



Planning Committee

Wednesday 7 April 2021 at 4.00 pm

This will be held as an online virtual meeting.

The link to attend this meeting will be made available [here](#).

Membership:

Members

Councillors:

Kelcher (Chair)
Johnson (Vice-Chair)
S Butt
Chappell
Dixon
Kennelly
Maurice
J Mitchell Murray

Substitute Members

Councillors:

Ahmed, Dar, Ethapemi, Kabir, Lo, Sangani and
Shahzad

Councillors

Colwill and Kansagra

For further information contact: Craig Player, Governance Officer
craig.player@brent.gov.uk; 020 8937 2082

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

The members' virtual briefing will take place at 12.00 pm.

The press and public are welcome to attend this online virtual meeting. The link to attend this meeting will be made available [here](#).

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences**- Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

(a) Anybody of which you are a member or in a position of general control or management, and:

- To which you are appointed by the council;
- which exercises functions of a public nature;
- which is directed is to charitable purposes;
- whose principal purposes include the influence of public opinion or policy (including a political party or trade union).

(b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

ITEM	WARD	PAGE
1. Declarations of interests Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary, personal or prejudicial interests in the items on this agenda and to specify the item(s) to which they relate.		
2. Minutes of the previous meeting None.		
APPLICATIONS FOR DECISION		
3. 20/4197 - Wembley National Stadium, Olympic Way, Wembley, HA9 0WS	Tokynghon	5 - 48
4. 20/3149 - Willesden Green Garage, St Pauls Avenue, London, NW2 5TG	Willesden Green	49 - 80
5. 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 60.		

Date of the next meeting: Tuesday 11 May 2021

This page is intentionally left blank

APPLICATIONS FOR DECISION

Introduction

1. In this part of the agenda are reports on planning applications for determination by the committee.
2. Although the reports are set out in a particular order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a particular application, you need to be at the meeting from the beginning.
3. The following information and advice only applies to reports in this part of the agenda.

Material planning considerations

4. The Committee is required to consider planning applications against the development plan and other material planning considerations. The development plan policies and material planning considerations that are relevant to the application are discussed within the report for the specific application
5. Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.
6. Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
7. Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
8. Under Section 197 of the Town and Country Planning Act 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.
9. In accordance with Article 35 of the Development Management Procedure Order 2015, Members are invited to agree the recommendations set out in the reports, which have been made on the basis of the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.

10. Members are reminded that other areas of legislation cover many aspects of the development process and therefore do not need to be considered as part of determining a planning application. The most common examples are:
- **Building Regulations** deal with structural integrity of buildings, the physical performance of buildings in terms of their consumption of energy, means of escape in case of fire, access to buildings by the Fire Brigade to fight fires etc.
 - Works within the highway are controlled by **Highways Legislation**.
 - **Environmental Health** covers a range of issues including public nuisance, food safety, licensing, pollution control etc.
 - Works on or close to the boundary are covered by the **Party Wall Act**.
 - **Covenants and private rights** over land are enforced separately from planning and should not be taken into account.

Provision of infrastructure

11. The Community Infrastructure Levy (CIL) is a charge levied on floor space arising from development in order to fund infrastructure that is needed to support development in an area. Brent CIL was formally introduced from 1 July 2013.
12. The Council has an ambitious programme of capital expenditure, and CIL will be used to fund, in part or full, some of these items, which are linked to the Infrastructure Delivery Plan (IDP).
13. Currently the types of infrastructure/specific infrastructure projects which CIL funds can be found in the Regulation 123 List.
14. The Regulation 123 list sets out that the London Borough of Brent intends to fund either in whole or in part the provision, improvement, replacement, operation or maintenance of new and existing:
- public realm infrastructure, including town centre improvement projects and street trees;
 - roads and other transport facilities;
 - schools and other educational facilities;
 - parks, open space, and sporting and recreational facilities;
 - community & cultural infrastructure;
 - medical facilities;
 - renewable energy and sustainability infrastructure; and
 - flood defences,
- except unless the need for specific infrastructure contributions is identified in the S106 Planning Obligations Supplementary Planning Document or where section 106 arrangements will continue to apply if the infrastructure is required to make the development acceptable in planning terms.
15. We are also a collecting authority for the Mayor of London's CIL 'Mayoral CIL' which was introduced from 1 April 2012 to help finance Crossrail, the major

new rail link that will connect central London to Reading and Heathrow in the West and Shenfield and Abbey Wood in the East.

16. In February 2019 the Mayor adopted a new charging schedule (MCIL2). MCIL2 came into effect on 1 April 2019 and superseded MCIL1. MCIL2 will be used to fund Crossrail 1 (the Elizabeth Line) and Crossrail 2.
17. For more information:
Brent CIL: <https://www.brent.gov.uk/services-for-residents/planning-and-building-control/planning-policy/community-infrastructure-levy-cil/>
Mayoral CIL: <https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/mayoral-community-infrastructure-levy>
18. Other forms of necessary infrastructure (as defined in the CIL Regulations) and any mitigation of the development that is necessary will be secured through a section 106 agreement. Where these are necessary, it will be explained and specified in the agenda reports

Further information

19. Members are informed that any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in the Supplementary Report.

Public speaking

20. The Council's Constitution allows for public speaking on these items in accordance with the Constitution and the Chair's discretion.

Recommendation

21. The Committee to take any decisions recommended in the attached report(s).

This page is intentionally left blank

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

7 April, 2021
03
20/4197

SITE INFORMATION

RECEIVED	18 December, 2020
WARD	Tokynghon
PLANNING AREA	
LOCATION	Wembley National Stadium, Olympic Way, Wembley, HA9 0WS
PROPOSAL	<p>Proposed variation of Condition 1 (event cap) of planning permission reference 18/4307 (varied permission for the construction of the stadium, dated 07/03/2019), to allow up to 9 additional major non-sporting events per event calendar year.</p> <p>Planning permission 99/2400 was for the demolition of the original Wembley Stadium and clearance of the site to provide a 90,000-seat sports and entertainment stadium (Use Class D2), office accommodation (Use Class B1), banqueting/conference facilities (Use Class D2), ancillary facilities including catering, restaurant (Use Class A3), retail, kiosks (Use Class A1), toilets and servicing space; re-grading of existing levels within the application site and removal of trees, alteration of existing and provision of new access points (pedestrian and vehicular), and parking for up to 458 coaches, 43 mini-buses and 1,200 cars or 2,900 cars (or combination thereof).</p> <p>Application reference 17/0368 granted permission to vary condition 3 (event cap) of consent 99/2400 to allow 22 additional major Tottenham Hotspur Football Club events in between 1 August 2017 and 31 July 2018.</p> <p>Application reference 18/4307 granted permission to vary conditions 1 (event cap) and 2 (temporary traffic measures) of planning permission reference 17/0368 to allow 8 additional Major Tottenham Hotspur Football Club (THFC) events to May 2019.</p> <p>The current application includes the submission of an Environmental Statement.</p>
PLAN NO'S	See condition 3
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke</p> <p><u>When viewing this as a Hard Copy</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "20/4197" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

Resolve to grant planning permission, subject to the completion of a satisfactory deed of variation to the existing Section 106 legal agreement;

Section 106 Heads of Terms

- Payment of Council's legal and other professional costs in preparing and completing agreement, and monitoring and enforcing its performance

- Payment of the Council's reasonable costs associated with mitigation, including the following. (please note: these mitigation measures are all secured through the existing consent):
 - Control of Off-Site Parking (E);
 - Control of On-Site Parking (E);
 - Transport signage maintenance (E);
 - Transport signage improvements (E);
 - Event day street cleansing (E);
 - Temporary traffic management (E);
 - Green Travel Plan – updated and monitoring provision (E)

- Contribution of up to £3,500 per Additional Major Non-Sporting Event towards mitigation measures
 - Additional Parking Enforcement Measures per Additional Event :
 1. Civil Enforcement contribution
 2. Tow Truck contribution
 3. Towed Vehicle Recovery Scheme

 - Pedestrian Access and Signage Contribution
 - Private Hire Management Scheme
 - Trusted Parking Scheme
 - Spectator Travel Plan
 - Wembley Stadium Employment and Skills Plan

E = Existing obligations within the Section 106 agreement, dated 23 April 2002, for the original stadium planning permission.

The additional measures (i.e. those beyond the existing obligations) would be applicable to the additional events that are proposed to take place in the future in addition to the original obligations.

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

Conditions

As this would technically be a new grant of planning permission, the conditions imposed on the original permission would be re-imposed, with some amendments to reflect the fact that the stadium has been completed including the omission of conditions that have been fully discharged and are no longer valid and amendments to some other conditions. In addition, there would be:

1. Amended condition 1 on event cap to allow for Additional non-sporting events
2. List of all approved plan numbers/documents

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

to a different decision having been reached by the committee.

SITE MAP

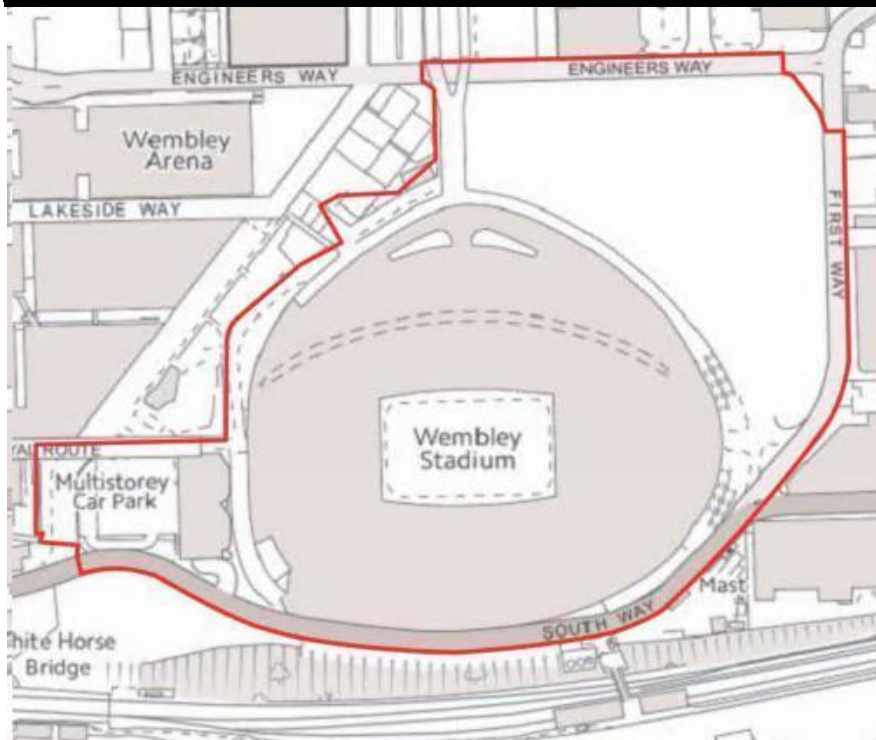


Brent

Planning Committee Map

Site address: Wembley National Stadium, Olympic Way, Wembley, HA9 0WS

© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

PROPOSAL IN DETAIL

An unlimited number of events can be held that only use the lower two tiers of Wembley Stadium (capacity of 50,835).

Condition 1 (event cap) of the extant planning consent limits the number of events above this capacity to 37 per year. This comprises up to 22 sports events (excluding European Cup and World Cup events where England/UK is the host nation) and 15 non-sports events. However, up to three additional sporting events can be held per year if the number of non-sports events is reduced by 2 for each additional sports event.

The application, if granted, would therefore allow an increase of a maximum of 9 non-sporting events which would result in the following possible combinations of events:

Current	Proposed	With 1 swap	With 2 swaps	With 3 swaps
22 Sports	22 Sports	23 Sports	24 Sports	25 Sports
15 Non-sports	24 Non-sports	22 Non-sports	20 Non-sports	18 Non-sports

As detailed later within this report, WNSL is in the process of reviewing their future event schedules and are seeking greater flexibility to enable them to adapt to the changing commercial model of the music industry.

Condition 2 specifies that the traffic management measures shall only be provided for up to 45 events per year in accordance with consent 18/4307. It is proposed to retain this condition, but amend it to reflect the proposed new cap (up to 46 events).

EXISTING

The site is Wembley Stadium, an international sports and entertainments venue and the English National Stadium, located towards the centre of the London Borough of Brent. The existing stadium was completed in 2007, following the demolition of the previous stadium which was constructed as the Empire Stadium in the 1920s. It has a capacity of 90,000 seated, with the lower and middle tiers representing approximately 51,000 of this. The stadium itself is within the Wembley Growth Area, and (as with the rest of the borough) is within a designated Air Quality Management Area.

The surrounding area is characterised by a mix of residential, commercial, retail and leisure uses. There is a Strategic Industrial Location to the east, and Wembley town centre is to the immediate west of the stadium. Within the Growth Area there are a number of sites which have been allocated for redevelopment, many of which have been completed, or are currently under construction.

To the north and west the railway lines are Wildlife Corridors, and a Site of Importance for Nature Conservation (SINC) (centred on Wealdstone Brook). There are also flood zones in the vicinity. All are a significant distance from the stadium itself, but it is accepted that the impacts of the stadium extend beyond its boundaries.

The nearest conservation areas are Wembley High Street to the west, and Barn Hill to the north. The Grade II listed Wembley Arena (originally called the Empire Pool) is situated to the north-west of the Stadium.

SUMMARY OF KEY ISSUES

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

Representations Received – Representations from 37 properties have been received, with all but 2 objecting.

General – Many objectors consider that the number of events currently held at the stadium already has an unacceptable level of impact on local residents. However, it should be borne in mind that this application does not affect the number of events that take place at the Stadium, just the capacity of the crowd. Unlimited events at up to 51,000 can take place within the terms of the existing planning consent. Additional mitigation measures would be secured. Some of these measures would relate to all major events and some would relate to the additional non-sporting events. These mitigation measures are considered to be sufficient to warrant the additional 9 full capacity events proposed.

Highways and transportation – Traffic management measures are required under the existing consent for events that have a capacity of over 10,000 and as such, would also capture additional events up to a capacity of 51,000 for which the number of events is not controlled. The proposed variation of consent to allow an additional 9 higher capacity (>51,000 people) non-sporting events, only represents an increase in capacity rather for those 9 events given that they could already take place with a maximum capacity of 51,000. However, higher capacity events have a greater impact and the length of time taken to clear the highway and public transport network is longer for full capacity events than it is for lower capacity events.

With the traffic management measures which are put in place, it is considered that the impact on the highway network can be satisfactorily managed.

Environmental Statement – The mitigation measures that are proposed to be secured through the S106 legal agreement are considered to sufficiently mitigate the potential impacts.

Socio-economic impact – A certain amount of weight has been placed on the socio-economic benefits specified within the submission principally from increased number of event-day staff to reflect the additional level of spectators, increased visitor expenditure associated with additional spectators and securing an Employment and Skills Plan which would enhance employment and training opportunities for Brent residents. However, the recommendation for this application is based more on the benefits associated with the mitigation package rather than the socio-economic benefits specified in the submission.

Cumulative impact – There have been substantial changes to the local area since the stadium was constructed, with an increased residential population. These have been considered during the assessment.

Noise – There would be some increased noise from the additional capacity for events, but this is not considered to be to an extent that would result in a poor environment. The new homes surrounding the stadium have been designed to take into account the noise and operation of the stadium.

Air quality – There would be potentially increased impacts associated with the events, but mitigation measures would be in place to minimise the number of car journeys in relation to overall Stadium use.

RELEVANT SITE HISTORY

99/2400 Granted 23/08/2002

Full planning application to consider the complete demolition of Wembley Stadium and clearance of the site to provide a 90,000-seat sports and entertainment stadium (Use Class D2), 4750m² of office accommodation (Use Class B1), banqueting/conference facilities (Use Class D2), ancillary facilities including catering, restaurant (Use Class A3), retail, kiosks (Use Class A1), toilets and servicing space; re-grading of existing levels within the application site and removal of trees, alteration of existing and provision of new access points (pedestrian and vehicular), and parking for up to 458 coaches, 43 mini-buses and 1,200 cars or 2,900 cars (or combination thereof) including 250 Orange Badge parking spaces (the application includes the submission of an Environmental Impact Statement, a Traffic and Transport Impact Assessment and an Economic and Regeneration Study)

This outline planning permission granted consent for the redevelopment of the Stadium. As approved, condition 3 on the consent stated that for two years following completion of the stadium, subject to the completion of specific improvement works to Wembley Park Station and construction of roads known as

Estate Access Corridor and Stadium Access Corridor, the number of major sporting events held at the stadium in any one year was restricted to no more than 22 (to exclude European Cup and World Cup events where England/UK is the host nation), and the number of major non-sporting events to 15. After this, additional events over and above this were permitted subject to the number of spectators being limited to the capacity of the lower and middle tiers of the stadium

17/0368 Granted 18/08/2017

Proposed variation of condition 3 (event cap, to allow 31 additional full capacity events) and removal of condition 33 (temporary traffic management) of planning permission reference 99/2400, which was for:

Full planning application to consider the complete demolition of Wembley Stadium and clearance of the site to provide a 90,000-seat sports and entertainment stadium (Use Class D2), 4750m² of office accommodation (Use Class B1), banqueting/conference facilities (Use Class D2), ancillary facilities including catering, restaurant (Use Class A3), retail, kiosks (Use Class A1), toilets and servicing space; re-grading of existing levels within the application site and removal of trees, alteration of existing and provision of new access points (pedestrian and vehicular), and parking for up to 458 coaches, 43 mini-buses and 1,200 cars or 2,900 cars (or combination thereof) including 250 Orange Badge parking spaces.

As approved, condition 3 stated that for two years following completion of the stadium, subject to the completion of specific improvement works to Wembley Park Station and construction of roads known as Estate Access Corridor and Stadium Access Corridor, the number of major sporting events held at the stadium in any one year was restricted to no more than 22 (to exclude European Cup and World Cup events where England/UK is the host nation), and the number of major non-sporting events to 15. After this, additional events over and above this were permitted subject to the number of spectators being limited to the capacity of the lower and middle tiers of the stadium. The proposal would allow for up to an additional 22 major sporting Tottenham Hotspur Football Club (THFC) events between 1 August 2017 and 31 July 2018.

A major event (which may or may not include THFC) would be considered to be an event in the stadium bowl with a capacity in excess of 10,000 people.

The application includes the submission of an Environmental Statement.

Permission was granted for the variation of this to allow an additional 22 events for THFC for the 2017/18 football season (1 August 2017 to 31 July 2018). The event cap condition became condition 1, and temporary traffic measures became condition 2.

18/4307 Granted 07/03/2019

Proposed variation of Condition 1 (event cap) and 2 (temporary traffic measures) of planning permission reference 17/0368 (dated 18/08/2017), to allow for 8 (3 events at 90,000 capacity, 5 at a 62,000 capacity) additional major sporting Tottenham Hotspur Football Club (THFC) events up to the 12 May 2019, and subject to a Deed of Agreement dated 7 March 2019 under Section 106 of the Town and Country Planning Act 1990, as amended

Application reference 17/0368 granted permission for the complete demolition of Wembley Stadium and clearance of the site to provide a 90,000-seat sports and entertainment stadium (Use Class D2), 4750m² of office accommodation (Use Class B1), banqueting/conference facilities (Use Class D2), ancillary facilities including catering, restaurant (Use Class A3), retail, kiosks (Use Class A1), toilets and servicing space; re-grading of existing levels within the application site and removal of trees, alteration of existing and provision of new access points (pedestrian and vehicular), and parking for up to 458 coaches, 43 mini-buses and 1,200 cars or 2,900 cars (or combination thereof) including 250 Orange Badge parking spaces. Planning permission 17/0368 is an amendment to the original planning permission 99/2400.

As approved, condition 1 limits the number of major sporting events held at the stadium in any one year to

no more than 22 (to exclude European Cup and World Cup events where England/UK is the host nation), and the number of major non-sporting events to 15 (unless certain conditions are met relating to the provision of infrastructure). Additional events over and above this are permitted subject to the number of spectators being limited to the capacity of the lower and middle tiers of the stadium. In addition, it also permitted up to 22 additional major sporting THFC events between 1 August 2017 and 31 July 2018. The variation of condition as proposed would allow for up to an additional 8 major sporting THFC events up to the 12 May 2019 (5 at up to 62,000 capacity, and 3 at up to full capacity).

The application includes the submission of an Environmental Statement.

