the site where their impact will be felt less. The elevations to the Avenue block have been broken down into a series of more modest elements which will reduced the perceived massing of the overall development.
33. Whilst the exact scale and massing of the proposed school would be reserved for further approval, the

overall, height and scale indicated would be consistent with the adjacent buildings, Marada House and Willow Court.

34. *Elevational Treatment* - Despite being located on separate sites the residential developments would have a consistent architectural language which is complementary to the character of the surrounding area. The elevations are generally simple in design with well proportioned and generous openings, including recessed terraces and deep window reveals. Elevations would predominantly be finished with a light buff brick and therefore the quality of the brick used will be imperative to the overall quality of the design and this will need to be secured by condition. The brick elevations will be complemented by anodised aluminum used for windows, balconies and balustrade and the pitched roofs will have single seamed zinc cladding. Overall, the elevational treatment of the proposed residential development is considered acceptable.

### **Trees**

35. There are a number of TPO trees on the site. The proposed development would result in the loss of 21 trees from the site, most of which are category C trees with a few category B2 trees. The applicant proposed to mitigate the loss of these trees through the planting of new trees as part of a wider landscaping strategy for the site. The landscaping strategy proposes to include 46 new trees on the site which is considered acceptable by the Council's Tree Protection Officer and should be secured by condition. A condition is also recommended to ensure that where trees are to be retained that works are undertaken in accordance with an agreed Tree Protection Plan.

### **Density**

36. The proposed development would have a density of 410 habitable rooms per hectare (hr/ha) or 140 units per hectare. The application site is located within an urban area and has a public transport accessibility level (PTAL) of 3. Under the London Plan density matrix the appropriate density for the site would be between 200-450hr/ha. As such, the proposed development has a density that falls within the appropriate range.

### **Residential Quality**

37. *Internal* - All of the proposed units have been designed to comply with the minimum sizes set out in the Mayors Housing SPG. In fact, due to the unusual layout a number of the proposed units are significantly oversized. The units have also been designed to Lifetime Homes standards, although this is no longer a planning requirement following the introduction of the government's Technical Housing Standards. 10% of the units have been designed to be wheelchair adaptable in compliance with the London Plan.
38. *External* - Both residential sites would exceed the minimum amenity space requirements as set out in SPG17 and the London Plan through the provision of terraces, balconies and communal gardens/courtyards. The applicant has provided a landscaping strategy for the site, which would include the planting of replacement trees. Further details of the landscaping for the site should be secured via condition.

### **Impact on Neighbouring Residents**

39. The complex layout of the site means that it shares a number of boundaries with adjacent residential development. The impacts of these relationships on the living conditions of adjoining residents is set out below.

#### **Christchurch Avenue Block**

40. A 3/4 storey block would be situated on Christchurch Avenue, located between Willow Court (WC), a 3-storey block, and 56 Christchurch Avenue (56CA), 2-storey semi-detached properties which have been converted into flats. In general, the proposed building does not have side facing windows and therefore privacy is unlikely to be a particular issue. Where the proposed building is set in at third floor level, there is a single secondary side facing window, however, its siting at high level above a section of flat roof, and its considerable distance from the boundary make it unlikely that there would be any particularly sensitive views of WC.
41. *Willow Court* - In terms of the relationship with WC, the flank walls of WC and the proposed block would have a separation of approximately 1.5m. The distance from the flank wall of the proposed block to the centre of the closest rear facing windows to WC would be approximately 3m. Along the closest edge the proposed block would project 2m beyond the rear of WC before stepping away from WC, increasing the separation by a further 3.3m, whilst projecting a further 3.3m. This creates a stepped relationship with WC which reduces the impact of the proposed building on the outlook from WC, particularly as the

immediate impact of the proposed building would not breach a 45 degree line from the centre of the nearest habitable room window and therefore daylighting is unlikely to be adversely affected.

42. 56 Christchurch Avenue - The separation between the proposed building and 56CA is more generous due to the presence of a vehicular route between the buildings which provides access to the rear parking area for 56CA. The flank wall separation here would be 5m and the proposed building would only project approximately 1.5m beyond the rear of 56CA. As such, despite the apparent height difference between the buildings the impact on outlook and light to 56CA would be extremely limited and your officers are satisfied that the living conditions of the neighbouring residents would not be unacceptably harmed by the Christchurch Avenue block..