Permission was granted for this variation to allow an additional 8 events for THFC up to 12 May 2019. The event cap condition remained condition 1, and temporary traffic measures remained condition 2.

CONSULTATIONS

Press notice: published 24.12.2020.

Site Notices: Four site notices displayed adjacent to the site on 23.12.20.

Letters of consultation: Consultation letters sent to around 27,210 addresses within the wards of Tokyngton, Preston, Wembley Central and Barnhill in December 2020.

37 representations had been received from neighbouring owners/occupiers, including Barn Hill Residents' Association and one Ward Councillor, at the time of writing this report.

- Comments of Objection received from 35 properties
- 1 Comment of Support received
- 1 Comment neither objecting nor supporting was received

The issues raised in the representations are summarised in the table below:

Objection	Responses
General	
The number of major events which already take place each year already causes huge amount of disruption and adversely affects the living conditions of local residents. Would like a reduction in number of stadium events. Physical and mental wellbeing of residents will suffer if proposal is granted.	The impact of events is acknowledged, but there are mitigation measures proposed which seek to mitigate the impact of major events at the Stadium.
Concerts typically run for three consecutive nights, meaning residents have to put up with week day and weekend disruption.	On average Wembley have staged 8 music events per year in the last 5 years (not including 2020). WNSL have advised that they do not currently intend to hold concerts on more than 4 consecutive nights.
Further publicity measures could be considered to help smooth life for residents, such as ensuring local venues such as Asda or the Post Offices had	Events are published on the Wembley Stadium and Brent Council web sites and through Stadium factsheets and the Brent Magazine. In addition, there is signage on the Stadium itself and within the locality,

posters in the windows with a schedule of Events.	and roads affected by the Stadium CPZ have signage that sets out dates of events. Nevertheless, this suggestion has been passed on to WNSL who are looking to action it.
Covid	
Irresponsible of the Stadium to be encouraging large crowds to Wembley given the current pandemic. Visitors will bring more virus into the area and endanger the lives of local residents. There should be no events at all at the stadium in 2021 for safety reasons. Formal health assessment in relation to future implications of Covid should be carried out.	Wembley Stadium has stated that it continues to liaise with the UK Government and Brent Council regarding the safe return of spectators and will continue to follow all government guidelines and restrictions, welcoming spectators only when it is deemed safe to do so. They state that they will only host events when it is safe to do so, in agreement with Brent Council, the Police, TfL and other key stakeholders.
Socio-economic (including Neighbouring amenity)	
Proposal will continue to increase the number of days where residents experience large crowds often exhibiting rowdy, unruly, intimidating and abusive behaviour, drunkenness and shouting, burglaries and thefts due to large crowds.	The number of days that events can be held will not change as a result of this proposal. However, the number of events which exceed a capacity of 51,000 people will increase if the proposal is approved. The impact of events is acknowledged, but there are mitigation measures proposed which would be greater than what is currently in place.
The no-drinking policy in the streets is not adequately enforced on Event Days	The Wembley Park estate is now operated under a Public Space Protection Order (PSPO) which prohibits various elements of antisocial behaviour in the area; including public drinking of alcohol. Under this order, LBB Civil Enforcement Officers are able to move offenders on and issue them with a penalty charge notice. WNSL is supporting this operation on event days with additional enforcement teams focusing on reducing other anti-social behaviours. This set-up has only been able to operate at 1 event in 2020 (due to COVID), however Wembley Stadium hopes these improvements will continue at future events.
Urination in streets owing to lack of toilet facilities.	Additional portable toilets would be provided for some events.
Widespread littering of streets and gardens. Litter collection post-events is inadequate and does not extend to areas beyond immediate vicinity. Disposable masks will add to normal amount of litter generated. Is the cost of cleaning fully recovered from the Stadium?	Street cleansing is already undertaken by the Council at the applicant's expense. Wembley Stadium also pay an annual event service charge to Wembley Park which covers the cleansing, security and management of the immediate Wembley Park estate. In addition to this, Wembley Stadium pay Brent Council a per-event cleansing fee to manage the wider footprint litter and waste created by Stadium events.
Opportunities for one-off employment on	Please see Employment and Skills section of the

<p>the extra Event Days - which are likely to occur in light of COVID restrictions - should be created and preferentially advertised locally where residents will see them.</p>	<p>report.</p>
<p>Highways and Transportation</p>	
<p>Increased volume of traffic over existing. Congestion already shocking. Will worsen dire health and safety situation on our roads. Associated deterioration in air quality.</p> <p>Inconvenience for local residents includes public transport being full of visitors, buses being diverted and taxis not going through Wembley.</p> <p>Road closures during event days make it very hard to access facilities and services including GP and hospital appointments, could restrict emergency vehicle access. Lengthy detours necessary and at times unable to return to own homes due to road closures. Brent Council or Wembley Stadium should provide exclusive road corridors for locals to access and leave their homes and route all stadium foot traffic away from the residential areas.</p> <p>Improvements should be made to road infrastructure and to support pedestrian safety.</p> <p>Suggest banning all visitors except those with a disability from coming to the stadium by car, which could be supported by a park and ride scheme.</p> <p>Formal independent publicly available assessment by the Council on the current and projected traffic flows along our local roads should be carried out.</p>	<p>There is an acknowledged impact on event days. Measures are in place, to reduce as far as possible the number of cars visiting the area on event days and recent infrastructure improvements will improve traffic flow and accessibility for residents.</p> <p>Whilst events inevitably bring some disruption to the local area, proposed mitigations for the additional events, including more Civil enforcement officers, an additional tow truck, Trusted Parking Scheme, and new official car parks, should limit the impact especially on traffic and illegal parking.</p> <p>The Council has been working on measures to address the impacts of road closures for some years, which also take place for events below the 51,000 cap. Significant measures are being put in place, including the reconnection of North End Road to Bridge Road and the two-way operation of the Wembley Industrial Estate gyratory. It should be noted that very significant improvements to road and public transport infrastructure were secured through the consent for the Stadium and delivered before the Stadium opened. The delivery of the new stadium also delivered a significant reduction in the number of car parking spaces compared to the original stadium. It is not considered reasonable or necessary to further reduce the amount of parking associated with the Stadium through this application which proposes an increase in the number of full capacity events. However, the focus on Wembley as a public transport destination is embedded within the existing and additional obligations.</p>
<p>Walking is also made difficult as groups going to an event tend to take up the width of the pavement.</p>	<p>The Stadium has concentrated its efforts in channelling Stadium crowds along Olympic Way to reduce disruption to other local streets.</p>
<p>Parking is suspended meaning you have to park many roads away out of the 'no parking zone'. Fines for residents with no provision for car parking.</p> <p>Council are quick to issue parking tickets but mostly affects local residents.</p>	<p>The controlled parking zone has been in place for many years and local residents can apply for permits if they are eligible. The zone is in place for Major events that are up to the capacity of the lower two tiers (around 51,000) which are not restricted in number.</p> <p>Signage alerts residents to event day restrictions.</p>

<p>Huge number of unauthorised parking venues that the Council has either been unwilling or unable to close down.</p> <p>Visitors using car parks in residential areas are noisy and boisterous.</p>	<p>Please see discussion in Transportation section of report for further details on pirate parking and also the proposed new 'Trusted Parking Scheme' which would apply to certain non-regulated car parks.</p>
<p>Residents were expected to believe the original Wembley Stadium statement that the Events were a public transport-only venue. If that was ever true, it certainly will not be in this COVID era.</p> <p>Non-sporting events generally cause more traffic congestion than sporting events as more people arrive by car.</p>	<p>Please see discussion in Transportation section of report.</p>
<p>Severe overcrowding on buses and rail and underground trains, residents' travel severely disrupted; public transport unusable on event days; public transport cannot cope, access to Wembley Park Station restricted for local residents. Railway stations should be modernised.</p>	<p>Significant improvements were made to public transport infrastructure including Wembley Park Station as a part of the Stadium original consent, but the impact of events is acknowledged.</p>
<p>Lack of signage on Chalk Hill Estate regarding event day timings</p>	<p>Digital Variable Messaging (VMS) signage is located as you come into the event zone. Once inside the zone flap signage is installed on posts on each road. Chalk Hill Road has event day flap signage attached to the Pay and Display signs. The Event day signs are flapped late in the day prior to the event so that vehicle users know they shouldn't park without a permit.</p> <p>There are no plans to introduce VMS signs within the event zone.</p> <p>Wembley Stadium send a transport and event day factsheet to the Wembley Residents' Forum and to local businesses prior to each event and additional contacts on request. Aside from the internet, the Brent Magazine has all possible event dates listed for the year. Residents can also sign up to receive event notifications direct to their phones.</p>
<p>Disruption to bus routes on Event days inconveniences local residents (e.g. 206 bus)</p>	<p>With the development of the two-way working system on the eastern side of the stadium, WNSL and Brent Highways have been working closely with the TfL Bus team to improve local bus services on event days.</p> <p>In addition, the new North End Road highway works will enable event day east-west movement for buses and more buses will be able to operate existing services for future events.</p> <p>This matter has also been referred to TfL/London Buses for consideration.</p>

Noise	
Increased exposure to noise from events including crowds outside.	There would be an increase in noise from both the additional events themselves and the fans attending. However, the degree of additional noise disruption is not considered to be to a sufficient level to refuse the planning permission. It should be noted that the new homes around the stadium have been designed to address issues associated with Stadium noise.
Air Quality	
Increased fumes and air pollution from more event days and more traffic and resulting health impacts, including affecting children.	The potential impact to air quality has been assessed, and the impact of the proposed increase in the number of higher capacity events has not been found to be significant. Please see paragraphs 125-131.
Policing and other emergency services	
Police resources and other emergency services diverted away from local needs in order to deal with Event Day issues.	<p>Approval of all events is co-ordinated by the Brent Safety Advisory Group (which involves representatives from all emergency services). In regards to specific ambulances required within the stadium for concerts these are privately booked and paid for by the stadium and therefore do not burden the London Ambulance Service. The stewarding and staffing plans are also designed to limit the burden on policing resources, again should policing resource in the stadium be required, these costs are covered by the Stadium.</p> <p>The Metropolitan Police has advised that all Wembley Stadium events are planned and resourced centrally. Consideration is given to borough staffing numbers in order to prioritise front line policing and other core priority roles. The Wembley policing requirement may come from the local Basic Command Unit if surplus resources are available, but in the event that numbers dictate otherwise or the Wembley requirement is substantial, neighbouring boroughs or further afield will be used to fulfil the Wembley requirement.</p>
Danes Court	
Brent Council together with Wembley Stadium have failed to stop crowds entering and exiting the stadium through Danes Court and the very negative effect this has on residents living there.	<p>Wembley Stadium have worked to install a significant stewarding and signage operation to keep spectators on Olympic Way. By closing the Bridge Rd entrance to Wembley Park Station and redesigning the queuing system on Brook Avenue into Olympic Square the FA believe this has significantly reduced the number of people using North End Rd as a cut through.</p> <p>The Stadium, as part of its commitment to improving operations, are aiming to improve communications messaging around how quickly the queues on Olympic Way move so that spectators are aware it is still the quickest way to leave the Stadium and are less likely</p>

	to look for alternative routes.
Financing Event Day Operations	
<p>Council taxpayers 'foot the bill' for litter clearing, security and other associated costs. Possible increase in local council tax.</p> <p>As residents of the Quintain estate we pay exorbitant fees per year for cleaning, street illumination and added security linked to fans attending events. Want clarity on these costs.</p>	<p>Wembley Stadium pay an annual event service charge to Wembley Park which covers the cleansing, security and management of the immediate Wembley Park estate. In addition to this, Wembley Stadium pay London Borough of Brent a per-event cleansing and highways management fee to manage the wider footprint operations associated with Stadium events.</p> <p>A further financial contribution from Wembley Stadium would be secured through the section 106 agreement for further mitigation measures to apply to the additional events if the application is granted.</p>
Cumulative Impact	
Over last 15 years there has been explosion of housing, people, and amenities consequently this has translated to increased local traffic and traffic controls, noise, litter, pollution, and crime.	It is agreed that circumstances have changed, partly reflecting the London Plan designation of the area as a 'Growth Area' where the provision of new homes, businesses and facilities is focused. However, the additional developments have been considered in the assessment. There would be additional traffic in the area on event days, but mitigation would be in place to maximise the use of public transport.
Other	
All planning applications related to any further change in the Wembley Stadium area should be stopped until basic living needs of the residents is established. Insufficient investment in roads, schools, universities or newer places of entertainment, family parks, spaces, natural spaces.	Considerable investment in road improvements has taken place recently in the area. The proposal to hold additional full capacity events doesn't affect the level of investment in the facilities that have been listed, although it is noted that the provision of parks, other open spaces, transport infrastructure and facilities has been secured through other development schemes in the area and in many instances, funded through contributions sought through these developments.
Local residents should have right to appeal against this application if it is approved and trial period has concluded which has realised our grave concerns.	<p>The current application seeks a permanent consent for the increase in the event cap.</p> <p>The ability to challenge planning permissions is set out in legislation, either through a Judicial Review or a complaint which can be escalated to the Local Government Ombudsman if one has concerns over the process the local planning authority followed to make its decision. However, there is no third party right of appeal if a decision was made in a sound manner but the third party disagrees with the conclusion that was reached.</p>
Risk of creating a precedent with Wembley stadium asking for even more events down the line in a few years' time.	If a further application was submitted in the future, seeking consent to hold more major events, such an application would be assessed against relevant

	planning policies at that time.
<p>Planning submission presents supposed benefits to the local area but takes no account of the costs to the area of the proposed changes e.g. impact of lower capacity events, impact of events on much larger geographical area than assumed in report. Cost/benefit analysis should be submitted including consideration of travel disruption, clean up costs, policing and increased pollution.</p> <p>No justification for increased number of events.</p>	<p>Officers consider that the applicants have addressed the necessary issues within the planning submission.</p> <p>Whilst it is acknowledged that stadium events have an impact on local residents, the mitigation measures proposed are considered adequate. A number of benefits including Employment and Skills benefits for local residents are welcomed.</p> <p>The Stadium is seeking the flexibility to respond to the changing commercial booking process for music events to ensure that it retains its position as an iconic multi-use venue. Planning policy supports the continued growth and evolution of London's diverse cultural facilities (including Wembley Stadium) which act as key visitor hubs for Londoners and domestic and international tourists.</p>
Local restaurants and takeaways are oversubscribed before and after events.	Whilst this may cause some inconvenience to local residents, it also provides custom which benefits Brent businesses.
Local businesses suffer as customers cannot access them.	It is acknowledged that on Stadium event days whilst some local businesses see an increase in custom, others may experience a decrease.

Support	Response
Excellent idea, especially as the principal increase is in the non-sporting events, which tend to be less rowdy. Nobody still alive (or almost nobody) moved here as an adult before the first stadium was built, and we benefit hugely from the infrastructure built for the stadium, such as Wembley Park Station, which was responsible for the building of many thousands of dwellings. One full capacity event per week is hardly excessive.	Comments noted. The public transport nearby is considered good, and has been improved in recent years.

Neutral	Response
Propose that Wembley Stadium issue free tickets to retired persons who live very close to the stadium when the events are not fully sold, as we put up with all the inconvenience caused.	WNSL state that they do not have control of the ticketing for concerts and therefore tickets are generally less available to issue into the community. However, WNSL are committed to ensuring any concert tickets that are available for community use are issued within Brent. In addition, Wembley make a significant number of tickets available to the local community for events the FA-owns and operates.

Consultations

The following consultees were consulted, and made comments as detailed:

Environmental Health (Air Quality) – satisfied with Air quality assessment undertaken, therefore raise no objections.

Environmental Health (Nuisance Control) – no objections.

Public Safety Team - no objections.

Environment Management - no objections subject to securing appropriate financial contributions and mitigation measures.

Transport for London - no objection. Discussions are ongoing between TfL and the FA outside the scope of this application.

Network Rail – no comments to make

Westminster City Council – no objections

LB Barnet – no objections

LB Hammersmith and Fulham – no objections

Metropolitan Police – no comments to make

London Fire Brigade – premises will be inspected in line with our risk based re-inspection programme at which time we will review the fire risk assessment as required for premises where a licence is in force under an enactment.

Barnhill Residents Association – objection. In summary: negative impact of these Events in relation to road closures, severe congestion, busier buses and trains, local residents are unable to use Wembley Park Station for hours after each Event as all entrances are closed, some local buses operate on a reduced service, negative impact on Danes Court residents, impact on the local Police Force's ability to carry out their normal duties, drinking on the streets and litter.

These concerns are all addressed within the relevant section of the table above and within the body of the report.

Consultation and engagement by the applicants

The applicants engaged in community engagement exercises in connection with the previous Tottenham Hotspur applications (LPA refs: 17/0368 and 18/4307) and in response to comments raised they investigated additional mitigation measures required including undertaking a Parking Signage Audit, considering the need for additional temporary traffic management on event days, and investigating opportunities for additional street cleaning.

Since the approval of these applications, WNSL has continued to organise regular Business and Residents Liaison Committee meetings which provide an opportunity to discuss operations with a number of groups including:

- 1 Cairnfield Residents Association
- 2 Wembley Park Traders Association
- 3 Chalkhill Residents Association
- 4 Wembley Park Residents Association
- 5 Princes Court Residents Association
- 6 Barn Hill Residents Association
- 7 Brentfield Community Group
- 8 Danes/Empire Court Residents Association
- 9 Eskdale & Loweswater Close Residents Association
- 10 Metropolitan Police
- 11 Chichester House Residents Association
- 12 Wembley Champions Group
- 13 Ealing Road Traders Association
- 14 Wembley Central & Alperton Residents Association

In addition to this direct engagement, WNSL distributes a newsletter to around 114,000 residential properties within a 2-mile radius of the Stadium. These provide a detailed update on relevant stadium topics such as upcoming events, transport works updates and community engagement.

Pre-application consultation

As part of the preparation of this application submission, WNSL engaged with a range of key stakeholders including Zoom meetings with Brent Councillors and the Business and Resident Liaison Committee. Key issues raised, and the Stadium's response, are summarised below:

General

Impact on Wembley Arena

WNSL believes that the scale of concerts being discussed could not be staged at the Arena and therefore this proposal would not affect them commercially. WNSL will liaise with the Arena in line with usual event operational planning if additional concerts are approved.

Safeguarding and police

The Wembley Park estate is now operated under a Public Space Protection Order (PSPO) which prohibits various elements of antisocial behaviour in the area. Under this order, LBB Civil Enforcement Officers are able to move offenders on and issue them with a penalty charge notice. WNSL is supporting this operation on event days with additional enforcement teams focusing on reducing ticket tout and illegal merchandise activity. This set-up has only been able to operate at one event in 2020 due to the cancellation of events, however it saw very positive results on first use and WNSL hopes this reduction will continue at future events.

Estate/Event management

A new estate management agreement between The FA and Quintain (owners of Wembley Arena) requires formal planning meetings to be held on a regular basis between each organisation to coordinate events. It is possible to stage concurrent Stadium and Arena events, and when this does occur, all parties (The FA, Quintain, and event delivery stakeholders) will work together to ensure there is sufficient capacity for spectators to access each venue. This could involve additional operating capacity on the London Underground network, different parking arrangements or alternative pedestrian walking routes from each venue to mitigate the risk of congestion.

Supporting Brent's Borough of Culture

WNSL would be keen to understand the range of talent that the Borough of Culture activity has developed and promoted. As events begin to return to the Stadium, WNSL will continue to review its spectator entertainment offering and would be open to the potential of working with some appropriate acts/performers in the future.

Jobs and apprenticeships for local people at the stadium

When events return, WNSL has asked key event-day employers (cleaning and stewarding companies) to contractually commit that a specified percentage of their employees will be Brent residents moving forward. This should help ensure stability of role for those already employed and safeguard job roles for Brent residents in the future. The apprenticeships scheme will be subject to continual review. Employment and Training matters are discussed further in the Employment and Training section of this report.

Supporting local charities/schools

WNSL recognises its responsibility to the local community and over the last three seasons has delivered a variety of different initiatives aimed at different Brent community groups. Amongst other things this includes volunteering to improve local Brent Parks, Event day work experience for care leavers and donating books and Nike and Wembley items to children from disadvantaged backgrounds. This season WNSL have worked with local community organisation, Slenky, to deliver a new community programme in response to the Black Lives Matter movement.

Additional NFL events

This planning application is solely for additional music events and will not result in additional NFL fixtures taking place at Wembley Stadium. The NFL fixtures as sporting events, would fall within the annual event

cap which would not change. Wembley Stadium has a good relationship with the NFL and aims to retain these events in the future, as they have proved to be incredibly popular in recent years. The stadium capacity for NFL fixtures is approximately 80,000. Full capacity is not feasible due to specific operational requirements of the event.

Transport and parking related

Event Day Controlled Parking Zone

WNSL will continue to reiterate the message that the best way to access Wembley Stadium is via public transport. WNSL will continue to do this through pre-event communication channels as well as utilising stakeholder comms channels. In addition, as part of the application, mitigations for the additional events are proposed including more Civil Enforcement Officers and an additional tow truck to drop cars to a dedicated car compound close to the Stadium. Further details of this scheme are included within the Transportation section of the report. These measures are designed to mitigate against illegal parking and parking outside of the Event Zone. The Wembley Stadium Controlled Parking Zone is already the largest of any Stadium in Europe and WNSL believe the majority of disruption is seen within a 2km area of the stadium so there are no plans to extend this further. WNSL consider that a larger controlled parking zone would be too large to enforce and administer penalties within the timescale to be effective.

Private vehicle use

Due to the challenges presented by the pandemic and social distancing requirements, it is anticipated that private vehicle demand will increase in the short term. Although the percentage of private vehicle usage will likely increase, absolute numbers will not because the stadium will be operating at reduced capacity to facilitate social distancing. Longer-term, once full capacity events return, a coordinated communications campaign will encourage people back onto public transport services. This messaging will be promoted by all public transport operators and stakeholders, and will be shared and amplified by Wembley Stadium's communication channels to promote the venue as a public transport destination.

The proposed additional concert events resulting from the planning application would come into effect from 2022, by which time it is expected that transport mode shares will have returned to pre-Covid levels.

Number of Uber drivers in the area

WNSL is proposing to mitigate this by working on a designated pick up and drop off area within the new green car park (due to open in Aug 2021). This is discussed further in the Transportation section of this report.

Wembley cycling strategy

There are 150 cycle spaces at Wembley Stadium and on average about 30 spaces are used on event days. As the cycle network in the area improves, WNSL will continue to promote cycling to seek to increase this figure across events.

Illegal parking

WNSL understands that concerts bring some disruption to the local area but believe that the proposed mitigations for the additional events (more Civil Enforcement Officers, additional tow truck provision and the Trusted Parking Scheme) should limit the impact. These measures are discussed further in the Transportation section of this report.

Event Day signage

Brent Council is undertaking an ongoing review of the Wembley Event Day signage and there is a proposal for this to be updated within the next year.

Liaison with TfL and Train Companies

WNSL regularly liaise with the wider transport network regarding event day operations including Network Rail, the Train Operating Companies (TOCs) and wider stakeholders like Highways England as part of the Wembley Stadium Transport Operations Group Meeting (WSTOG). These monthly meetings discuss events that have taken place since the previous WSTOG and comprehensively review and agree transport plans for the upcoming events.

Virtual public consultation event

WNSL also hosted a virtual public consultation event on the evening of Thursday 14th January 2021 following submission of the application to provide an opportunity for members of the public to discuss the proposals with members of the project team.

POLICY CONSIDERATIONS

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of this application should be in accordance with the development plan unless material considerations indicate otherwise.

The development plan is comprised of the London Plan 2021, Brent Core Strategy 2010 and Brent Development Management Policies 2016 and Wembley Area Action Plan.

Key policies include:

Regional

The London Plan – 2021

Chapter 1. Planning London's Future (Good Growth Policies)

GG5 Growing a good economy

GG6 Increasing efficiency and resilience

Chapter 2. Spatial Development Patterns

Policy SD1 Opportunity Areas

Policy SD10 Strategic and local regeneration

Chapter 5. Social Infrastructure

Policy S5 Sports and recreation facilities

Policy S6 Public toilets

Chapter 6. Economy

Policy E4 Land for industry, logistics and services to support London's economic function

Policy E10 Visitor infrastructure

Policy E11 Skills and opportunities for all

Chapter 7. Heritage and Culture

Policy HC5 Supporting London's culture and creative industries

Policy HC6 Supporting the night-time economy

Chapter 9. Sustainable Infrastructure

Policy SI 1 Improving air quality

Chapter 10. Transport

Policy T1 Strategic approach to transport

Policy T3 Transport capacity, connectivity and safeguarding

Policy T4 Assessing and mitigating transport impacts

Policy T5 Cycling

Policy T6 Car parking

Policy T6.4 Hotel and leisure uses parking

Policy T6.5 Non-residential disabled persons parking

Local

Brent Local Development Framework - Core Strategy (2010)

- CP 1 – Spatial Development Strategy
- CP 7 – Wembley Growth Area

- CP 15 – Infrastructure to Support Development
- CP 16 – Town Centres and the Sequential Approach to Development

Brent Development Management Policies (2016)

- DMP 1 Development Management General Policy
- DMP 2 Supporting Strong Centres
- DMP 6 Visitor Accommodation and Attractions
- DMP 12 Parking

Wembley Area Action Plan (2015)

- WEM 12 – Road and Junction Improvements to Stadium Access Corridor and Western Access Corridor
- WEM 13 – Western Highway Corridor
- WEM 14 – Car Parking Strategy
- WEM 17 – Event Related Transport

All of these documents are adopted and therefore carry significant weight in the assessment of any planning application.

The Council is at a significant stage in reviewing its Local Plan. The draft Brent Local Plan was subject to examination in public during September and October 2020. The planning Inspectors are still considering the Plan prior to undertaking a final stage of consultation on a set of proposed main modifications before the Plan can be adopted. Therefore, having regard to the tests set out in paragraph 48 of the NPPF it is considered by Officers that greater weight can now be applied to policies contained within the draft Brent Local Plan.

Relevant policies include:

General Policies

DMP1 – Development Management General Policy

Place Policies

BP1 – Central

BCGA1 – Wembley Growth Area

Economy and Town Centres

BE4 – Supporting Strong Centres Diversity of Uses

Heritage and Culture

BHC1 – Brent's Heritage Assets

BHC2 – National Stadium Wembley

BHC3 – Supporting Brent's Culture and Creative Industries

BHC4 – Brent's Night Time Economy

Sustainable Infrastructure

BSUI2 – Air Quality

Transport

BT1 – Sustainable Travel Choice

BT2 – Parking and Car Free Development

The following are also relevant material considerations:

The National Planning Policy Framework (revised 2019)

Planning Practice Guidance (revised 2019)

S106 Planning Obligations SPD 2013

DETAILED CONSIDERATIONS

Background

1. The site has been used as a stadium since 1923. Over time the stadium became outdated and no longer met the standards in terms of facilities that were expected at a major venue. A planning application was submitted in 1999 (ref: 99/2400) alongside a listed building consent (ref: 99/2399) for its demolition and the construction of a 90,000 seat English National Stadium. Planning permission was granted in August 2002, subject to a number of conditions. The new stadium was opened in 2007, and has held sporting and non-sporting events since. It is now well established as a world-class sporting and non-sporting venue; known for being the home ground of the English national football team and hosting regular events such as the FA Community Shield, EFL Cup Final, FA Cup Final and EFL Championship play-off final. The Stadium also competes to hold other significant events such as finals for the UEFA Champions League, 2012 Olympic Games football tournament finals, NFL International Series games and major concerts. The Stadium is also the chosen venue for the (postponed) Euro 2020 semi-finals and final and four other matches.
2. To mitigate against the impact of the new Stadium, negotiations between Brent Council and WNSL during the determination of the original planning application led to the agreement of several s106 contributions. This included contributions towards the following schemes:
 - 1 Estate Access Corridor – the widening of the Great Central Way road bridge, the extension of Hannah Close and the widening and surfacing of Atlas Road and Fourth way to adoptable standards; and
 - 2 Stadium Access Corridor – the widening and straightening of Great Central Way and South Way to provide three traffic lanes for tidal traffic movement on event days.
3. In addition, the London Underground Limited Board gave written undertakings to Brent Council to rebuild Wembley Park Station with safe operational capacity in event mode of 50,000 people per hour. This was on the condition of a £9 million s106 contribution from WNSL.
4. Until the improved infrastructure was in place, it was considered that there would be some justification for limiting the number of events. If the infrastructure improvements had not been completed two years after the completion of the stadium, then an unlimited number of additional events over and above the cap specified in the condition would be permitted, subject to the number of spectators being limited to up to 51,000. The cap does not include European Cup and World Cup events where England/UK is the host nation.
5. The East Access Corridor and the Stadium Access Corridor local highways improvements have not yet been completed and the current situation is discussed further in the Transportation section of this report.
6. The current application is made by Wembley National Stadium Limited (WNSL) to amend the previously varied condition subject of 18/4307. The previously varied Condition 3 (now Condition 1) attached to 18/4307 specifies the following:

“That until the following works are completed to the satisfaction of the Local Planning Authority and written confirmation as such is given to the applicant or owner or occupier:

1. *Improvements to Wembley Park Station to achieve a capacity of 50,000 persons per hour and*
2. *Construction of roads known as the Estate Access Corridor and the Stadium Access Corridor*

and unless alternative details are submitted to and approved in writing by the Local Planning Authority and the approved details are thereafter implemented in full, the number of major sporting events held at the stadium in any one year shall be restricted to no more than 22 (to exclude European Cup and World Cup events where England/UK is the host nation) and the number of major non sporting events shall be restricted to 15. This shall be described as the cap. Up to three additional major sporting events shall be permitted in any one year provided that for each additional sporting event there is a reduction of two non sporting events in the same year.

Up to 8 additional major sporting Tottenham Hotspur Football Club events shall be permitted, up to 3 at full capacity (90,000 spectators), and up to 5 at an expanded capacity (of no more than 62,000 spectators) for the fixtures as set out in approved document reference 04929/21/NT/JF/001 (dated 8th

January 2019) and for no other event or reason.

If after two years following the completion of the stadium the works specified above have not been completed, and until such time as the works have been completed, then additional events over and above the cap specified above shall be permitted subject to the number of spectators being limited to the capacity of the lower and middle tiers of the stadium, leaving the upper tier unoccupied.

Note: for the purposes of this condition major event means an event in the stadium bowl with a capacity in excess of 10,000 people which may or may not involve Tottenham Hotspur Football Club and major sporting THFC event means an event involving Tottenham Hotspur Football Club where the lower, middle and upper tiers of the stadium may be occupied.

Reason: The Local Planning Authority is of the view that major improvements to local transport infrastructure is required before the number of major events at the stadium can be increased significantly above their current levels.”

7. The Stadium is currently operating under this permission.
8. Since then, the wider Wembley Masterplan has emerged. The area has changed greatly as the masterplan is being implemented, with considerable regeneration taking place. Wembley Stadium has provided a landmark development acting as a catalyst for wider regeneration and redevelopment. It offered the opportunity to be a significant new symbol of investment, bring in additional expenditure and income generation to the local area and stimulate substantial levels of new employment through increased leisure, tourism and business activity. It also acts to encourage other developers to commit to investing in redevelopment in the area and reinforcing the image of London as a world city.

Covid impacts and recovery

9. As is the case for many businesses across the country, WNSL and the FA have been heavily impacted both operationally and commercially by the Covid pandemic. The Stadium was scheduled to host 30 events (including the Euro 2020 finals) in 2020, with an estimated attendance of over 2 million spectators. Only 1 of these events was actually held with spectators in attendance with a further 15 events held behind closed doors. The impact of these forced cancellations manifested itself immediately in the form of an estimated loss of around £300m and 124 redundancies.
10. WNSL are working on the basis that a full calendar of “normal” events will most likely only be possible from 2022 onwards and as such want to ensure the Stadium can host the right number and mix of events to support a commercial recovery from the impacts of Covid by both the Stadium and the wider Brent community.
11. The focus of this future recovery programme is ensuring that the Stadium remains an iconic multi-use venue in London, the United Kingdom and across the world and continues to showcase Brent to this audience. The emergence of Twickenham, the Olympic Stadium and Tottenham Hotspur Stadium as large outdoor venues with the ability to host a range of events has created a more crowded marketplace in which Wembley must compete. In order to do so the Stadium is seeking the flexibility to respond to the changing commercial booking process for music events. This sees artists looking to book “runs” of events in a block to provide flexibility for (additional) events dates in order to fit into large tour schedules.
12. The current restriction on music events at the Stadium makes it difficult to provide this level of flexibility and limits the ability of the Stadium to compete against other venues that operate with fewer restrictions and have much greater freedom. It is within this context that the proposed change to the event cap detailed below is being sought.

Changes sought under the current application

13. The proposed amendment to Condition 1 of planning permission LPA ref: 18/4307 would allow the use of the Stadium, on a permanent basis, for up to 9 additional non-sporting events per calendar year. These would be in addition to the 22 full capacity sporting events and 15 non-sporting events currently allowed per calendar year.
14. For the non-sporting events, it is expected that capacity would be around 77,000 spectators for 15 major non-sporting events and around 100,000 spectators for 9 major non-sporting events. These estimates

reflect the different capacities which can be achieved within the stadium with different configurations and the expected variation in demand generated by different artists. It should be noted that while the normal capacity of the stadium is around 90,000, music events often use the pitch and the seating.

15. Condition 1 also allows up to three additional sporting events in any calendar year provided that for each additional sporting event there is a reduction of two non-sporting events in the same year. The effect of this 'swap provision' is that 25 major sporting events could take place at the stadium within the scope of the current planning permission, provided the number of major non-sporting major events reduced to 9. It is proposed that this swap provision would remain to allow up to 25 major sporting events if the number of major non-sporting events decreased to 18 with the 'one-for-two' mechanism set out.
16. Given Wembley Stadium is unrestricted in terms of the number of events for up to around 51,000 spectators, the effect of the proposal is, in practice, to allow up to an additional 49,000 for the 9 additional non-sporting events. Not all events would be expected to be fully attended to these levels, but to ensure a robust assessment, the environmental impact assessment (EIA) submitted with the application assumes full attendance at all additional events.
17. The condition is proposed to be amended to read as follows (text in bold indicates amendments):

That until the following works are completed to the satisfaction of the Local Planning Authority and written confirmation as such is given to the applicant or owner or occupier:

1. *Improvements to Wembley Park Station to achieve a capacity of 50,000 persons per hour and*
2. *Construction of roads known as the Estate Access Corridor and the Stadium Access Corridor*

*and unless alternative details are submitted to and approved in writing by the Local Planning Authority and the approved details are thereafter implemented in full, the number of major sporting events held at the stadium in any one year shall be restricted to no more than ~~25~~ **22** (to exclude European Cup and World Cup events where England/UK is the host nation) and the number of major non sporting events shall be restricted to ~~24~~ **15**. This shall be described as the cap. Up to three additional major sporting events shall be permitted in any one year provided that for each additional sporting event there is a reduction of two non-sporting events in the same year.*

~~**Up to 8 additional major sporting Tottenham Hotspur Football Club events shall be permitted, up to 3 at full capacity (90,000 spectators), and up to 5 at an expanded capacity (of no more than 62,000 spectators) for the fixtures as set out in approved document reference 04929/21/NT/JF/001 (dated 8th January 2019) and for no other event or reason.**~~

*If after two years following the completion of the stadium the works specified above have not been completed, and until such time as the works have been completed, then additional events over and above the cap specified above shall be permitted subject to the number of spectators being limited to the capacity of the lower and middle tiers of the stadium, **leaving the upper tier unoccupied.***

Note: for the purposes of this condition major event means an event in the stadium bowl with a capacity in excess of 10,000 people ~~which may or may not involve Tottenham Hotspur Football Club and major sporting THFC event means an event involving Tottenham Hotspur Football Club~~ where the lower, middle and upper tiers of the stadium may be occupied.

18. The revised wording removes the references to Tottenham Hotspur Football Club events which are no longer required. The removal of the upper tier reference reflects the fact that WNSL now have accurate ways to capture the attendance at all events based on ticketing and gate line systems which are now in place but were not available when the Stadium was originally built. These systems mean that WNSL (and the Council) would be able to monitor and manage attendance while at the same time configuring the stadium seating areas for spectator safety and other operational reasons.
19. In addition to the amendments to Condition 1, a Deed of Variation to the Section 106 legal agreement would be agreed between the parties to ensure that appropriate planning obligations were secured.

Environmental Impact Assessment

20. The application is subject to an Environmental Impact Assessment (EIA). This is made up of an Environmental Statement (ES), which is supported by technical appendices, and a Non-Technical

Summary. A Planning Statement has also been submitted.

21. The ES includes a section on the background to the proposals, and a detailed description of the proposed changes along with the planning policy context. There is a further section on the methodology, scope and approach. Following on from this the main topic based issues are assessed. They are:
 - Socio-economic effects
 - Transport
 - Air Quality
 - Noise
22. Finally, there is a chapter on the cumulative impacts of the development.
23. The ES is structured around identifying impacts, where these impacts are felt, how significant they are, and whether they are adverse or beneficial. It does this with reference to the existing baseline conditions, the characteristics of the proposal and any mitigation effects, and whether there are any cumulative effects.
24. The applicant has provided information on the consideration of alternatives, as required by the 2017 EIA Regulations. They note that Wembley is a stadium which already hosts a range of major national and international sporting and non-sporting events. The amendments sought by the FA are to enhance the programme of events at the stadium and meet demand for concert space to attract artists to the stadium. As such, no alternatives have been considered.

Summary of Mitigation Measures

25. These will be discussed in further detail within the report below but for context and clarity, the mitigation measures are summarised below.
26. Existing mitigation measures on event days would continue. These include payment of the Council's reasonable costs associated with mitigation, including the following:
 - Control of Off-Site Parking
 - Control of On-Site Parking
 - Transport signage maintenance
 - Transport signage improvements
 - Event day street cleansing
 - Temporary traffic management
 - Green Travel Plan – updated and monitoring provision
27. The additional measures that are proposed to be put in place as a direct result of the proposed increase in major non-sporting events per annum are as follows:
 - Contribution of up to £3,500 per Additional Major Non-Sporting Event - This would be spent on measures agreed between WNSL and the Council which may include:
 - Licensing enforcement
 - Pirate Parking enforcement
 - Public safety measures
 - Temporary toilet facilities
 - Additional Parking Enforcement Measures per Additional Event:
 - Civil Enforcement contribution
 - Tow Truck contribution
 - Towed Vehicle Recovery Scheme
 - Proposed new mitigation measures which would apply generally (and therefore be of benefit to all stadium major events):
 - Pedestrian Access and Signage Contribution
 - Private Hire Management Scheme
 - Trusted Parking Scheme

- Spectator Travel Plan
- Wembley Stadium Employment and Skills Plan

28. These mitigation measures would be secured through a Deed of Variation to the existing Section 106 legal agreement.

Assessment

29. Condition 3 of the original planning permission (99/2400) (varied by 17/0368 and 18/4307) was originally required because of the ability of the surrounding road and transport infrastructure to accommodate large crowds. The rationale was to restrict certain events until specific transport improvements were completed. This can be divided into the period of 2 years from completion of the stadium, and the period afterwards.
30. Two main transport improvements were identified. The improvements to Wembley Park Station were completed in 2006 and so this requirement is satisfied. The construction of the Estate Access Corridor has been completed, although the Stadium Access Corridor was only partially completed. The cap remains in place due to the second criteria not having been completed.
31. Until the two sets of improvements are made the condition identifies how many full capacity events can take place at the stadium. This is separated out into major sporting events (22) and major non-sporting events (15) that are permitted each year, making 37 major events in total. There is an exception in the event that the country hosts a major football tournament, but this has not been required since the stadium was completed.
32. Within the cap there is provision to increase the number of major sporting events as long as it is accompanied by a reduction in the number of non-sporting events. For each additional major sporting event, the non-sporting events must decrease by 2. This is up to a maximum of 3 major sporting events, which would result in a reduction of 6 non-sporting events if used to the fullest extent.
33. There is no restriction on the number of events that have a capacity of up to 51,000 (the capacity of the lower two tiers). Therefore, even without the proposed changes to the cap being consented, further non-sporting events could theoretically take place at the stadium now (in addition to the 15 major non-sporting events currently permitted), as long as the upper tier is not used.