### The Avenue Block

43. The proposed blocks accessed from the Avenue would have a number of shared boundaries with existing residential developments. Towards the west the development would share boundaries to the flank of Dalton Lodge (DL) and to the rear of Marada House (MH). To the east it would share the flank boundary with 3 The Avenue (3TA). To the North the site would abut the rear boundaries of 56CA and Redwood Court (RWC). The impact of the proposed block on the living condition of residents of those properties in terms of privacy, outlook and light are considered below.

44. Dalton Lodge - The proposed building will be set approximately 1.3m off the joint flank boundary with DL. The separation between these buildings would be between 4.5m and 6.5m. The flank wall of DL is stepped to form a three-sided bay meaning that the windows to these rooms, a lounge and two bedrooms, face both to the front and rear. Notwithstanding the close proximity of the proposed building, the design of these bays means that sufficient outlook and light will continue to be provided to these rooms. The applicants daylight consultant has confirmed that daylighting to these rooms will comply with BRE standards. There would be no flank wall windows within the proposed building where it lies adjacent to Dalton Lodge and therefore privacy is unlikely to be significantly affected.

45. Marada House -The proposed building would be set 7m off the rear boundary with MH and 22m from the rear elevation of MH. As such, any window-to-window distances would comply with the guidance contained in SPG17. The proposed building would be below a line of 30 degrees taken from a height of 2m against the rear elevation of MH and it is considered that reasonable outlook and light would be maintained for the residents of MH. The area to the rear of MH is used for car-parking and therefore, whilst the proposed building would fail to fully comply with the guidance for privacy and scale in terms of the relationship with the boundary of MH, your officers do not consider that this would result in any particularly adverse impact on the living conditions of residents of MH given the less sensitive use of this area.

46. 56CA and Redwood Court - At the closest point, the proposed building would come within approximately 1.5m of the rear boundaries with 56CA and RWC although, 56CA and RWC themselves would be approximately 42m and 33m away, respectively. The areas within 56CA and RWC immediately adjacent to the site boundary are used for residents car-parking and therefore, as with MH, it is considered that these areas would be less sensitive in terms of privacy, light and outlook. There are some amenity areas to the immediate rear of 56CA and RWC but even these would be over 20m from the proposed building. In terms of privacy, where the proposed building comes closest to the boundary there would be no windows in the wall facing the boundary. Some elements of the building have been set further back from the boundary by approximately 6m and windows have been included in these sections. However, with the amenity areas and neighbouring buildings being located over 20m away it is not considered that these windows would cause any significant harm to privacy. Although the building has been designed so that some section would sit at a lower ground level than 56CA and RWC, the building would breach the 45 degree line along this boundary in two places. However, given the significant distances to amenity areas and the neighbouring buildings, on balance, it is not considered that there would be a significantly detrimental impact on the living conditions of the residents of 56CA and RWC in terms of outlook and light.

47. 3 The Avenue - This 3-storey residential block is located to the east of the site. The part of the proposed building closest to the neighbouring block would not project rearwards of that block and therefore there is unlikely to be any significant impact on the living conditions of residents of 3TA. However, unlike MH, 56CA and RWC, the area to the rear of 3TA appear to be used wholly for residential amenity rather than car-parking and therefore the impact of the proposed building on this space must be given more careful consideration. The part of the building located closest to this amenity space has been designed to reduce

its impact on residents enjoyment of the space by pulling the building away from the boundary and reducing the height. This has resulted in a relationship where the building is set away from the boundary by 3m and with a relative height of 6m. This does not fully comply with the 45 degree guidance contained in SPG17 but it only breaches the guidance by 1m. Given the part of the building would have a length of 10m against a boundary which is approximately 35m long, its distance from the neighbouring building and the general open character of the remainder of this large space it is considered that, on balance, this relationship is acceptable within the urban context of the site. There would be habitable room windows and terraces that face back towards the rear of 3TA but these would satisfy the 20m guidance contained in SPG17 and therefore it is not considered that there would be any unreasonable harm to the living conditions of residents of 3TA in terms of loss of privacy.