Planning Policy Context

34. The NPPF seeks to build a strong, competitive economy to create jobs and prosperity. In addition, it also notes the importance that the planning system can play in facilitating social interaction and creating healthy and inclusive communities. Safe and accessible developments are important to achieving this, and crime and disorder (and the fear of such) are considerations. The NPPF also supports social, recreational and cultural facilities (paragraph 92).
35. The London Plan identifies the site as being within an Opportunity Area (Wembley). It recognises that there are many areas in London which are rich in cultural heritage and have a unique cultural offer and identifies Wembley Stadium and Wembley Arena as a strategic cluster of cultural attractions (para 7.5.12). These act as key visitor hubs for Londoners and domestic and international tourists and as such should be protected and promoted. Policy HC5 'Supporting London's culture and creative industries' supports the continued growth and evolution of London's diverse cultural facilities and creative industries. Policy HC6 is concerned with supporting the night time economy (all economic activity taking place between the hours of 6pm and 6am, and includes evening uses).
36. Policy GG5 seeks to conserve and enhance London's global economic competitiveness and ensure that economic success is shared amongst all Londoners. This includes promoting and supporting London's rich heritage and cultural assets, and its role as a 24-hour city. Policy E10 'Visitor infrastructure' states that London's visitor economy and associated employment should be strengthened by enhancing and extending its attractions, inclusive access, legibility, visitor experience and management and supporting infrastructure, particularly to parts of outer London well-connected by public transport, taking into account the needs of business as well as leisure visitors.
37. CP1 of the Brent Core Strategy identifies the overall spatial development strategy. Wembley is identified as one of five growth areas, and is expected to deliver the majority of the borough's development and employment growth. Policy CP7 notes that Wembley will drive the economic regeneration of the

borough. The promotion of town centres is reinforced by policy CP16. CP15 refers to infrastructure, identifying that prior to granting planning permission for major proposals, the Council will need to be satisfied that the infrastructure requirements arising from a development will be met. The Development Management Policies includes DMP6 which encourages further visitor accommodation.

38. Brent's emerging Local Plan identifies the site as being within the Central place (Policy BP1: Central) and Wembley Growth Area (Policy BCGA1). Policy BHC2 'National Stadium Wembley' states that proposals that contribute to the national stadium's continued success as a world renowned location for sport and cultural events will be supported. Proposals which increase the frequency and volume of use of the national stadium beyond existing consents will be required to mitigate potential adverse effects to acceptable levels.
39. Policy BHC3 'Supporting Brent's Culture and Creative Industries' seeks to build on the work of the area's current creative and cultural facilities to promote better opportunities for such activities to thrive. Policy BHC4 'Brent's Night Time Economy' states that the council through its own actions and working with others will support Brent's night time economy. Development that preserves or enhances existing night time economy activities or creates new ones that will reinforce the role and significance of each centre in the London hierarchy (which includes Wembley) in an inclusive and accessible way will be supported.

The principle of additional major events

40. In planning policy terms, the ongoing operation and the introduction of additional events at Wembley Stadium is supported by regional and local policy.
41. Paragraph 92 of the NPPF requires planning policies and decisions to plan positively for the provision and use of shared space and community facilities (including sports venues) to enhance the sustainability of communities and residential environments and guard against unnecessary loss of valued facilities and services. The NPPF states that the planning system should do everything it can to support sustainable economic growth (paragraph 80).
42. At a local policy level, the planning strategy for the Wembley Growth Area (Core Strategy and Site Specific Allocations Policies CP 7) is to promote the regeneration of the Wembley area as a regional sports, entertainment and leisure destination, taking advantage of the opportunities presented by the Stadium: "The aim is to achieve a critical mass of visitor attractions building on the area's role as a major leisure and entertainment centre for London. Wembley will become an all year round visitor destination catering for a range of entertainment and leisure activities as well as Stadium and Arena events and conferences" (Core Strategy paragraph 4.31). The ability to deliver additional major events at Wembley Stadium would assist in meeting this policy aim.
43. Wembley Stadium is located within the Strategic Cultural Area identified within the Wembley Area Action Plan (adopted in 2015). The Strategic Cultural Area is considered capable of accommodating events of a scale that are not conducive to a traditional town centre location. Within this area, under Area Action Plan Policy WEM 25, major leisure, tourism and cultural uses, are encouraged. This includes supporting a major visitor attraction and sporting enterprise and meeting the aim for Wembley to become a year-round visitor destination.
44. Given the above policy context, the principle of additional major events is supported in planning policy terms, but this increase in events would only be considered acceptable in planning terms if they have an acceptable impact in terms of key considerations including socio-economic, transport, noise and air quality impacts.

Socio-Economic Effects (including Neighbouring Amenity)

45. The Environmental Statement submitted with the application considers the potential socio-economic effects of the proposed variation to the events cap, building on previous assessments, and the original 1999 assessment. The assessment is informed by a baseline review of land uses and population characteristics of the area surrounding Wembley Stadium. A study area boundary has been defined to incorporate the communities which are likely to be affected by additional events. Socio-economic impacts are recognised on three levels: within the study area, within Brent and beyond the Borough boundary.
46. The main positive socio-economic impacts associated with the proposed variation of the event cap are

expected to include:

1. Increased number of event-day staff to reflect the additional level of spectators; and
 2. Increased amount of visitor expenditure associated with additional spectators.
47. However, negative socio-economic impacts associated with the proposed variation of the event cap are likely to include anti-social behaviour such as drunkenness and unruly behaviour of fans, public urination and litter. These are discussed further below.

Positive socio-economic impacts

48. The proposal would increase the number of visitors to the area, many of whom would spend money. There would also be an increase in the number of times stewards, catering and other support staff are employed in the stadium. The additional employment is considered to be a positive economic impact, which in turn has a social impact on the beneficiaries.

Economic Impact of Stadium events

49. The Football Association ('The FA') commissioned an economic impact study of Wembley Stadium for the 2017/18 event season to assess the economic impact which Wembley Stadium has in general, and specifically within Brent, the London economy more widely and across England. This report draws on an analysis by consultants Deloitte, consultations with the FA, Tottenham Hotspur (previous users of the Stadium for home matches) and surveys with visitors, residents and businesses in the area.
50. The economic impact of the Stadium varies from year to year in line with the number of events (58 in 2017/18 owing to Tottenham Hotspur's use of the Stadium) and the type of events that are held. However, in headline terms, the economic impacts of the Stadium include:
1. A total gross expenditure of £827m as a result of the 58 events held at the Stadium during the 2017/18 season. A total of 91% of this expenditure was from spectators but these figures also include spending by event organisers and performers/support staff.
 2. The highest proportion of total gross expenditure is associated with accommodation (£216m) (26%), closely followed by ticket sales (£213m) (26%) and food and drink (£196m) (24%). This expenditure results in the creation of local jobs and higher revenues for local businesses.
 3. The majority (92%) of the gross expenditure occurred outside Wembley Stadium (£762m) in local shops, hotels, bars and restaurants. Around 85% of the gross expenditure was in London, and this includes £190m of expenditure in local businesses in Brent.
 4. Events at Wembley attract visitors from all over the country, and for some events (e.g. international fixtures, major concerts), spectators travel to Wembley from outside of the UK. Surveys indicate a high proportion of hotel stays, and linked trips to other parts of England, by overseas visitors. The average stay of overseas visitors is 4.5 nights.
51. On average, the 7 concerts held at Wembley Stadium in 2017/18 attracted £29m each in gross expenditure, which was the highest level of expenditure per event when compared to the 51 sporting events (primarily football), which attracted £12m per event.
52. During the 2017/18 season, the direct economic impact to the local area associated with hosting the 17 events staged by event organisers other than The FA and Tottenham Hotspur averaged £46 per visitor, comprising accommodation (£22), food and drink (£12), travel (£5), retail (£4) and miscellaneous other shopping (£2) (Unlike the gross expenditure figures above, these figures represent the direct economic impact of events on the local economy outside the Stadium and exclude spectator expenditure inside Wembley Stadium).
53. By contrast, the direct economic impact to the local area associated with hosting 29 Tottenham Hotspur fixtures during the 2017/18 season averaged £26 per head, comprising accommodation (£10), food and drink (£8), travel (£5), retail (£2) and miscellaneous other shopping (£1). The average direct economic impact for the Tottenham Hotspur events and other matches hosted by The FA, was £31 per head.
54. The higher direct economic impact associated with non-sporting events was due to a range of factors, including longer dwell times in and around the stadium and greater numbers of long distance domestic

and international visitors, resulting in longer trip durations and more overnight stays. In particular, average expenditure per head was 120% higher for accommodation (£22 compared to £10) and 50% higher for food and drink (£12 compared to £8).

55. Concerts were also found to attract higher numbers of first-time visitors, and so were particularly important in bringing new visitors to Wembley and to London.
56. The socio-economic assessment indicates that the greatest share of economic benefit from the additional events would be experienced by the accommodation and food and drink sectors, which would together receive between £24.1m and £31.1m in revenue per annum. However, these figures represent the total impact if all of the proposed events took place in a given year, which is considered unlikely.
57. Whilst officers consider these economic benefits would have a positive impact on the local economy of both Brent and the wider area, it is also acknowledged that some types of business may lose trade on event days as the congestion and high level of general activity may discourage some economic activity. For example, a dry cleaner or travel agent is not likely to see a benefit, and possibly a fall in trade as people decide to visit on a non-event day instead. It is noted that the representations made to the current planning application do not include objections from any nearby retailers or other businesses to the proposals.

Employment and Training

58. Aside from the visitor spending considerations, it is also noted that Wembley Stadium is a key employer in the local area. Data provided by The FA indicates that, on average, a total of between 3,600 and 4,150 event staff (including event stewards and catering staff) are required to host a major event at the Stadium. The hosting of additional events would therefore enhance employment opportunities for many local people.

London Living Wage

59. The FA currently pays the London Living Wage to all full-time staff. It has committed to extend this to include event day temporary staff contracted via WNSL suppliers, specifically stewards and cleaning staff, before the end of the 2021/22 season so that tenders for contracts will include targets to employ local people and to pay the London Living Wage.

Employment and Skills Plan

60. The FA has committed to agreeing an Employment and Skills Plan with relevant officers at Brent Council. A formal Employment and Skills Plan has not been in place previously, although the Stadium have worked with the Council on a range of initiatives over the years. The Employment and Skills Plan would set out how WNSL would work with the Council and Brent Works to maximise employment opportunities and enhance employability skills for the residents of Brent with the aim of maximising the opportunities for Brent residents to enter into apprenticeships and training programmes.
61. The Employment and Skills Plan would be annually reviewed to ensure that it is kept up-to-date and effective. It would cover matters typically including:

- **Local labour**

To encourage and promote an approach to the employment and recruitment of Local People (including those previously unemployed) throughout the FA's supply/procurement chain.

- **Internships/work experience/work trials**

To support the government Kickstart scheme to support those aged 16-24, claiming Universal Credit and at risk of long-term unemployment. WNSL would look to create an internship programme in order to create opportunities for Brent residents.

- **Apprenticeships**

To create opportunities for apprenticeships such as in Event management, Digital marketing and Technical sound & lighting.

- **Training opportunities**

To support the creation of a Hospitality and Catering training programme in collaboration with Brent Start and the Department for Work and Pensions, which would allow unemployed Brent residents to

gain a qualification whilst undertaking practical work experience with a guaranteed job interview at the end of the training.

In addition, to offer in house training courses in areas such as Event Stewarding, Fire Marshalling and First aid.

- **Careers Events**

To sponsor an annual Careers and Apprenticeship event at Wembley Stadium.

- **Diversity of Programming**

To commit to a regime of event programming that represents and reflects the interests and cultural diversity of Brent residents.

- **Diversity in Recruitment**

To commit to an Equality, Diversity and Inclusion Plan, progress against which would be discussed with Brent Works annually

62. These employment and skills related benefits are welcomed as a positive socio-economic benefit to local people.

Anti-social Behaviour

63. A number of objections cite anti-social behaviour as being a problem with the existing operation of the stadium. Objectors are concerned that additional events at Wembley would further exacerbate the issues they face. Objections have noted rowdy, unruly, and abusive behaviour. Drunkenness, public urination, and litter have all been raised as existing and ongoing problems that can extend beyond the immediate surrounds of the stadium.

64. Although it is not possible for WNSL to control the behaviour of people when they are some distance away from Wembley, there are some measures that can be introduced to better manage the situation nearby than are currently in place.

65. The original legal agreement which required the Stadium to cover the costs of street cleaning would still apply. A deed of variation would secure a financial contribution to be paid by the Stadium to Brent Council per additional major non-sporting event. This would go towards mitigation measures as agreed between WNSL and the Council. This could be used to cover measures to address public safety and anti-social behaviour such as additional public toilets, public safety reviews, street trading and to tackle pirate parking.

66. Additional litter bins have previously been provided as part of S106 obligations. It should also be noted that moneys were provided by the applicant for the 2017/18 season for improvements to the CCTV and security systems deployed around the Stadium, and for additional signage works.

Socio-economic impact and neighbouring amenity summary

67. The information submitted suggests that additional music events at the Stadium would be expected to provide greater economic benefits than sporting events. Concert attendees, who tend to travel longer distances to attend events, are likely to stay longer in the area and so bring higher levels of expenditure. Concerts also attract higher numbers of first-time visitors and so will attract new people to Wembley and to London.

68. The employment and visitor expenditure effects are considered to enhance the existing positive economic impact of the Stadium in the local economy. Employment and Skills benefits are also welcomed. On this basis, it is assessed that there will be a minor beneficial socio-economic impact in the local area as a result of the additional employment and expenditure associated with the proposed variation of condition.

69. However, it is also accepted that anti-social behaviour is an issue raised by many residents and the measures proposed to address these will not address all anti-social behaviour: there will always be examples of this where there are large crowds, and this is not unique to concert crowds or Wembley. However, the proposed measures are considered to provide some additional mitigation.

70. These mitigation measures are considered crucial to the success of operations going forward. With this

additional mitigation, it is considered that the impacts of having more people in the area on a more regular basis would be lessened. On balance, the measures that are proposed are considered to be sufficient to mitigate the additional impacts of the additional high capacity events at the stadium.

Transport

71. Policy T1 of the London Plan requires development proposals to facilitate the delivery of the Mayor's strategic target of 80 per cent of all trips in London to be made by foot, cycle or public transport by 2041 and states that development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated.
72. Policy T4 requires that development proposals reflect and are integrated with current and planned transport access, capacity and connectivity. The cumulative impacts of development on public transport and the road network capacity must also to be taken into account. Parking is considered within Policy T6.
73. Within the Core Strategy, CP7 identifies anticipated infrastructure within the Wembley Growth Area including new road connections and junction improvements. Policy CP14 identifies Wembley Central and Wembley Stadium stations as needing improvement. Policy DMP12 of the Development Management Policies seeks to manage the availability of car parking, and to ensure that it does not have a detrimental impact on the highway. The removal of surplus parking is encouraged.
74. The Wembley Area Action Plan (WAAP) includes policy WEM12 which refers to improving highway access for car travel from the North Circular Road and two way working being restored to both South Way and Fifth Way, and the remaining parts of the gyratory system in time. It also refers to the new road connection from North End Road to Bridge Road to provide an alternative route through Wembley Park. These matters are discussed later in this report. The WAAP also seeks to reduce the impact of pirate car parking.
75. Given its size, the stadium and concourse does not have a single Public Transport Accessibility Level (PTAL). The areas to the south have a lower PTAL of 2, whilst the northern areas have a PTAL of 4 which increases to 6a at the section closest to Wembley Park Station.
76. Wembley Stadium is well served by public transport, including:
 - 1 Wembley Central Station (to the south west of the stadium) comprising:
 - a Bakerloo underground rail line
 - b London Overground, running between London Euston and Watford
 - c London Midland Railways Line, which links London Euston to Tring
 - d Southern Railways Line, which links Milton Keynes Central to East Croydon
 - 2 Wembley Park Station (to the north of Olympic Way) comprising:
 - a Jubilee underground rail line
 - b Metropolitan underground rail line
 - 3 Wembley Stadium Station (adjacent to the south west of the Stadium comprising:
 - a Chiltern Railways Line, which links London Marylebone and Birmingham (via Buckinghamshire and Oxfordshire stations)
 - 4 50 bus stops located within a 20-minute walk of the Stadium which provides access to 18 bus services.

Existing Transport Mitigation

77. Brent Council, transport operators and WNSL together provide a number of event day transport mitigation measures, including the following:
 - Additional services are provided on the London Underground Metropolitan line and Jubilee line from Wembley Park Station;
 - Chiltern Rail provide an enhanced service frequency at Wembley Stadium Station;
 - Brent Council operate the Wembley Stadium Protective Parking Scheme ("WSPPS") which activates 33 event day Controlled Parking Zones ("CPZ");
 - Retention measures are implemented at the end of an event aiming to extend the period over which spectators depart the Stadium; and

- Joint funding and working to shut down illegal 'pirate' car parks in the area around the Stadium.

Existing Event Day Sustainable Transport Initiatives

78. The majority of spectators travel to events at Wembley Stadium via public transport, completing the last leg of the journey on foot. WNSL operates a programme of actively promoting sustainable modes of transport, through:
- Regularly advertising the public transport facilities available to visitors throughout the year;
 - Organising National Express coach services from various cities and major towns on some event days;
 - Providing public transport information on event tickets and visitor passes;
 - Website tools including 'Getting here' and 'Sofa-to-Seat';
 - Publishing public transport access information on social media channels prior to events;
 - Including complementary train travel within Club Wembley membership; and
 - Providing live travel updates for public transport on event days.
79. An updated Event Day Spectator Travel Plan has been produced and submitted with the current application. The Travel Plan outlines a strategy that seeks to further increase the use of sustainable modes of transport by spectators on event days through a range of measures including communicating with spectators, ensuring the availability of information about sustainable ways to travel to the stadium, public transport and ticket packages and ensuring sufficient provision of sustainable infrastructure.
80. Work is being undertaken by both Quintain and Brent Council in delivering a series of infrastructure and operational schemes which will continue to bring benefits to all. Due for implementation during the 2020-21 season, these will include:
- New North End Road connection reducing east-west congestion;
 - New permanent Stadium Car and Coach Parks to replace the temporary ground level parking around the stadium and are well located for access to the wider road network;
 - £17 million investment into the new two-way working scheme on South Way, Fourth Way and Fifth Way;
 - A demand forecast model;
 - An improved communications process and resident drop-in sessions;
 - Improved CCTV coverage from the stadium control room facility;
 - Mobile Highways England Response teams to clear incidents on the primary access routes;
 - An enhanced Olympic Way queuing system;
 - £1 million investment into external signage and wayfinding;
 - £42 million investment into the new Olympic Way steps

Transport related mitigation measures proposed to be secured by deed of variation to existing Section 106 legal agreement:

81. Additional Parking Enforcement Measures per Additional Event:
- Civil Enforcement contribution
 - Tow Truck contribution
 - Towed Vehicle Recovery Scheme
82. Proposed new mitigation measures which would apply generally (and therefore be of benefit to all stadium major events):
- Pedestrian Access and Signage Contribution
 - Private Hire Management Scheme
 - Trusted Parking Scheme
 - Spectator Travel Plan
 - Financial contribution of £10,000 towards pedestrian access and signage.

Key Highway Considerations

83. When planning permission for Wembley Stadium was originally granted in 2002 a Section 106 legal agreement was completed and a number of planning conditions were secured aimed at minimising the impact on local transport networks. These included funding of a Controlled Parking Zone, transport infrastructure improvements and a Travel Plan.

84. Two key requirements for infrastructure included improvements to Wembley Park station and to the road corridor between the Stadium and North Circular Road, with a financial contribution of up to £3m being secured towards the latter through the S106 Agreement.
85. In order to ensure that these major pieces of transport infrastructure would be in place to facilitate the hosting of major events on a regular basis, a condition was applied to limit the number of events with a capacity above 51,000 (the capacity of the lower and middle tiers) to 37 (22 sporting and 15 non-sporting, or up to 25 sporting and 13 non-sporting, unless England were a host nation for a major international football tournament), until such time as the infrastructure was completed.
86. The works to increase the capacity of Wembley Park station were completed in 2005/6. These improvements enable 50,000 users to travel through the station in an hour, thus allowing Stadium visitors on Underground services to disperse the area relatively quickly after an event and thereby encouraging public transport use and helping to maintain a high modal share by public transport.
87. Initial works to construct the Estate Access Corridor (connecting Hannah Close with Atlas Road) and the Stadium Access Corridor along Great Central Way between Drury Way and Fourth Way were undertaken between 2003-2006, at a cost of about £16m. This included Wembley Stadium's S106 financial contributions.
88. However, concerns over the high cost of the final western length of the Stadium Access Corridor between Fourth Way and the Stadium (Gate 5) entrance at First Way, which would have involved extensive compulsory land take, as well as security concerns over its alignment, meant that the last section of the scheme was placed in abeyance and thus remains uncompleted. As such, the cap on event numbers remains applicable.
89. A study was subsequently undertaken by consultants on Brent's behalf in 2012 to re-examine the highway network and bridge options for the area to the east of Wembley Stadium. This identified alternative proposals, which would retain South Way on a similar alignment as at present (as opposed to constructing a new widened and straightened route), but with widening to provide cycle lanes which could be converted to a third traffic lane with tidal flow when required on Stadium Event days.
90. The remaining one-way streets around Wembley Industrial Estate (First Way, Second Way, Fourth Way and Fifth Way) were also recommended to be converted to two-way flow, with junction alterations where necessary, in order to provide an access route into the area along Fifth Way at all times for local businesses and residents, that is clear of the main car and coach park ingress and egress route along South Way.
91. These revised proposals were incorporated into Brent's Wembley Area Action Plan, which was adopted at Full Council in January 2015. As such, the final section of the Stadium Access Corridor as originally envisaged will not now be constructed and alternative proposals are being pursued instead.
92. Works to convert Fourth Way and Fifth Way to two-way operation were completed in April 2020. These works complement the opening of the new Pink car/coach park on South Way and allow event traffic to and from Pink car/coach park to be quickly loaded and dispersed directly to and from North Circular Road via South Way and Great Central Way, without having to traverse First Way, Fifth Way and Fourth Way. In turn, the introduction of two-way traffic flow on those streets allows unfettered access by local residents and businesses to the area to the northeast of the Stadium (i.e. North End Road etc.) at all times, even during the event traffic dispersal period. This contrasts with the difficulties local residents and businesses previously experienced accessing their properties, particularly after events when they would have to traverse heavily congested roads to reach their destination.
93. The final stage of the Wembley Industrial Estate works will involve the conversion of the final length of South Way (between the Pink car park and the Stadium) and First Way to two-way working. These works cannot proceed until land is secured from the Access Self-Storage site as part of its redevelopment though, so this is in abeyance at present. However, it is not essential to the highway operations on Wembley Stadium event days and the works that have already been carried out are sufficient to meet the original aspirations for the Stadium Access Corridor, at least in relation to the Pink car/coach park.
94. One further change to the car/coach parking arrangements will occur with the scheduled opening of the Green/Blue car/coach park adjoining First Way in July 2021. This will replace the Yellow car/coach park

on Engineers Way and will ensure that all parking on the eastern side of the Stadium can be accessed directly from South Way. Traffic from this car/coach park can then be dispersed either via Fifth Way/Fourth Way or via South Way (once the pedestrian flow back to the Pink car/coach park has subsided) after events. This will again be of assistance in retaining a clear route for residents and businesses into the area after Stadium events.

95. As such, the recent and impending alterations to the car and coach parking arrangements and highway network on the eastern side of Wembley Stadium, which allow Stadium traffic and local residential/business traffic to be kept largely separate, provide a high quality highway arrangement for Stadium parking that minimises disruption to the local community. As a result, there are no highway concerns with the proposed increase in the number of higher capacity events.

96. Please note that other traffic management arrangements on the western side of the Stadium on event days will also need to continue, which include a number of road closures to maintain pedestrian safety to and from stations. These typically operate as follows:-

South Way – closure between First Way and Wembley Hill Road from four hours before the start of the event until 60-90 minutes after the event

Fulton Road – closure between Empire Way and Rutherford Way for up to 2 hours before the start of an event and for up to 90 minutes after an event

Engineers Way – closure between Empire Way and Rutherford Way for up to 90 minutes after an event

Wembley Hill Road – closure between Empire Way and Harrow Road for up to 90 minutes after an event

London Road – closure between High Road and Wembley Central Square car park entrance for up to 3 hours during and after an event

97. These road closures are all concerned with protecting the safety of the high volumes of pedestrians arriving at and leaving the Stadium, particularly to and from stations, so would all continue to be required even if the Stadium Access Corridor were completed.

98. Nevertheless, one further highway scheme under construction at present and due for completion in 2021 is the opening of a link between the western end of North End Road and Bridge Road, with a new signalised junction. This scheme will provide an east-west route past the Stadium that is capable of being kept open at all times before and after Stadium events. This would in turn mitigate the impact of closing Engineers Way and Fulton Road to traffic, which is particularly helpful now that the 'pedway' over Engineers Way has been demolished and replacement steps are being constructed. This route will provide a further option for local residents and businesses and for local bus services to gain unimpeded access to the area on Stadium event days.

99. As such, whilst it is recognised that the hosting of events at the Stadium does lead to congestion and resultant increases in air pollution in the area before and after events, the highway works that have now been completed or are due for completion shortly will minimise the resultant disruption to residents and businesses in the area by keeping the bulk of event day traffic separated from local traffic.

100. Brent's Highway Network Management team have therefore confirmed that they are satisfied that the additional events proposed at the Stadium can be effectively managed and that they have no objections to this request to hold up to 24 major non-sporting events and 22 major sporting events each year.

101. However, they have requested a financial contribution towards a review of pedestrian signage in the area and to investigate improvements to pedestrian access to the Pink car/coach park on event days. The applicants have agreed to pay the requested sum of £10,000 for this, and this contribution would be secured through a deed of variation to the section 106 agreement.

102. To support the proposal, an Environmental Impact Assessment has been submitted, with a Transport Chapter. However, the conclusions of the report are based upon the marginal impact of nine extra events on average *annual* traffic and public transport flows, which does not give an accurate indication of impact on an event day.

103. Nevertheless, based upon the survey information that has been supplied, the modal share for non-sporting events averages 6.4% by car, with over 75% travelling by public transport. It is also noted that 15% travel by 'other' modes though, which is likely to include a significant number of taxis, as well as drop-offs by car (particularly for events aimed at teenagers).

104. To assist this, a drop-off/pick-up facility has previously been set up on the forecourt of the Pop-In Centre on South Way, with a taxi rank on Engineers Way. The latter does not operate particularly well though, due to the difficulties taxis have in returning to the stand due to congestion once traffic starts leaving the area.
105. To address this, the forthcoming Green coach park is proposed to be used to provide a facility for black cabs for non-sporting events that can be more easily accessed than facilities that have previously been provided in Engineers Way. This scheme, known as the 'Private Hire Management Scheme' is discussed in more detail below.
106. Other mitigation will continue to be provided through the operation of the Travel Plan for the Stadium, with the partnership with National Express to provide dedicated coach services continuing.

Civil Enforcement Officers, additional tow truck and Towed Vehicle Recovery Scheme'

107. Mitigations for the additional events are proposed including more Civil Enforcement Officers and an additional tow truck to drop cars to a dedicated car compound close to the Stadium which would facilitate quicker drop off and redeployment of each tow truck (known as the 'Towed Vehicle Recovery Scheme'), therefore enabling the removal of between 20 and 30 vehicles per truck. The FA would fund this scheme and Brent Council would not incur any additional cost. This would be secured through the s106 agreement.

Trusted Parking Scheme

108. The Trusted Parking Scheme seeks to address the issues that non-regulated car parks create on stadium event days in relation to highway congestion, noise and pedestrian safety. The scheme has been designed to encourage compliance from car park operators in the following key areas;
- Agreement on safe car park operating capacities
 - Traffic management arrangements, including vehicle signage and junction control
 - The provision of suitably qualified stewards and security personnel
 - Properly lit car parks including pedestrian access points
 - Customer and staff welfare arrangements including toilets
 - A digital parking booking system to discourage motorists who seek to pay on the day that enables operators to accurately manage demand for parking spaces.
109. WNSL has committed to working with LBB and the individual car park operators to design and implement the Trusted Parking Scheme and by doing so improve local congestion and enhance the safe operation for car park patrons.

Private Hire Management Scheme

110. WNSL is proposing to mitigate the impact of taxi and Uber drivers in the area by working on a designated pick up and drop off area within the new Green car park (due to open in Aug 2021). By working with the operators like Uber, WNSL would geofence the location of the pick-up/drop off area so any spectators would be directed to green car park to meet their vehicle. A dedicated pick up/drop off facility would improve the current traffic management as taxis and private hire vehicles including Ubers would not need to circle the estate waiting for customers or be able to park on non-dedicated pick-up and drop-off streets. This change would benefit residents living within Wembley Park as congestion would be mitigated. There would also be a safe waiting lounge for spectators to use.

Conclusion of Transportation Section

111. Whilst it is recognised that major events bring a significant amount of transport movements, Wembley Stadium is very well located and benefits from a high capacity public transport network. Measures are in place for the Stadium to promote sustainable modes of transport to visitors alongside close working arrangements with transport partners to ensure the network can facilitate the flow of large numbers of visitors whilst also accommodating the needs of local residents. In addition, substantial improvements have been made to the operation of the local road network since the application for the new stadium was approved in 2002, including very recent enhancements, to manage car and coach access and circulation and parking effectively.

112. On balance it is considered that the existing and proposed mitigation measures detailed above would be sufficient to ensure that resultant increases in visitors to the area for events could be managed in such a way that disruption to residents and businesses in the area would be kept within acceptable limits.

Noise

113. The NPPF seeks to avoid noise giving rise to significant adverse impacts on health and quality of life. The PPG provides further guidance on this, noting that it is necessary to consider whether or not an adverse or significantly adverse impact is likely to occur, and whether or not a good standard of amenity can be achieved.
114. The London Plan policy D14 concerns noise and the acoustic environment. It seeks to manage noise, recognising the link to health and quality of life. It also seeks to minimise adverse noise impacts of new development without placing unreasonable restrictions on existing noise-generating uses. Where noise-sensitive development and noise sources are not separated, then any potential adverse effects should be controlled and mitigated through applying good acoustic design principles.
115. Policy DMP1 of the Development Management Policies seeks to ensure that development will not result in unacceptable exposure to noise and general disturbance.
116. The original planning permission included conditions relating to noise. Condition 5 restricts events utilising amplified sound (except for the public address system) taking place on the outer concourse of the stadium. Condition 11 required that details of the public address system were submitted for approval prior to the use of the stadium commencing. Condition 14 required details of the stadium in-house distributed sound system to also be submitted. Therefore, noise impacts were considered previously and the measures that these conditions required remain in place. The proposal is slightly different to many noise issues insofar that it is less about the overall impact of the noise in isolation, and more about the frequency that nearby receptors are exposed to it.
117. In addition, the planning applications which have been granted since the stadium has been constructed have considered the impact on future residents to ensure that a suitable internal noise environment is ensured through the application of stringent noise mitigation measures.
118. A noise assessment has been undertaken and submitted alongside the application as part of the Environmental Statement. The assessment considers the key noise impacts:
- Operational effects: noise from music noise breakout from the stadium during an event; and
 - Road traffic: noise impacts from the potential increase in traffic flows on event days.
119. The music noise from the stadium generated during an event was predicted using environmental noise modelling software. The noise impact from changes in traffic flows was considered in terms of the guidance provided in the Design Manual for Roads and Bridges (DMRB)
120. The submission asserts that factors that should be considered when determining the potential effects and whether noise is a concern include the following: -
- 1 Existing noise climate and cumulative noise from other developments.
 - 2 The use of the stadium for non-sporting events for many years.
 - 3 Very few noise complaints received by the Council in relation to non-sporting events.
 - 4 The intermittent nature and relatively short duration of noise from non-sporting events.
 - 5 The normal finishing time of events (no later than 11pm)
 - 6 The sound insulation requirements for any residential development constructed after the new stadium.
121. The applicants conclude that the additional noise created as a result of this application and the events to which it relates would have only a slight impact on residential amenity based on the increase in the number of events. They consider that this impact would only be felt on a limited number of additional events days, and only in a limited radius to the stadium and therefore the proposed additional events would have only limited noise related implications on nearby residential properties over what they currently experience.
122. In terms of noise associated with additional road traffic movements, in the period directly before and after an event, the assessment concludes that there would be a negligible noise impact from road traffic noise as a result of the variation to the event cap for events at the stadium.

123. Brent's Nuisance Control Team (NCT) have assessed this application, taking into account public comments, and more particularly Chapter F: Noise, of the Environmental Statement (Dec 2020) - Variation to Events Cap at Wembley Stadium. They agree with the report's Assessment Methodology and Significance Criteria. They consider the report to be well detailed and comprehensive in its consideration of relevant national policies and guidance and note the conclusion that the noise impact from an additional 9 music events would be considered slight or negligible with no significant effect based on the proposed increase in the number of events. On the basis of the technical submission and the Environmental Statement as a whole, Brent's Nuisance Control Team do not consider noise disamenity would arise should the application be granted and they therefore raise no objection to the application.
124. On balance, the proposals are considered to comply with D14 of the London Plan and Brent's Policy DMP1 by not resulting in unduly adverse noise impacts.

Air Quality

125. Wembley Stadium is located within the Brent Air Quality Management Area. The NPPF seeks to prevent new development from contributing to or being put at risk from unacceptable levels of air pollution. London Plan policy SI 'Improving air quality' requires that development proposals should not lead to further deterioration of existing poor air quality, create any new areas that exceed air quality limits, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits. Nor must they create unacceptable risk of high levels of exposure to poor air quality. Policy DMP1 seeks to avoid a detrimental impact on air quality. In addition, Strategic Objective 9 of the Brent's Core Strategy seeks to mitigate the pollution effects of development. The Council has prepared an Air Quality Action Plan which identifies measures to improve air quality in the Borough.
126. The applicant has submitted an air quality assessment which considers the effects of the proposals using modelling to estimate the air quality effects of the proposed increased event cap using detailed traffic forecasts.
127. Existing sources of emissions and baseline air quality conditions within the study area were defined. Concentrations of pollutants were predicted using the ADMS-Roads dispersion model, with vehicle emissions derived using Defra's Emission Factor Toolkit (EFT). The assessment describes existing local air quality conditions (base year 2019), and the predicted air quality in the future assuming that the Event Cap Variation is, or is not implemented. The assessment of traffic-related impacts focuses on 2022, which is the anticipated year that the increased event cap would come into effect.
128. The assessment concludes that the development-generated traffic emissions would not have a significant impact on local air quality, meaning that the overall air quality effect of the Event Cap Variation would be 'not significant'.
129. The Council's Environmental Health Officer has assessed the air quality assessment and found that both the methodology of the assessment and conclusions are acceptable. On this basis, no objections to the proposals are raised on air quality grounds.
130. In terms of mitigation, the measures to reduce car use are all relevant. In seeking to respond to issues of transport, then issues of air quality and noise are also proportionately reduced.
131. Therefore, overall the impacts on air quality are considered acceptable. There would be a very slight impact, but it is not so great when compared to the current situation that an objection is raised to it, particularly given that the proposal would result in an increase in the number of higher capacity events, but unlimited events could still take place at a lower capacity (51,000 people).

Equalities Assessment

132. In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

Conclusion

133. The objections received indicate that there is a level of impact currently experienced by local residents as a result of events at the stadium, with concerns predominantly focussed on anti-social behaviour, transport issues, air quality and noise. Some impacts are to be expected, given the size of the stadium and its siting in a location surrounded by residential properties and businesses, within a dense urban area.
134. The original cap on events was imposed to manage the impacts until such time as specific transport improvements had been made. Whilst most of these have taken place, not all of them have been realised. Circumstances have changed since the original planning permission in 2002, which suggest that the final piece of transport infrastructure (the Stadium Access Corridor) will not be provided in its originally envisaged form, but other changes to the road network have now taken place or are currently underway. Therefore, the Council considers that the cap remains relevant.
135. Clearly, to increase the number of higher capacity events to accommodate up to 9 additional major non-sporting events per event calendar year would imply an increase in the impact. However, a wide range of mitigation measures are proposed to help mitigate these impacts. There are ongoing efforts to reduce the number of vehicles on an event day. A number of mitigation measures are proposed to continue this work, including additional parking enforcement capacity and an updated Event Day Spectator Travel Plan to promote sustainable travel patterns. WNSL and public transport operators work closely to promote sustainable transport solutions and maximise the efficiency of the network. This in turn contributes to reducing noise and air quality issues.
136. Infrastructure works including two-way working in the area to the east of the stadium and the opening of a link between the western end of North End Road and Bridge Road to provide an east-west route past the Stadium that is capable of being kept open at all times before and after Stadium events will improve traffic flow in the area and assist residents' movements on event days.
137. The Trusted Parking Scheme aims to ensure authorised car parks are responsibly run in a way that would limit their impact on neighbouring residents and reduce local congestion, whilst the Private Hire Management Scheme would reduce the number of vehicles in the area around the stadium after events have finished.
138. Employment and Training benefits for Brent residents would also be secured by the proposed scheme.
139. With regard to antisocial behaviour, a financial contribution would be paid by the Stadium to Brent Council per additional major non-sporting event. This would go towards mitigation measures as agreed between WNSL and the Council which may cover measures to address anti-social behaviour such as additional public toilets.
140. Whilst it is appreciated that local residents face challenges on event days, the direct economic benefits for the local Brent economy of stadium events are also recognised including spending on accommodation, food, drink and other ancillary items within the Wembley area. The uplift in the event cap would also create additional event day steward and catering positions. Whilst some types of business would suffer on event days, many would benefit from the influx of people to the area.
141. In summary, it is recognised that there is a level of impact associated with major events now, and that this would increase with an increase in the number of high capacity major events. However, the measures proposed would ensure that this is moderated as much as is reasonably achievable. All are considered necessary to mitigate the increased number of major events which this application proposes.
142. A further consideration is that the stadium can be used for major events up to 51,000 now without restriction, and remaining within this limit would mean that no additional mitigation measures would be formally secured. Measures including the training and employment opportunities would apply more broadly to stadium events, not just the additional major non-sporting events for which permission is sought under this application, and would therefore provide wider benefits to local people and the local economy more generally.
143. The proposal is considered to accord with the development plan, having regard to material planning considerations. While there will inevitably be some additional impacts associated with an increase in the number of higher capacity non-sporting events, a range of mitigation measures are proposed and some benefits are also anticipated. The proposal is, on balance, recommended for approval.



Application No: 20/4197

To: Mr Baker
Lichfields
The Minster Building
21 Mincing Lane
London
EC3R 7AG

I refer to your application dated **18/12/2020** proposing the following:

Proposed variation of Condition 1 (event cap) of planning permission reference 18/4307 (varied permission for the construction of the stadium, dated 07/03/2019), to allow up to 9 additional major non-sporting events per event calendar year.

Planning permission 99/2400 was for the demolition of the original Wembley Stadium and clearance of the site to provide a 90,000-seat sports and entertainment stadium (Use Class D2), office accommodation (Use Class B1), banqueting/conference facilities (Use Class D2), ancillary facilities including catering, restaurant (Use Class A3), retail, kiosks (Use Class A1), toilets and servicing space; re-grading of existing levels within the application site and removal of trees, alteration of existing and provision of new access points (pedestrian and vehicular), and parking for up to 458 coaches, 43 mini-buses and 1,200 cars or 2,900 cars (or combination thereof).

Application reference 17/0368 granted permission to vary condition 3 (event cap) of consent 99/2400 to allow 22 additional major Tottenham Hotspur Football Club events in between 1 August 2017 and 31 July 2018.

Application reference 18/4307 granted permission to vary conditions 1 (event cap) and 2 (temporary traffic measures) of planning permission reference 17/0368 to allow 8 additional Major Tottenham Hotspur Football Club (THFC) events to May 2019.

The current application includes the submission of an Environmental Statement.

and accompanied by plans or documents listed here:

See condition 3

at **Wembley National Stadium, Olympic Way, Wembley, HA9 0WS**

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: 26/03/2021

Signature:

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 the:

Revised National Planning Policy Framework 2019
London Plan 2021
Brent Local Plan Development Management Policies 2016
Brent Local Development Framework Core Strategy 2010
Wembley Area Action Plan 2015

- 1 That until the following works are completed to the satisfaction of the Local Planning Authority and written confirmation as such is given to the applicant or owner or occupier:

1. Improvements to Wembley Park Station to achieve a capacity of 50,000 persons per hour and
2. Construction of roads known as the Estate Access Corridor and the Stadium Access Corridor

and unless alternative details are submitted to and approved in writing by the Local Planning Authority and the approved details are thereafter implemented in full, the number of major sporting events held at the stadium in any one year shall be restricted to no more than 22 (to exclude European Cup and World Cup events where England/UK is the host nation) and the number of major non sporting events shall be restricted to 24. This shall be described as the cap. Up to three additional major sporting events shall be permitted in any one year provided that for each additional sporting event there is a reduction of two non sporting events in the same year.