### The School

**48.** The school is only presented in outline form with the matters of scale and appearance reserved. Indicative massing is provided at this stage which suggests that the school would most likely have a direct impact on the rear of WC and the flank of MH. The separation between the flank of the school and MH would be in the order of 10m and it is likely that the indicative massing could deliver an acceptable relationship at a detailed design stage. In terms of the relationship with Willow Court, the proposed school building would be a similar height but would project approximately 5m further rearward where the buildings lie adjacent to one another. This relationship is likely to require some further consideration at the reserved matters stage but it is not so poor that it could not be reasonably be overcome. As such, the proposed massing for the school building is considered to be within the envelope of an acceptable development, subject to a more detailed consideration of the relationship with WC.

### **Conclusion**

**49.** The proposed development would deliver the following benefits

- 1) The delivery of a new SEN school
- 2) The delivery of 74 much needed homes, including 6 shared ownership units.
- 3) A CIL contribution of approximately £2.2M towards local infrastructure.
- 4) The reuse of a site that has been vacant for 2 years.

As such, although there may be some concerns regarding the level of affordable housing provided and some of the relationships around the site officers consider that on balance the scheme would make a positive contribution and recommend the application for approval subject to the conditions and obligations set out in this report.

## **SUSTAINABILITY ASSESSMENT**

### **ENERGY**

The applicant has supplied an energy statement as part of the submission which indicates measures that will result in a 35.9% reduction in CO<sub>2</sub> emissions beyond the requirements of Part L of the 2013 Building Regulations in compliance with policy 5.2 of the London Plan. The energy statement has been reviewed by the Council's Sustainability Officer and is considered robust. However, compliance with this target should be secured in a s106 agreement as part of any permission.

### **S106 DETAILS**

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

- Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
- Affordable Housing - 6 Shared Ownership units (2x3-bed and 4x1-bed). A full open book review to be undertaken post implementation.
- Car-Parking Permit Free development (southern part of the residential development only)
- Join and adhere to Considerate Constructors
- Energy a 35% reduction in CO<sub>2</sub> emissions beyond the 2013 Building Regulations (residential and school triggers)
- BREEAM 'Excellent' (school only)
- Residential Travel Plan
- School Travel Plan



And, to authorise the Head of Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

## CIL DETAILS

This application is liable to pay **£2,598,201.74\*** 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): 1210 sq. m.

Total amount of floorspace on completion (G): 10766 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
Dwelling houses	10766		9556	£200.00	£35.15	£2,209,825.00	£388,376.74

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	259	
<b>Total chargeable amount</b>	<b>£2,209,825.00</b>	<b>£388,376.74</b>

\*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.**



**Brent**

**DRAFT NOTICE**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 15/3616

To: Wallace  
DP9  
100  
Pall Mall  
London  
SW1Y 5NQ

I refer to your application dated 19/08/2015 proposing the following:  
Hybrid planning application for full permission for demolition of all buildings and the development of 74 residential units (Use Class C3) comprising of 33 x 1 beds, 23 x 2 beds and 18 x 3 beds in a part three / part four / part five storey building fronting The Avenue with related basement car park comprising 57 parking spaces; and a 3 storey plus basement building fronting Christchurch Avenue, new vehicular access; footways; landscaping and associated works ("Phase 1"); and Outline permission for a school (Use Class D1), with new vehicular and pedestrian access from Brondesbury Park, with details of "appearance", "scale", "layout" and "landscaping" being reserved ("Phase 2").  
and accompanied by plans or documents listed here:  
See condition 4

at Former Manor School, 3-7 The Avenue, London, NW6 7YG

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:

Signature:

Head of Planning, Planning and Regeneration

**Notes**

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

DnStdG

## SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework 2012  
London Plan 2015  
Brent Core Strategy 2010  
Brent Unitary Development Plan 2004  
Council's Supplementary Planning Guidance 17:- Design Guide For New Deevopment \$

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment  
Environmental Protection: in terms of protecting specific features of the environment and protecting the public  
Housing: in terms of protecting residential amenities and guiding new development  
Open Space and Recreation: to protect and enhance the provision of sports, leisure and nature conservation  
Transport: in terms of sustainability, safety and servicing needs  
Community Facilities: in terms of meeting the demand for community services

- 1 Details of the reserved matters of appearance, landscaping, layout and scale for the Phase 2 development shall be submitted to be approved in writing by the Local Planning Authority before:-

(i) the expiration of three years from the date of this permission; or  
(ii) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

- 2 The Phase 1 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.