If after two years following the completion of the stadium the works specified above have not been completed, and until such time as the works have been completed, then additional events over and above the cap specified above shall be permitted subject to the number of spectators being limited to the capacity of the lower and middle tiers of the stadium.

Note: for the purposes of this condition major event means an event in the stadium bowl with a capacity in excess of 10,000 people where the lower, middle and upper tiers of the stadium may be occupied.

- 2 Temporary traffic management measures shall be provided for no more than 46 stadium events per calendar year, unless a scheme for an alternative number is submitted to and approved in writing by the local planning authority.

Reason: To enable the A406 North Circular Road to continue to be used efficiently as part of the national system of routes for through traffic in accordance with section 10(2) of the Highways Act 1980 and to ensure the continued safety of traffic using that road.

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

As approved under 99/2400

CL/4929/PA1 - Application Boundary Plan

As approved under 06/0206

pa10001 rev 01 Location Plan
pa10002 rev 03 Proposed Demolition Plan, Areas to Regard, Trees to Remove
pa10003 rev 05 Proposed Site Plan

pa10005 rev 01 Existing Site Plan
 pa10006 rev 04 Proposed Plan Level B2 +40.50m Lower Basement
 pa10007 rev 05 Proposed Plan Level B1 +45.70m Upper Basement
 pa10009 rev 05 Proposed Plan Level S0 +52.80m Lower Concourse
 pa10010 rev 02 Proposed Plan Level S1 +56.94m Lower Concourse Gallery
 pa10011 rev 02 Proposed Plan Level S2 +61.20m Club Concourse
 pa10012 rev 02 Proposed Plan Level S3 +66.32m Lower Hospitality
 pa10013 rev 02 Proposed Plan Level S4 +70.16m Upper Hospitality
 pa10014 rev 02 Proposed Plan Level S5 +75.20m Upper Concourse
 pa10015 rev 02 Proposed Plan Level S6 +84.92m
 pa10016 rev 02 Upper Deck Level Full Bowl
 pa10017 rev 02 Roof Plan - Roof Open
 pa10018 rev 02 Roof Plan - Roof Closed
 pa10023 rev 02 North/South Sections Facing West
 pa10024 rev 02 East/West Sections Facing North
 pa10025 rev 03 North and South Elevations
 pa10026 rev 02 East and West Elevations
 pa10027 rev 02 North West Facade Detail Section and Elevation
 pa10028 rev 02 South Facade Detail Section and Elevation
 pa10029 rev 03 North West Facade Detail Section and Elevation
 pa10030 rev 02 Proposed Bowl Configuration Football and Rugby
 pa10031 rev 02 Proposed Bowl Configuration Concert
 pa10033 rev 02 Proposed Bowl Configuration Athletics
 pa10037 rev 02 Wireframe Perspectives of Bowl
 pa10038 rev 02 Wireframe Perspectives of Exterior

Supporting documents submitted under this application

Planning Statement (including Statement of Community Involvement) dated December 2020
 Environmental Statement dated December 2020 comprising:

Volume 1 - Technical Assessments;

- Chapter A – Introduction, Background and Description of the Proposal;
- Chapter B – Methodology, Scope and Approach to the EIA;
- Chapter C – Socio-Economics;
- Chapter D – Transportation
- Chapter E – Air Quality;
- Chapter F – Noise; and
- Chapter G – Cumulative Effects.

Volume 2 – Technical Figures and Appendices; and

Volume 3 – Non-Technical Summary

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

- 4 No external lighting shall be installed unless details are submitted to and approved in writing by the Local Planning Authority and the approved details are thereafter implemented in full, except that which is part of the lighting scheme approved on 8 April 2014 (reference 14/0804) in respect of condition 7 of planning permission 99/2400.

Reason: In the interests of the safety and convenience of stadium users and the amenities of nearby residents and to avoid light pollution.

- 5 The details of apparatus for the neutralisation of all effluvia from the processes of cooking, including details of the point of extraction approved on 30 July 2004 (reference 04/2355) in respect of condition 13 of planning permission 99/2400. shall be maintained as approved unless alternative details are submitted to and approved in writing by the Local Planning Authority and the approved details are thereafter implemented in full.

Reason: To protect the amenities of the occupiers of adjoining properties.

- 6 The details of the in-house distributed sound system approved on 30 July 2004 (reference 04/2355) in respect of condition 14 of planning permission 99/2400 shall be maintained as approved except with the prior written consent of the Local Planning Authority.

Reason: To protect the amenities of the occupiers of adjoining properties.

- 7 No temporary traffic management shall be provided on event days other than in accordance with a scheme approved by the Local Planning Authority in consultation with the Highway Authority.

Reason: To enable the A406 North Circular Road to continue to be used efficiently as part of the national system of routes for through traffic in accordance with section 10(2) of the Highways Act 1980 and to ensure the continued safety of traffic using that road.

- 8 The details within the parking management strategy document for the use of on-site parking approved on 20 September 2002 (reference 01/0222) in respect of condition 37 of planning permission 99/2400 shall be maintained as approved unless alternative details are submitted to and approved in writing by the Local Planning Authority and the approved details are thereafter implemented in full.

Reason: To ensure a satisfactory access, egress and parking arrangements without hazard to health and safety.

- 9 The details of the loading and delivery facilities for the proposed stadium approved on 30 August 2002 (reference 01/0223) in respect of condition 38 of planning permission 99/2400 shall be maintained as approved unless alternative details are submitted to and approved in writing by the Local Planning Authority and the approved details are thereafter implemented in full.

Reason: In the interests of the safety and convenience of users and visitors to the site.

- 10 The details of the facilities for the setting-down and collection of patrons to the Stadium by coach, car and taxi, including a programme for the appropriate development of additional off site coach parking facilities if necessary approved on 20 September 2002 (reference 01/0225) in respect of condition 39 of planning permission 99/2400 shall be maintained as approved unless alternative details are submitted to and approved in writing by the Local Planning Authority and the approved details are thereafter implemented in full.

Reason: In the interests of the safety and convenience of users and visitors to the site.

- 11 Unless otherwise agreed in writing by the Local Planning Authority:
- (i) 250 car-parking spaces for the use of the disabled shall be provided for each major event in the location approved prior to each event pursuant to Condition 37 of 99/2400, which was discharged on 20 September 2002 (reference: 01/0222).
 - (ii) (ii) For all non-major events at least 5% of the parking provision for that event shall be for the use of disabled persons.

The spaces provided shall be a minimum width of 3 metres and shall be provided and retained for the exclusive use of disabled people at all times during the operation of events at the Stadium.

Reason: To ensure adequate provision for the needs of disabled people.

- 12 The details of the cycle provision approved on 9 September 2002 (reference 00/2382) in respect of condition 41 of planning permission 99/2400 shall be maintained as approved unless alternative details are submitted to and approved in writing by the Local Planning Authority and the approved details are thereafter implemented in full.

Reason: To ensure that an adequate provision is made for cycle users in accordance with the strategy submitted by the applicant.

- 13 No event resulting in amplified sound, other than a public address system, shall take place or be operated on the outer concourse of the stadium unless agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of residents and other occupiers around the site.

- 14 The details of the management of the toilet provisions approved on 12 March 2007 (reference 06/0206) in respect of condition 46 of planning permission 99/2400 shall be maintained as approved unless alternative details are submitted to and approved in writing by the Local Planning Authority and the approved details are thereafter implemented in full.

Reason: To ensure an adequate provision for access to toilet facilities in accordance with the strategy submitted by the applicant.

INFORMATIVES

- 1 For the avoidance of doubt, the year within which the "cap" on full capacity events set out in Condition 1 is applicable starts on 1 April each year and ends on 31 March during the following year.
- 2 For the avoidance of doubt, the use of the Stadium for education purposes (Use Class D1) granted by planning permission 13/1945 is unaffected by this planning permission.

Any person wishing to inspect the above papers should contact Hilary Seaton, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1427

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

7 April, 2021
04
20/3149

SITE INFORMATION

RECEIVED	30 September, 2020
WARD	Willesden Green
PLANNING AREA	
LOCATION	Willesden Green Garage, St Pauls Avenue, London, NW2 5TG
PROPOSAL	Demolition of MOT garage and erection of a part eight storey and part four storey building with basement level to provide 86 self-contained flats with ground, third and fourth floor amenity space, provision of basement car parking, cycle and refuse storage, alterations to vehicular accesses and associated landscaping
PLAN NO'S	See condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke</p> <p><u>When viewing this as an Hard Copy .</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none"> 1. Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "20/3149" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to:

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

1. Payment on completion of the deed of the Council's legal and professional fees in preparing and thereafter monitoring the agreement
2. Notice of commencement within 28 days of a material operation
3. Energy Strategy
4. Travel Plan
5. Permit free agreement
6. Training and Employment
7. Affordable Housing including a review mechanism
8. Considerate Constructors Scheme
9. s278 highway works
10. Any other planning obligation(s) considered necessary by the Head of Planning.

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


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

Conditions:

1. Standard 3 year permission
2. Approved plan numbers / documents
3. Sound insulation and noise reduction
4. Plant
5. Wheelchair accessible
6. Cycle/parking spaces
7. Vegetation clearance
8. Details of materials
9. Hard and soft landscaping plan
10. Mains water consumption
11. Air Quality
12. Drainage Strategy
13. Access to basement
14. Site investigation and remediation
15. Design and construction method for Network Rail
16. Piling and Excavation works
17. Cycle and Refuse Storage
18. Mix

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

SITE MAP

	Planning Committee Map
Brent	Site address: Willesden Green Garage, St Pauls Avenue, London, NW2 5TG
	© Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

PROPOSAL IN DETAIL

Demolition of MOT garage and erection of a part eight storey and part four storey building with basement level to provide 86 self-contained flats with ground, third and fourth floor amenity space, provision of basement car parking, cycle and refuse storage, alterations to vehicular accesses and associated landscaping.

EXISTING

The subject site was occupied by an open air car sales business and a car wash/valet business. The site is located on the corner of St Paul's Avenue and Park Avenue North and a train/underground line is located to the north. The area is generally residential in character with Willesden Town Centre located 230 metres to the south of the site. To the west of the site and directly across the road is Kingsley Court which is a large Grade II listed, residential building built in the 1930s. The site is not located within a conservation area. To the south of the site there are a number of attractive mansion blocks from the Victorian era. To the east of the site there is a row of two storey, terraced properties that lead up St Pauls Avenue to Willesden High Street.

SUMMARY OF KEY ISSUES

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

Representations received - 38 objections were received from local residents raising concerns regarding heritage & design, the impact on character, parking, flooding, neighbours living conditions, consultation, impact on local services, the amount of affordable/family housing and over development of the site.

Principle of use - The principle of the development has already been established by the extant planning consent 17/5291.

Affordable homes / unit mix - The proposal would deliver 18.5% affordable housing (3 more Affordable homes than the extant consent) with a 69:31 ratio of Affordable Rent to Intermediate housing, which the maximum reasonable amount that can be delivered. The scheme would provide Affordable Rented homes in line with the extant consent rather than London Affordable Rented homes. This is considered acceptable as the extant consent is a material consideration. The development would provide 17.4% family housing which is below the policy target of 25 % but is considered to be acceptable having weighed the benefits associated with the provision of additional Affordable housing enabled through the provision of fewer family sized homes. It is also noted that this represents 2 additional family sized homes than were secured through the extant consent.

Design – The design is considered to be of a high quality and follows the design principles of the consented scheme. Whilst an additional storey is proposed, the overall increase in height is limited to 2m. As before the scale has been staggered with the four storey element retained in order to better respect surrounding context. The proposal is not considered to result in harm to the historical significance or setting to the adjacent Grade II listed building, Kingsley Court.

Quality of accommodation – The proposed accommodation would be of good quality, size and layout, consistent with London Plan standards, with good access to light, outlook. Whilst there is a shortfall in amenity space below, it is considered that on site amenity space has been maximised having regard to site constraints. The proximity to nearby public open spaces and the oversized nature of a large proportion of the units is considered to mitigate impacts associated with the identified shortfall and the benefits of the scheme, including the provision of new homes in the borough and the improvements to the streetscene are considered

to outweigh this limited conflict with the development plan

Neighbour amenity – The proposed development would not result in any material losses in daylight/sunlight to neighbouring properties over that considered acceptable in the extant consent.

Highways – It is considered that the combination of the 18 parking spaces proposed and the use of a parking permit restriction secured through the legal agreement would mitigate against potential parking impacts in the area. It is considered that the proposal would be adequately serviced by utilising the space on St Paul’s Avenue

Environment and sustainability – Consideration has been given to ecology and the sustainable development of the proposals and the proposal is considered to accord with policy.

RELEVANT SITE HISTORY

17/5291 - Allowed on appeal

Demolition of MOT garage and erection of a part seven-storey and part four storey building with basement level to provide 70 self-contained flats (35 x 1 bed, 22 x 2 bed and 13 x 3 bed) with ground, third and fourth floor amenity spaces and ground floor play area, provision of basement car parking, cycle and refuse storage, alterations to vehicular accesses and associated landscaping

20/2257 - Under consideration

Variation of condition 2 (approved plans) to allow for

- Internal alterations to facilitate the creation of 6 additional residential units
- External alterations to include additional windows, winter gardens and roof terrace
- Reduction in size of basement and repositioned ramp

and Variation of Condition 17 (Mix) of full planning application 17/5291, allowed on appeal dated 17 December 2019 (amended under non material amendment application 20/1873) for Demolition of MOT garage and erection of a part seven-storey and part four storey building with basement level to provide residential units with ground, third and fourth floor amenity spaces and ground floor play area, provision of basement car parking, cycle and refuse storage, alterations to vehicular accesses and associated landscaping

CONSULTATIONS

356 neighbouring properties were notified and a site and press notice were displayed. 38 objections were received at the time of writing this report

Objection	Response
Out of keeping with scale of area	See paragraphs 35-38 of the detailed consideration section of the report.
Building is not interesting architecturally and will be an eyesore	See paragraphs 35-39 of the detailed consideration section of the report.
Height of building will reduce nature light to neighbouring properties	The application has been accompanied by a daylight/sunlight report which demonstrates no material daylight/sunlight losses over the extant scheme.
Additional population will put strain on local services/infrastructure	The development is CIL liable with the monies collected to be put towards local infrastructure.
On-site parking is inadequate and will result in chaos and car disputes/violence	See paragraphs 58 and 59 of the detailed considerations section of the report.
Original land has been used as a garage, have safety guidelines been met	Land contamination reports have been submitted and reviewed by Environmental Health Officers. Subject to appropriate

	remediation the land is suitable for residential use.
Does not respect the setting of Kingsley Court and will obscure Kingsley Court	See paragraphs 40-41 of the detailed consideration section of the report.
Loss of privacy to neighbouring properties	See paragraph 23 of the detailed considerations section of the report.
Developer is proposing a large number of single aspect units in place of family homes	See paragraphs 43-44 of the detailed consideration section of the report.
Proposed building has an extra storey which makes it even more overbearing	See paragraphs 35-38 of detailed consideration section of the report.
Affordable housing and family sized units are still below Brent's targets	The applicant has submitted a viability assessment to demonstrate that the maximum reasonable level of affordable housing would be provided. Viability and the provision of family homes is discussed in paragraphs 5-17.
In this proposal landscaping is reduced with all lawns artificial and only 25% of available ground put to vegetation	The proposal includes indicative landscaping proposals which detail high quality hard and soft landscaping. Some artificial grass is suggested within the roof terraces. Full details of the landscaping would be secured through condition.
Restrict panoramic views currently available from Kingsley Court	Private views aren't protected through planning policy and therefore this is not a material planning consideration.
Vehicle ramp appears to have lost measures to reduce sound transmission	The application has been accompanied by a noise assessment which has been reviewed and by Environmental Health Officers who consider the noise generated to be within acceptable limits.
Flawed pre-application consultation with local residents	There is not a statutory requirement for developers to carry out a consultation with the local community although it is good practice.
This application appears to be an attempt by this developer to exploit the site for full financial advantage	The application has been accompanied by FVA which shows the development is in a deficit.
Brent Draft Local Plan considered the site indicative of development for 50 residential dwellings under ref. BSESA25	The number given in the site allocation is indicative and when considered against relevant policies the site is capable of accommodating more than the indicative capacity.
Developer seeking to return to the original scheme which the Council rejected	The original scheme was rejected on the basis of neighbouring impact issues.
Estimated delivery and servicing figures are outdated	This information is considered useable and accurate.
Development produces a housing density figure of 374 more than double the standard for an urban location with similar transport	The density matrix no longer forms part of adopted policy and the proposed density is considered acceptable for this site and in this location.
Development of this size will hugely increase noise and nuisance and diminish residential amenity	The proposal is for a modern residential scheme in a predominantly residential setting which has been supported by a noise assessment which demonstrates noise would be within acceptable limits.
Flash flooding in area and therefore great concern with the increased number of flats and lack of soft landscaping	The information has been reviewed by the Drainage Engineer who is satisfied with the proposal subject to suitable SuDs measures being implemented.
The street is not made for the level of traffic and the high pollution that this will cause	There is limited parking on site and the development would be subject to a parking permit restriction.
Increased pressure on infrastructure such as sewers and drainage is a concern	The information has been reviewed by Thames Water and the LLFA and the development is considered acceptable.

Pavement adjacent site is used heavily by primary school children and there is concerns with regards to safety	Limited on site parking is proposed and the access has been reviewed by transport officers who have raised no safety concerns.
Limited internal space would force residents to store belongings on balconies which would change character of area	All units meet Technical Space Standards with many units exceeding minimum requirements. All units also benefit from designated storage space. The balconies are of brick construction which would likely restrict the visibility of anything put on the balconies.
Building should be no higher than Kingsley Court	The scale of the development is discussed in the main report.
Material should be in keeping with red brick façades	The materiality has already been deemed acceptable by the extant scheme.
The proximity to the railway is not appropriate	The proposed development shares a similar relationship with the railway as other properties on St Pauls Avenue. Relevant railway bodies have been consulted and have raised no objection.
There should be more environmentally friendly measurements designed to offset the carbon footprint	The application has been accompanied by an Energy Assessment to demonstrate a reduction of on site carbon emissions. A payment to the boroughs carbon offset fund is also to be secured via a Section 106 agreement.
Developers are backtracking on features taken into account by the Inspectorate in allowing the appeal scheme	The Inspector focused on the reason for refusal. They did note that the revised scheme had regard to reducing its impact on 75 St Pauls Avenue in terms of natural light. As discussed in the report the proposed development does not result in any material reduction in natural light when considered against the extant scheme.
Amenity provision falls below standards	Discussed in main report.
Development fails to respect building line of St Pauls Avenue	The development is proposed to be built on the same building line as the extant scheme which is a material planning consideration.

POLICY CONSIDERATIONS

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the 2010 Brent Core Strategy, the 2016 Brent Development Management Policies Document and the 2021 London Plan.

Brent Core Strategy (2010)

CP1: Spatial Development Strategy

CP2: Population and Housing Growth

CP5: Placemaking

CP6: Design & Density in Place Shaping

CP17: Protecting and enhancing the suburban character of Brent

CP21: A Balanced Housing Stock

Brent Development Management Policies (2016)

DMP 1: Development Management General Policy

DMP 7: Brent's Heritage Assets
DMP 9A: Managing Flood Risk
DMP 9B: On Site Water Management and Surface Water Attenuation
DMP 12: Parking
DMP 13: Movement of Goods and Materials
DMP 15: Affordable Housing
DMP 18: Dwelling Size and Residential Outbuildings
DMP 19: Residential Amenity Space

London Plan

GG1 Building Strong and inclusive communities
GG2 Making the best use of land
GG3 Creating a healthy city
GG4 Delivering New Homes Londoners need
GG5 Growing a Good Economy
GG6 Increasing Efficiency and Resilience
D1 London's Form and Characteristics
D2 Delivering Good Design
D3 Inclusive Design
D4 Housing Quality and Standards
D5 Accessible Housing
D6 Optimising Housing Density
D11 Fire Safety
D13 Noise
G1 Green Infrastructure
G7 Trees and Woodlands
H1 Increasing Housing Supply
H12 Housing size mix
HC1 Heritage Conservation and Growth
SI1 Improving Air Quality
SI5 Water Infrastructure
SI7 Reducing Waste and Supporting the Circular Economy
SI12 Flood Risk Management
SI13 Sustainable Drainage
T4 Assessing and Mitigating Transport Impacts

T5 Cycling

T6 Car Parking

T7 Deliveries, servicing and construction

The Council is at a significant stage in reviewing its Local Plan. The draft Brent Local Plan was subject to examination in public during September and October 2020. The planning Inspectors are still considering the Plan prior to undertaking a final stage of consultation on a set of proposed main modifications before the Plan can be adopted. Therefore, having regard to the tests set out in paragraph 48 of the NPPF it is considered by Officer's that greater weight can now be applied to policies contained within the draft Brent Local Plan.