- 3 The development hereby permitted shall be carried out in accordance with the following approved drawings:

BPP 0001 Rev D  
BPP 0100 Rev F  
BPP 0300 Rev B  
BPP 0301 Rev B  
BPP 0302 Rev B  
BPP 0303 Rev B  
BPP 0400 Rev B  
BPP 0401 Rev B  
BPP 0410 Rev B  
BPP 3000 Rev N  
BPP 3001 Rev Q  
BPP 3002 Rev S  
BPP 3003 Rev P  
BPP 3004 Rev N

BPP 3005 Rev N  
BPP 3006 Rev N  
BPP 3007 Rev N  
BPP 3500 Rev B  
BPP 3510 Rev B  
BPP 3511 Rev B  
BPP 4000 Rev E  
BPP 4001 Rev E  
BPP 4100 Rev F  
BPP 4101 Rev E  
BPP 4102 Rev D  
BPP 4103 Rev D  
BPP 4104 Rev D  
BPP 5110 Rev B  
BPP 5111 Rev B  
19605\_01\_P Rev B

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

- 4 The development, hereby approved, shall be carried out in accordance with the Phase II Arboricultural Impact Assessment, dated 09/07/2015, by Arbol EuroConsulting, including the Tree Protection Plan contained therein.

Reason: To ensure adequate protection for trees that are to be retained as part of the development.

- 5 a) Prior to the occupation of the Phase 1 development the following highway works shall be completed in accordance with the details provided within The Transport Assessment by Paul Mew Associates July 2015

i) all existing vehicular crossovers that will be become redundant as a result of the development on The Avenue and Christchurch Avenue shall be reinstated to footway with full height kerbs  
ii) where existing vehicular crossovers are reinstated new parking bays are marked out on street  
ii) the new vehicular crossover to The Avenue as indicated on approved plan BPP-3003 Rev P shall be constructed

b) Prior to the occupation of the Phase 2 development the following highway works shall be completed in accordance with the details provided within The Transport Assessment by Paul Mew Associates July 2015

i) the new vehicular crossover to Brondesbury Park as indicated on approved plan BPP-3003 Rev P shall be constructed  
ii) the existing bus stop, including all structures and road markings on Brondesbury Road shall be relocated  
iii) new parking bays will be marked out  
iv) all street furniture, including pay and display machines, shall be suitably relocated

Reason: In the interests of highway and pedestrian safety.

- 6 The refuse and cycle storage areas for the Phase 1 development indicated on the plans, hereby approved, shall be constructed prior to any occupation of the relevant part of the Phase 1 development. The relevant part of the Phase 1 development is the part of the development which the refuse and cycling storage facilities are intended to serve. These facilities shall be retained for the lifetime of the development.

Reason: To ensure that appropriate refuse and cycling storage facilities are provided for future occupiers of the development.

- 7 The Phase 2 development, hereby approved, shall only be used for the purposes of a special educational needs school and for no other educational use without the prior written approval of the Local Planning Authority by separate planning permission..

Reason: To enable the Local Planning Authority the opportunity to consider the potential transport impacts of any other use arising on the site.

- 8 The development, hereby approved, shall be carried out in accordance with Construction & Environmental Management Plan (Doc Ref CMP.BP.001 Rev No.C).

Reason: To ensure that the environmental impacts of the works are suitably mitigated.

- 9 In order to mitigate against the possibility of numerous satellite dishes being installed on the buildings within Phase 1 hereby approved, a communal television system/satellite dish shall be provided. The equipment shall be located so as to have the least impact on the external appearance of the development.

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

- 10 Any external noise from all building services plant, including the proposed car-lifts, shall be at least 10 dB below the background noise level at the nearest noise sensitive premises (or other appropriate criterion under the new BS 4142:2014).

Reason: To ensure that any plant installed does not result in a noise nuisance to neighbouring occupiers.

- 11 Further details of materials for all external work for each phase of the development shall be submitted to and approved in writing by the Local Planning Authority before above ground construction works are commenced on that phase. The development 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.