Brent Draft Local Plan

DMP1 Development Management General Policy

BD1: Leading the Way in Good Urban Design

BH1: Increasing Housing Supply in Brent

BH5: Affordable Housing

BH6: Housing Size Mix

BG12: Trees and Woodlands

BH13: Residential Amenity Space

BSUI2: Air Quality

BSUI4: On Site Water Management and Surface Water Attenuation

BT1: Sustainable Travel Choice

BT2: Parking and Car Free Development

BT4: Forming an Access on to a Road

The following are also material planning considerations

National Planning Policy Framework (2019)

Supplementary Planning Documents/Guidance (SPD/SPG)

Brent SPD1: Design Guide for New Development (2018)

Mayor's Housing SPG

Mayor's Sustainable Design and Construction SPG

National Planning Policy Guidance

National Design Guide

Brent Waste Planning Guide

DETAILED CONSIDERATIONS

Background

1. There is an extant permission ref.17/5291 on site for a four to seven storey development containing 70 flats. This application was refused by members at planning committee for the reason of impact on neighbouring properties and failure to agree a Section 106 agreement, The decision was subsequently appealed by the applicant and allowed by the Planning Inspectorate citing that any reductions in light would not affect the usability of the affected rooms at neighbouring 75/75A St Paul's Avenue.

Principle

2. As above the principle of the development has already been established by the extant consent. The NPPF expects the planning system to boost significantly the supply of housing, including by identifying key sites in the delivery of their housing strategy. Core Strategy Policy CP2 sets out a target for delivering 22,000 new homes over the 2007-2026 period, including a target of 25% family sized accommodation.
3. The London Plan (2021) increased the housing targets for London boroughs with the target number for Brent increased to 2,325 per year in this newly adopted plan. Brent's emerging Local Plan seeks to focus housing growth within its growth areas and site allocations. The site forms site allocation BSESA25 which is allocated for residential use with an indicative capacity of 50. It should be noted that indicative capacities are not normally derived through a detailed design process, and do not act as a maximum (or minimum) number of homes that can be delivered on a site. Applications must be considered having regard to the full suite of planning considerations (discussed in detail below).
4. The proposed development would deliver 86 residential units and therefore 16 additional homes over the extant scheme. . The development would therefore contribute to the delivery of London's housing requirements and the Council's housing target in line with London Plan Policy H1, and emerging policy BH1 of Brent's Local Plan.

Affordable housing

5. Brent's adopted local Policies CP2 and DMP15 set out the requirements for major applications in respect of affordable housing provision, and stipulate that schemes should provide 50% of homes as affordable, with 70% of those affordable homes being social or affordable rented housing and 30% of those affordable homes being intermediate housing (such as for shared ownership or intermediate rent). The policy also allows for a reduction in affordable housing obligations on economic viability grounds where it can be robustly demonstrated that such a provision of affordable housing would undermine the deliverability of the scheme. The policy requires schemes to deliver the maximum reasonable proportion of Affordable Housing (i.e. the most that the scheme can viably deliver, up to the target). It does not require all schemes to deliver 50% Affordable Housing.
6. The definition within DMP15 allows for affordable rented housing (defined as housing which is rented at least 20% below the market value) to be an acceptable form of low cost rented housing, which is consistent with the NPPF definition of affordable housing.
7. London Plan affordable housing policy (Policies H4, H5 and H6) sets out the Mayor's commitment to delivering 'genuinely affordable' housing and requires the following split of affordable housing provision to be applied to development proposals: a minimum of 30% low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent or London Affordable Rent); a minimum of 30% intermediate products; 40% to be determined by the borough based on identified need.
8. Brent's emerging Local Plan policy (BH5) is similar to DMP15 in the adopted plan, but sets a strategic target of 50% affordable housing while supporting the Mayor of London's Threshold Approach to applications (emerging Policy H5), with schemes not viability tested at application stage if they deliver at least 35% (or 50% on public sector land / industrial land) and propose a policy-compliant tenure split. Brent draft Policy BH5 sets a target of 70% of those affordable homes being for social rent or London Affordable Rent and the remaining 30% being for intermediate products. This split marries up with the London Plan Policy H6 by design, with Brent having considered that the 40% based on borough need should fall within the low cost rented homes category, bringing Brent's target split across both emerging policies as 70% for low cost rented homes (social rent or London Affordable Rent) and 30% for intermediate products.

9. Brent's draft Local Plan has only recently been examined by the Planning Inspectorate and as such the adopted Policy DMP15 would carry considerably more weight than the emerging policy at present. The policy requirements can be summarised as follows:

Policy context	Status	% Affordable Housing required	Tenure split		
Existing adopted policy	Adopted	Maximum reasonable proportion	70% Affordable Rent (to 80 % Market)	30% Intermediate	
London Plan	Adopted	Maximum reasonable proportion	30% Social / London Affordable Rent	30% Intermediate	40% determined by borough
Emerging Local Plan	Limited weight	Maximum reasonable proportion	70% Social / London Affordable Rent	30% Intermediate	

10. The extant scheme provided 18.5% Affordable Housing which was rigorously tested at the application stage and this was found to be the maximum reasonable amount. This equated to 13 units on a materially policy compliant mix (69:31 in favour of Affordable rented homes) with the following unit sizes.

Unit Type	Private	Intermediate	Affordable Rent
1 bed	28	2	5
2 bed	19	1	2
3 bed	10	1	2
Total	57	4	9

11. The provision of 16 Affordable homes is proposed within this application, which again equates to 18.5% with the mix specified below

Unit Type	Private	Intermediate	Affordable Rent
1 bed	36	2	5
2 bed	23	2	3
3 bed	11	1	3
Total	70	5	11

12. In order to demonstrate that the scheme would provide the maximum reasonable amount of affordable housing on site, a Financial Viability Assessment prepared by Redloft has been submitted in support of the application. This viability appraisal has been rigorously tested by BPS on behalf of the Council.
13. With the submitted FVA, Red Loft adopted the benchmark land value suggested by BPS in their viability report in relation to the original planning permission 17/5291. This was based on an EUV of £1,879,691 and a landowner premium of 10% giving a benchmark land value of £2,067,660. BPS agree with Red Loft in relation to this assumption having regard to the site being in continuous use and values being relatively stagnant since the date of the original viability report.
14. Whilst BPS and Red Loft are in agreement in relation to the BLV, they are not in agreement in relation to some of the assumption, with BPS adopting different values to Redloft in relation to the both Private and Affordable Residential Values, Developer profit and Finance Rates. In addition BPS have included assumptions in relation to Ground Rent and Car Parking values which were not included by Red Loft.

15. Nevertheless, whilst not all assumptions have been agreed, both Redloft and BPS conclude that the scheme would be in a financial deficit, with Red Loft concluding a deficit of £3.76 million and BPS concluding a less acute deficit of £2.27 million. Nevertheless, both conclusions indicate that the scheme is delivering the maximum reasonable amount of affordable housing on a 70:30 split of Affordable Rent to Intermediate homes
16. It should be noted that the affordable housing would be provided as Affordable Rent and Shared Ownership. Draft Local Plan Policy BH5 gives more clarity on the type of affordable housing to be provided stating that 70 per cent should be provided as Social Rent/London Affordable Rent. In this case the applicant seeks to provide the housing as Affordable Rent, as this is the same as what has been provided in the extant scheme. The applicant has provided an additional FVA assuming the provision of London Affordable Rent in place of the Affordable Rent. If this was pursued this would achieve 13 Affordable units (9 London Affordable Rent and 4 Shared Ownership) equating to a percentage provision of 13.1% on a policy compliant split which is considered the maximum reasonable.
17. Given the extant scheme, the provision of the proposed type of affordable housing is considered acceptable and the applicant has demonstrated that 18.5% affordable housing on a 70:30 split, is the maximum reasonable amount of affordable housing that can be delivered on site. This is a comparable percentage to the consented scheme and would have the benefit of delivering additional affordable homes.

Mix

18. Policies CP2 of Brent's Core Strategy, DMP 15 and BH6 of the Draft Local Plan outline that at least 25% of new homes within the borough should be family sized (3 bedrooms or more). In terms of the family sized dwellings, the consented scheme provided 13 of these equating to 18.5%. The proposed scheme provides 15 family sized dwellings equating to a percentage provision of 17.4%. Whilst a slight percentage reduction over the consented scheme, there would be an uplift of two family units with one additional unit within the affordable rented tenure. The benefits of the scheme are considered to outweigh the harm associated with the shortfall in family sized homes

Impact on neighbouring properties

19. SPD 1 provides guidance on how new development should be designed in order to protect neighbouring amenity. Amongst the guidance it states that the building envelope should be set below a line of 30 degrees from the nearest rear habitable room window of adjoining existing property, measured from a height of two metres above floor level. Where proposed development adjoins private amenity/garden areas then the height of the new development should normally be set below a line of 45 degrees at the garden edge, measured from a height of 2m.
20. Given its the only property sharing a common boundary with the subject site, the most affected property would be 75/75A St Pauls Avenue.
21. Given the modest increase in height in order to facilitate the additional storey, the development would comply with the 45 degree rule when taken from the neighbouring boundary at 75/75A St Pauls Avenue.
22. The four storey element of the proposal would comply with the 30 degree rule when taken from the neighbouring windows at both ground and first floor of 75 St Pauls Avenue. There would be a breach however of the 30 degree rule when considered in relation to the 8 storey part of the development. It should be noted that this breach is also present in the extant scheme, but this relationship was considered acceptable on the basis that the seven storey element would be located 24 metres from the windows in No.75 and 75A and therefore considered to be a sufficient distance away to justify the additional mass. The separation distances would remain the same under this application, however the proposals would be higher than the extant consent. Nevertheless, given the modest increase in height and the retained generous separation distance, it is not considered that the further intrusion of the 30 degree rule would have a materially worse impact on the occupants of this neighbouring property than the extant scheme. The enlarged development has also been supported by a daylight/sunlight assessment which is discussed in greater detail below.

23. SPD 1 also states that in order to ensure adequate privacy a separation distance of 9m should be retained between the overlooking windows and the boundary of the site. There would be no directly overlooking windows to the four storey element closest to this neighbouring property. The amenity space at third floor level would be set in 13m from the boundary with this property which would ensure that no harmful overlooking would occur as a result of the development.

24. *Daylight/Sunlight*

25. Application ref. 17/5291 was refused for the following reason

26. *The proposed development, by reason of its size and siting, would have an unduly detrimental impact on the amenities of the occupiers of the adjoining building, 75 St Pauls Avenue, by way of an unduly detrimental loss of light to the flank wall (living room) window. This is contrary to policy DMP1 of the Brent Local Plan Development Management Policies 2016 and Supplementary Planning Document*

27. In allowing the appeal, the Inspector stated the following

28. *'The small size of the sitting room suggests that it has only a limited function within the flat. Furthermore, I am not satisfied that the impact of the proposed scheme would reduce its usability or the usability of the kitchen to an unacceptable extent, particularly given the comparable situation at Nos 71/73. I also noted that the bedrooms, which would be either unaffected or affected to a very limited degree by the proposed scheme, provide alternative rooms for the occupiers to use.*

29. *The proposal would have a significantly lesser impact upon the corresponding habitable rooms in the upper floor flat, which would not be harmful to the living conditions of their occupiers'*

30. This application has been supported by a daylight/sunlight assessment to demonstrate the impact of the additional storey on neighbouring properties. Rather than provide an assessment of daylight/sunlight on the current use of the site i.e. garage, the assessment provides a comparison between the extant seven storey scheme and the proposed scheme in order to demonstrate any additional harm.

31. In relation to the ground floor flat at 75 St Pauls Avenue the daylight/sunlight report concludes that there would be no material change to the retained daylight and sunlight levels with any losses being de minimis and unnoticeable to the occupants. Furthermore, the majority of windows tested would retain slightly higher, albeit, unnoticeable improvements to VSC over the consented scheme, with the proportion of retained VSC to all windows being between 1-1.1 and therefore demonstrating no greater loss.

32. The situation would be similar for 75A St Pauls Avenue where the proportion of VSC retained would consistently be 1.0.

33. The report also provides an assessment on other surrounding residential properties includes Kingsley Court, Ady's Lawn, Avenue Mansions, 65-73 (Odd) St Pauls Avenue and 28 Park Avenue. When reviewing the results for these properties, the vast majority would experience no greater loss with the VSC retained being between 1.0-1.1. Whilst there are some examples of windows retaining VSC of 0.9 of the value of the consented scheme and therefore a 10% reduction over the consented scheme, in all but one case where the greater losses occur the affected rooms would be served by multiple windows with the others retaining full value.

34. The development would therefore have an acceptable impact on the occupants of neighbouring residential properties in terms of light, privacy and amenity.

Heritage and Design

Design, Scale, Massing

35. As already outlined, there is an extant permission for a seven storey building on site (ref. 17/5291). This application originally sought permission for an eight storeys, but owing to design and amenity concerns, the scheme was amended and this involved the reduction of the building by one storey. However, it should be noted that it was not the scale in isolation that made the initially submitted scheme unacceptable and there were various other amendments made to get it to a position whereby Officers

were willing to recommend approval.

36. In this case the development proposes an additional storey over the consented scheme bringing the total to eight. However, the actual increase would be 1.7m when comparing parapet heights and 1.9m to roof level. Nevertheless, the increase would be far less than a standard storey and when viewed from street level and it is unlikely that the additional height, when compared with that already approved, would result in a building that would be unacceptably dominant or overbearing.
37. Whilst the development would incorporate an additional storey, it would continue to reflect the design intention of the extant scheme, being a modern take on the mansion blocks that can be seen in the area. The proposed scheme would be a part 8, part 4 storey residential building. The four storey element would be of the same scale and massing as the consented scheme to mediate the change in scale and respect the amenity of the adjacent two storey dwellings on St Paul's Avenue. The top floor as before would retain a generous 2m set back which would help to limit its visibility of the proposed eight floor unless from longer views.
38. The enlarged building would remain set back from street level to accommodate front gardens. It would therefore continue to reflect the space that is afforded around existing buildings and would be sympathetic to the character of the area in this respect.
39. The proposed materials palette is to be the same as the already consented scheme with varying coloured brick proposed in order to integrate the development with surrounding buildings. The larger element would consist of lighter brickwork with the four storey element would be red brick reflecting the neighbouring terraces houses. The curved corners and banding detail, influenced by nearby listed building, is also proposed to be retained. A difference between the proposed and consented scheme is the loss of the briese soleil at roof level. Whilst this was considered an attractive feature, the design and appearance of the building is still considered to be acceptable and of a high quality.
40. The Town and Country Planning Act (Listed Buildings and Conservation Areas) Act 1990 states that when considering whether to grant planning permission for a development that affects a listed building or its setting, the decision maker has to have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest that it possess. This requirement is reflected in DMP 1, 7, Draft Local Plan Policies BP6 and BHC1 and London Plan Policy HC1. A number of comments have been received in relation to the development and its impact on neighbouring Kingsley Court which is a Grade II Listed Building
41. In support of the application a Heritage Statement prepared by Montagu Evans has been submitted. This states that although the resulting development would be two storeys higher than Kingsley Court (although only 3.9m taller which is equivalent to around one storey of a modern residential development) the modest increase in scale over the consented scheme would not reduce the prominence of the Grade II Listed Building which occupies an important corner location nor would the development compete or distract from the asset. Overall the proposed building would not have a significantly greater visual impact within the streetscene and the site's context. When viewed within the setting of the listed building the proposal would not appear overly prominent or too dominant. The design approach and materiality of the proposal is the same as the consented scheme. The proposed development is not considered to result in any harm to the significance of the heritage asset or its setting. As the design approach and materiality of the proposal is the same as the consented scheme, this proposed development is not considered to result in any harm to the significance of the heritage asset or its setting.

Quality of accommodation

Internal amenity

42. DMP18 requires all new residential accommodation to comply with London Plan policy 3.5 minimum standards (now superseded). London Plan Policy D6 now sets out minimum standards for new dwellings. All of the units proposed either meet or exceed minimum internal space standards.
43. All units would be well served by windows offering good levels of light, outlook and ventilation. Due to the arrangement of the building which fronts two roads a large proportion of the units would be single aspect, with the dual aspect units maximised where possible by locating them at the corners of the proposed building. Out of the 86 units 23 would be dual aspect. The extant scheme secured 26 dual aspect units and therefore there would be an overall reduction. However, 12 out of the 15 family units would be dual

aspect meaning single aspect units would predominantly be the smaller units. There are no north facing single aspect units and as such there are no concerns with access to daylight or sunlight due to the orientation. Four of the private floors would exceed the Housing SPG target of 8 homes per floor per core (with 3 x 10 and 1 x 12 homes per core on the respective cores). However, this is not considered to have a significant impact on the quality of accommodation or levels of social cohesion.

44. In order to demonstrate that the units would not be at risk of overheating the application has been accompanied an overheating assessment, with the results showing that the risk of overheating is well within the recommended guidance levels. This is due to several factors and design measures included external shading including overhanging balconies and a mild solar control glass. In addition the use of large windows/doors would allow for rapid purging of the heat during hot weather.
45. Whilst the limited increase in height to accommodate the eighth storey over the consented scheme has been facilitated through the reduction of the floor to ceiling height of the previously consented storeys, the required minimum 2.5m minimum floor to ceiling height is retained.
46. Future occupants would therefore be afforded a good standard of internal accommodation.

External amenity

47. Policy DMP19 establishes that all new dwellings are required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This will normally be expected to be 20 sqm studio, one or two-bedroom home and 50 sqm for family housing (homes with 3 or more bedrooms).
48. The DMP19 requirement for external private amenity space established through DMP19 is for it to be of a "sufficient size and type". This may be achieved even when the "normal expectation" of 20 or 50 sqm of private space is not achieved. The supporting text to the policy clarifies that where "sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space". Proximity and accessibility to nearby public open space may also be considered when evaluated whether the amenity space within a development is "sufficient", even where a shortfall exists in private and/or communal space.
49. With regard to quality of the space, the supporting text to policy DMP19 specifies that private amenity should be accessible from a main living room without level changes and planned within a building to take a maximum advantage of daylight and sunlight, whilst Brent SPD1 specifies that the minimum depth and width of the space should be 1.5 m.
50. London Plan policy D6 specifies that where there is no higher local standard, a minimum of 5 sqm of private amenity space should be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant. The minimum depth and 1.5 m is reconfirmed in the emerging policy.
51. Private amenity space would be provided in the form of gardens for all ground floor units and terraces and balconies for the upper floor units. All of the units would benefit from private external space, with 80 out of the 86 units proposed meeting the requirements of the London Plan Policy D6. Six of the 3b5p units at second to seventh floor (private units) would fall short of the minimum requirement of 8sqm of external space with a provision of 5.8sqm, however all of the units would very oversized internally with minimum space standards requiring 86sqm of internal space with each of the units having a GIA of 97.5sqm of internal space. It should also be noted that this was the case with the extant scheme, albeit there was a smaller number of units affected.
52. In order to supplement the private amenity space, communal amenity space is provided at ground floor level (369 sqm), and at third and fourth floor level in the form of communal terraces (100sqm and 135 sqm). Due to the arrangement of the cores, the communal space at ground floor would be for the use of all residents whereas the terraces at third and fourth floor would only be accessible to the homes accessed via the respective cores. However, it should be noted that this is the same arrangement in the extant consent.
53. The following table sets out the provision of external amenity space having regard to policy DMP19 targets.