- 12 Notwithstanding any details of landscape works referred to in the approved plans, a scheme for the landscape works and treatment of the surroundings of each phase of the proposed development (including species, plant sizes and planting densities) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground construction works on that phase. The approved details for each phase shall be completed in accordance with the approved details prior to the any occupation of that phase or in accordance with a programme agreed in writing with the Local Planning Authority. Such a scheme shall include:-

(a) the identification and protection of existing trees and shrubs not directly affected by the building works and which are to be retained;

(b) proposed walls and fences indicating materials and heights;

(c) adequate physical separation, such as protective walls and fencing between landscaped and paved areas;

(d) existing contours and any proposed alteration to ground levels such as earth mounding;

(e) areas of hard landscape works and proposed materials;

(f) a scheme for tree planting

(g) details of the proposed arrangements for the maintenance of the landscape works.

Any planting that is part of an approved scheme that within a period of *five* years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced with others of a similar size and species and in the same positions.

Reason: To ensure a satisfactory appearance and setting for the proposed development and ensure that it enhances the visual amenity of the area.

- 13 Notwithstanding the approved plans, a plan of the basement car-park for Phase 1 of the development, indicating all columns set 800mm from the front of parking spaces, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the Phase 1 basement car-park. The development shall be implemented in accordance with the approved details

Reason: To ensure suitable visibility splays for motorists using the basement car-park.

- 14 Further details of charging points for electric vehicles within Phase 1 of the development, hereby approved, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction works on Phase 1 of the development. The approved charging points shall be in operation prior to the occupation of the development.

Reason: To ensure suitable facilities for electric vehicles are provided within the development.

- 15 Further details of disabled parking and cycle storage for the Phase 2 development shall be submitted to an approved in writing by the Local Planning Authority and the approved details shall be fully implemented prior to any occupation of the Phase 2 development.

Reason: To ensure appropriate facilities for cyclists and disabled motorists are provided as part of the development.

- 16 Prior to the commencement of any works on the site a Construction Traffic Management Plan, including but not limited to vehicle tracking for site access points, shall be submitted to and approved in writing by the Local Planning Authority. The approved Construction Traffic Management Plan shall be implemented in full.

Reason: In order to mitigate the impact of the development on local highway conditions during the works.

- 17 No development shall take place on either Phase 1 or Phase 2 until details of the implementation, maintenance and management of a sustainable drainage scheme for that Phase have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented prior to the occupation of the relevant phase and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i. a timetable for its implementation, and
- ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To help reduce surface water run-off and the potential for flooding.

- 18 Prior to occupation of the Phase1 development confirmation from the Building Control body demonstrating that the development has been 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 shall be submitted to the Local Planning Authority .

Reason: To ensure that the development is designed reduce water consumption in accordance with London Plan policy 5.15

- 19 Prior to occupation of the Phase 1 development confirmation from the Building Control body

demonstrating that a minimum provision of 10% of the residential units shall meet Building Regulation Requirement M4 (3) Schedule 1 to Building Regulations 2010 'wheelchair user dwellings' and all residential units shall meet Building Regulation requirement M4 (2) Schedule 1 to Building Regulations 2010 'accessible and adaptable dwellings' shall be submitted to the Local Planning Authority.

Reason: To ensure that adequate provision is made for future disabled occupiers of the development.

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

<b>Time</b>	<b>Area</b>	<b>Maximum noise level</b>
Daytime Noise 07:00 – 23:00	Living rooms and bedrooms	35 dB LAeq (16hr)
Night time noise 23:00 – 07:00	Bedrooms	30 dB LAeq (8hr)

Results of tests shall be carried out to show that the required internal noise levels have been met shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the Phase 1 development.

Reason: To obtain required sound insulation and prevent noise nuisance

- 21 An air quality mitigation strategy for the western facade of the Phase 2 development shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in full prior to the occupation of the phase 2 development.

Reason: To limit the ingress of polluted air from this facade where air quality is predicted to exceed the annual mean NO2 objective.

- 22 Prior to the commencement of above ground construction works on phase 1 of the development further details of the Combined Heat and Power (CHP) system for the phase 1 development, including details of predicted emissions, shall be submitted to and approved in writing by the Local Planning Authority. The CHP shall be installed in accordance with the approved details prior to occupation of the development and retained for the lifetime of the development.

Reason: To ensure that the CHP would not have an adverse impact on air quality

- 23 Prior to the commencement of the phase 2 development, further details of any CHP system and/or boilers, including detailed specification of predicted emissions, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to occupation of the development and retained for the lifetime of the development.

Reason: To ensure that the Phase 2 development would not have an adverse impact on air quality.

Any person wishing to inspect the above papers should contact Ben Martin, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5231