Core	Western	Eastern
No. 1- / 2-bedroom homes	59	12
No. 3-bedroom homes	11	4
Amenity space target (DMP19)	1730	440
Shortfall in private amenity space	869	147
Total share of communal roof terrace	235	0
Total share of communal garden	300	69
Adjusted shortfall	334	78

54. The extant consent was considered to provide an appropriate quality and quantity of external amenity space and this is a material consideration when evaluating the current application. There was a shortfall of 159sqm which was considered a minor shortfall relative to DMP 19 target. .
55. As highlighted in the table above the shortfall in external amenity space across the scheme is 412sqm which represents a greater shortfall than the extant consent. However, each new home would have access to a private balcony/roof terrace and each unit would have access to good quality communal amenity space.
56. Consideration must also be given to whether the quality of the amenity space is sufficient for the proposed users. Private balconies and terraces are at least 1.5 m deep in line with Policy D6 and Brent SPD1, and have good outlook. Some detail is provided in relation to the communal spaces which are sufficiently proportioned and appropriately located and the detailed layouts can be secured through condition. It should also be noted that the entrance to Gladstone Park is approximately 660 m from the site, offering a large area of public open space within a walkable distance of the development.
57. Whilst the shortfall is more significant than the extant consent, it is considered that external amenity space provision has been reasonably maximised across the development, utilising all rooftops where possible. Whilst a greater shortfall, the proposed provision is considered sufficient to meet residents needs and it is therefore considered that the shortfall should be accepted given the wider benefits of the scheme.

Playspace

58. As per the GLA playspace calculator, the proposed development has an overall play requirement of 289sqm. The scheme provides 285qm of play on-site, a very minor shortfall of 4sqm against the requirement. In addition, the Site is in close proximity to Gladstone Park, located 650m northwest of the Site. Gladstone Park provides a variety of sports and play equipment, including facilities for children aged over 12 years. This park is within an acceptable walking distance of the Site for older children to access independently in accordance with the Mayor's Play SPG. This approach of older children utilising the nearby park was an arrangement accepted under extant consent

Transport

59. As the site does not have good access to public transport services, the higher residential maximum car parking standards set out in Appendix 1 of the adopted DMP 2016 apply. The proposed redevelopment to provide 86 flats (43 x 1-bed, 28 x 2-bed & 15 x 3-bed) would therefore be allowed 93.5 parking spaces. However, the recently adopted 2021 London Plan would set a lower maximum standard of 68 spaces. The proposed provision of 18 spaces is therefore well within the maximum allowance.
60. Policy DMP12 requires that any overspill parking that is generated can be safely accommodated on-street. In this case, on-street parking along the site frontage is prohibited at all times, whilst the two adjoining streets are also already heavily parked at night. As such, the surrounding area does not have the spare capacity to safely accommodate overspill parking from the development.
61. To address this issue, a parking permit restriction is sought to remove rights of future residents to on-street parking permits, in line with Policy DMP12 which encourages car-free development. This has been acknowledged in the applicant's Transport Statement, with residents to be notified that they will not be entitled to on-street residents parking permits for the area. This is to be secured through a legal

agreement.

62. To help support the low car parking provision, free membership of existing local Car Clubs should also be provided for a minimum term of three years through the S106/Travel Plan. ZipCar currently has vehicles based nearby in Huddleston Road and St. Paul's Avenue (eastern end).
63. The proposed provision of seven disabled spaces ensures there would be a space for 8% of the flats and if further spaces are required to meet the full London Plan standard, some of the standard width spaces could be widened accordingly. The headroom of 2.6m allows access by high-top conversion vehicles for wheelchair users.
64. At least four of the spaces should also be provided with electric vehicle charging points at the outset, with the remainder having passive provision. This is to be controlled by condition.
65. Vehicular access to the basement is proposed via a single-width ramp with a 90 degree bend. The design will therefore allow only one vehicle to use it in any direction at a time, so a traffic signal and barrier system is proposed on safety grounds. Adequate width (6m) is shown for a distance of 8m to the start of the ramp to allow a car to stand clear of the highway whilst waiting for a car to pass on exit from the car park. As long as default priority is given to cars entering the car park, this arrangement is considered acceptable.
66. The width and gradient of the access ramp meet design standards for a one-way ramp and tracking has been provided to demonstrate that it can cater for access by large cars.
67. The existing crossover to St. Paul's Avenue will need to be repositioned eastwards to suit the new access arrangements. The redundant length of crossover will then also need to be returned to footway with full height kerbs at the developer's expense, as will the redundant crossover onto Park Avenue. The final crossover should therefore measure 6m width rather than the 10.5m shown.
68. Consideration should also be given to providing some further enhancements to the wide area of footway fronting the site, such as benches and planting, to enhance the appearance of the street frontage. A landscaping scheme is required by condition.
69. The current London Plan requires 129 secure long-term bicycle parking spaces and three short-term spaces. Secure storage is shown in the basement for 151 bicycles, which would meet London Plan standards in a secure and sheltered location, with access to the basement provided via both the car park access ramp and a lift.
70. However, the spaces (particularly the 'Sheffield' stands) have been crammed into the space, making many of them inaccessible. An amendment to the layout is therefore sought to provide suitable aisle widths (at least 1m for 'Sheffield' stands) and as the overall space is considered sufficient such details are to be requested by condition.
71. Some larger spaces have been included beneath the access ramp for non-standard bikes (tricycles, cargo-bikes) and these are welcomed, as are the four spaces shown at the front of the building for short-stay parking.
72. In terms of servicing, a bin store is proposed in the basement for a total of 17 Eurobins and 8 wheeled bins, thus providing adequate capacity for these 86 flats. A standing area at the front of the site alongside the vehicle access has then been identified for bins to be left on collection days, with the management company hauling the bins up to the standing area via the basement access ramp using a tug. This will allow easy access by Brent's refuse contractors from the adjoining public highway, without refuse vehicles needing to enter the site.
73. However, the restricted size of the basement store means the bins have been crammed into the store three deep, making many of them inaccessible. Like the bicycle store, this needs to be addressed, so that all bins can be easily accessed. The number of Eurobins can be reduced to 18 with no requirement for wheeled bins, which may provide a little more leeway. As with the cycle storage, further details are requested by condition.
74. The development is otherwise accessed directly from the highway to allow access by the fire service in an emergency. Other short term delivery vehicles (estimated at 1-2 HGV's per day) would be able to pull up temporarily on yellow lines along the wide St. Paul's Avenue kerbside fronting and opposite to the site.

75. The submitted Transport Statement has considered the likely number of trips that would be generated on nearby transport networks, based on comparisons with four similarly sized residential developments in outer London.
76. On this basis, the development is estimated to generate 10 arrivals/41 departures in the morning peak hour (8-9am) and 34 arrivals/24 departures in the evening peak hour (5-6pm) by all modes of transport.
77. Census 2011 data for the area has then been used to establish the likely modal split of these trips, with 18% assumed to be travelling as car drivers. On this basis, the development is estimated to generate 2 arrivals/8 departures in the morning peak hour and 6 arrivals/4 departures in the evening peak hour by car. This level of vehicle movement is not considered likely to have any significant impact on the local road network, with the existing car repair garage currently generating greater numbers of vehicle movements.
78. For other modes, 32 movements in the morning peak hour and 37 movements in the evening peak hour are estimated to be made by public transport. This amounts to less than one additional passenger per bus and tube service passing the site, so is not considered significant enough to cause any concern.
79. Purely pedestrian journeys are estimated at 3-5 journeys in each peak hour, with cyclist movements estimated at 2-3 movements per peak hour. The level of pedestrian facilities fronting the site is good, with pedestrian refuges on Park Avenue and works having been undertaken in recent years to make the junction of Park Avenue, St. Paul's Avenue and Chapter Road more pedestrian friendly by removing the former double mini-roundabout. The site also abuts an existing London cycle network route and quietway.
80. An analysis of the accident record in the area for the five-year period January 2014-February 2019 showed just two slight personal injury accidents in the immediate vicinity of the site, neither of which involved pedestrians or cyclists. As such, there are no concerns with regard to road safety related to this development proposal.
81. Nevertheless, to help to alter the future modal split in favour of non-car modes, a Framework Travel Plan has been submitted. This proposes that a named Travel Plan Co-ordinator will manage a series of measures (supply of travel information, personalised travel planning, management of car parking etc.) to aim to reduce the proportion of car driver trips to and from the site from 19% to 14%, with progress to be monitored using biennial surveys undertaken in line with the TRICS survey methodology.
82. The operation of a full Travel Plan for the site is welcomed, with the number of flats exceeding the threshold set by TfL for a full Travel Plan. However, the Framework Travel Plan is lacking in some key detail and would not therefore pass the test for satisfactoriness set out in TfL's ATTrBuTE programme. For instance, interim travel plan targets for modal shift are not specified and reference has not been made to any remedial measures being identified if targets are not met. No mention is made of measures to support local Car Clubs either and as mentioned above, this should include three years' free membership and driving credits for all future residents. Further details of how the car parking spaces will be managed would also be of use and in this respect, spaces should be leased annually and not sold with the flats in order to retain flexibility in their allocation to respond to changing needs of residents.
83. A revised Travel Plan (based on the Framework submission but addressing the points above) should therefore be secured through a S106 Agreement, with final approval needing to be given prior to occupation of the development.
84. Finally, a Construction Environmental Management Plan has been submitted for the development, which confirms that deliveries to the site will be pre-scheduled and that wheel-washing and road sweeping will be provided to keep the surrounding streets clean.
85. A Construction Logistics Plan will be required as a condition of any approval

Ecology

86. The site is located adjacent to the railway line which is a wildlife corridor and as such DMP8 and The applicant has submitted an ecological report in support of the application. The report has made a number of recommendations concerning bats and nesting birds and the presence of an invasive species (Virginia Creeper) that would need to be removed. It also states that previous comments in relation to reptiles are no longer relevant as since the approval of the previous application all habitat suitable for nesting birds

has been cleared from site.

87. The report has concluded that subject to conditions regarding ecological work that the proposal would be acceptable and would not harm the wildlife corridor.

Sustainability

88. Major residential developments are expected to achieve zero carbon standards including a 35% reduction on the Building Regulations 2013 Target Emission Rates achieved on-site, in accordance with London Plan Policy SI2. An Energy Assessment is required, setting out how these standards are to be achieved and identifying a financial contribution to Brent's carbon-offsetting fund to compensate for residual carbon emissions.
89. The Energy Assessment Addendum submitted sets out how the London Plan energy hierarchy has been applied, using energy efficiency measures and renewable energy. On the basis of the assessment, an on-site reduction in CO2 emissions of 53.28% beyond 2013 Building Regulations compliant development is expected. This exceeds the minimum expectations for onsite carbon dioxide savings as set out in Policy SI2 of the London Plan. The reduction has been achieved through the building fabric measures, CHP and the use of the PV.
90. Revised Energy Assessments would be secured at detailed design and construction stages, together with a financial contribution to Brent's carbon offsetting scheme to achieve zero carbon development (this is predicted to be £84,114, based on the submitted details, however an improved on-site carbon performance would result in a lower level of contribution).
91. Based on the above, the development would make a suitable contribution towards reducing carbon emissions.

Flood Risk

92. A Flood Risk Assessment (FRA) has been submitted in support of the application. This report confirms that the site is at low risk of tidal or fluvial flooding however flood risk from surface water has historically been a problem in the area and there are also historical problems with waste water. The existing site has previously been confirmed as being 100% impermeable due to the presence of large amounts of concrete.
93. London Plan Policy SI13 requires development to utilise sustainable urban drainage systems (SUDS), aim to achieve greenfield run-off rates and to ensure surface water run-off is managed as close to source as possible. As part of application of the consented scheme, a drainage strategy was required by condition. This was submitted and approved under planning application 20/1760.
94. The approved drainage strategy included various measures to reduce and manage flood risk including the use of storage tanks. The approved drainage strategy would mean that surface water would discharge to 5l/s providing a betterment of 95% and therefore result in a significant reduction in flood risk to the overall site and locally within the main system.
95. Having regard to the previously submitted drainage strategy, a condition is proposed requiring the submission of details unless the drainage strategy is implemented in accordance with the information approved under planning application 20/1760.

Air Quality

96. The site is within a designated Air Quality Management Area (AQMA); therefore an Air Quality Assessment report prepared by GL Hearn has been submitted considering the potential air quality impacts associated with the proposed construction and future operation of the site. The report shows that construction works would give rise to a low to medium risk to air quality through dust impacts. The report recommends measures to mitigate dust emissions during construction phase and states that the following the implementation of these mitigation measures the impact of the proposed developments construction phase is anticipated to be negligible. It is anticipated that traffic generated by the development would not significantly affect local air quality.
97. The Council's Environmental Health officer concurs with the methodology however has requested further

details in relation to mechanical ventilation and further details mitigation measures to ensure that the Air Quality neutral transport emissions can be achieved. This information was requested under condition 11 of the consented scheme and the details discharged under planning reference. 20/1759. This submission outlined the transport mitigation measures to include electric vehicle charging points, subsidised membership of car clubs, the removal of parking permits, the provision of cycle storage and the submission of a travel plan to minimise car usage and to promote alternative and more sustainable modes of transport.

98. A condition will therefore be attached requiring the submission of this information unless carried out in full accordance with the details submitted under application ref. 20/1759.

Contaminated Land

99. The proposed site has been identified as potentially contaminated and the applicant has submitted a ground investigation report dated September 2020. The report identifies a number of remediation measures that are required for the site before the residential use commences. A full remediation strategy has been developed and approved under application ref. 20/1760. Further details will therefore be requested unless carried out in full compliance with the details already discharged.

Noise

100. The application has been accompanied by a Noise Assessment prepared by GL Hearn. Whilst it acknowledges that there are some marginal exceedances of standards within the proposed external amenity areas the level of noise experienced would be no greater than that in neighbouring properties.

101. In relation to surrounding neighbouring properties the report states that noise from cars accessing the car park is not expected to substantially affect indoor noise levels at existing properties when considered against relevant limits, some neighbours may notice some car parking access activity during the quieter hours of the day or at times when rail, tube or road traffic movements are infrequent

102. The report concludes that the site is suitable for residential development with respect to the control of environmental noise and vibration. Environmental Health Officer's have been consulted on the application and are satisfied with the results of the noise assessment.

Equalities

103. In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has also been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

Conclusion

104. The proposed development would make more efficient use of land, contributing 86 residential units to the boroughs housing stock, 18.5% of which would be affordable, representing the maximum reasonable amount. The proposal would result in a good standard of accommodation for prospective residents and whilst noting that the scheme does fall short on external amenity space targets set out in Policy DMP19 and draft Policy BH13, external space has been maximised on site and the shortfall would be mitigated through its proximity to Gladstone Park. The proposal would not result in any greater harm to the occupants of neighbouring properties over that already considered acceptable in the extant scheme. The proposal would also make a significant contribution to the streetscape and place making in the area whilst respecting the character, appearance and setting of the neighbouring listed building, with no harm caused to the historic significance or setting of the listed building. The proposal is considered to accord with the development plan when viewed as a whole and the application is therefore recommended approval.

CIL DETAILS

This application is liable to pay **£3,034,089.75** * 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): 458 sq. m.

Total amount of floorspace on completion (G): 8880 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
(Brent) Dwelling houses	8880		8422	£200.00	£0.00	£2,511,560.71	£0.00
(Mayoral) Dwelling houses	8880		8422	£0.00	£60.00	£0.00	£522,529.04

BCIS figure for year in which the charging schedule took effect (Ic)	224	323
BCIS figure for year in which the planning permission was granted (Ip)	334	
TOTAL CHARGEABLE AMOUNT	£2,511,560.71	£522,529.04

*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.



Application No: 20/3149

To: Miss Moore
Healey Development Solutions (Willesden) Ltd
65 Gresham Street
London,
England,
EC2V 7NQ

I refer to your application dated **30/09/2020** proposing the following:

Demolition of MOT garage and erection of a part eight storey and part four storey building with basement level to provide 86 self-contained flats with ground, third and fourth floor amenity space, provision of basement car parking, cycle and refuse storage, alterations to vehicular accesses and associated landscaping

and accompanied by plans or documents listed here:
See condition 2

at **Willesden Green Garage, St Pauls Avenue, London, NW2 5TG**

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: 26/03/2021

Signature:

Gerry Ansell
Head of Planning and Development Services

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework (2019)
London Plan (2021)
Draft Local Plan (2020)
Core Strategy (2010)
Draft London Plan (2020)
Brent Development Management Policies (2016)
SPD 1 - Brent Design Guide (2018)

- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning on the date of permission 17/5281 (dated 17 December 2019)

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):

2999-ACA-00-B1-DR-A-8030 Rev SK3	Site Plan
2999-ACA-00-B1-DR-A-8031 Rev SK2	Site Survey
2999-ACA-00-B1-DR-A-8050 Rev SK12	Basement Floor Plan
2999-ACA-00-00-DR-A-8051 Rev SK12	Ground Floor Plan
2999-ACA-00-01-DR-A-8052 Rev SK12	First Floor Plan
2999-ACA-00-02-DR-A-8053 Rev SK12	Second Floor Plan
2999-ACA-00-03-DR-A-8054 Rev SK12	Third Floor Plan
2999-ACA-00-04-DR-A-8055 Rev SK12	Fourth Floor Plan
2999-ACA-00-05-DR-A-8056 Rev SK12	Fifth Floor Plan
2999-ACA-00-06-DR-A-8057 Rev SK12	Sixth Floor Plan
2999-ACA-00-07-DR-A-8058 Rev SK11	Seventh Floor Plan
2999-ACA-00-08-DR-A-8059 Rev SK11	Roof Floor Plan
2999-ACA-XX-XX-DR-A-8061 Rev SK14	Elevations Sheet 1
2999-ACA-XX-XX-DR-A-8062 Rev SK12	Elevations Sheet 2
2999-ACA-XX-XX-DR-A-8063 Rev SK12	Elevations Sheet 3
2999-ACA-XX-XX-DR-A-8064 Rev SK12	Elevations Sheet 4
2999-ACA-XX-XX-DR-A-8065 Rev SK12	Elevations Sheet 5
2999-ACA-XX-XX-DR-A-8067 Rev SK4	Sections Sheet 1
2999-ACA-XX-XX-DR-A-8068 Rev SK4	Sections Sheet 2

2999-ACA-XX-XX-DR-A-8069 Rev SK4	Sections Sheet 3
2999-ACA-XX-XX-DR-A-8070 Rev SK4	Sections Sheet 4
2999-ACA-XX-XX-DR-A-8071 Rev SK4	Sections Sheet 5
2999-ACA-XX-XX-DR-A-9092 Rev SK12	Accommodation Schedule Sheet 1
2999-ACA-XX-XX-DR-A-9093 Rev SK14	Accommodation Schedule Sheet 2

Air Quality Assessment Report, September 202 (GL Hearn)
 Construction Environmental Plan, 1 September 2020 (P901, HG Construction)
 Daylight and Sunlight Report, September 16th 2020 (EB7)
 Ecological Appraisal Addendum, 8 September 2020 (WYG)
 Energy Report Addendum, September 2020 (Stroma)
 Flood Risk Assessment and Drainage Strategy, updated September 2020
 Ground Investigation Report, ref. J17179C dated September 2020
 Heritage Statement, September 2020 (Montagu Evans)
 Noise Impact Assessment, 15 September 2020 (GL Hearn)
 Thermal Comfort Report, 14 September 2020 (Stroma)
 Planning Statement, September 2020, Avison Young
 Transport Statement ref. A101362-2, September 2020 (WYG)
 Framework Residential Travel Plan, September 2020 (WYG)
 Utility Report, L19022-EDC-RP-001, September 2020 (EDC)
 Outline Waste Management Strategy, September 2020
 Viability Appraisal, September 2020 (Redloft)

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

- 3 Not less than 10% of residential units shall be constructed to wheelchair accessible requirements (Building Regulations M4(3)) or shall meet easily accessible/adaptable standards (Building Regulations M4(2)) unless otherwise agreed in writing by the Local Planning Authority

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

- 4 Prior to the commencement of the use of any part of the approved Development the following shall be constructed and permanently marked out:

- the approved number of car parking spaces as shown on the approved plans which shall include the provision of at least 20% active and 20% passive electric vehicle charging points and at least 8 spaces designed and laid out for disabled parking

Thereafter the approved parking shall be retained and used solely for the specified purposes in connection with the Development hereby approved for the lifetime of the Development and shall not be obstructed or used for any other purpose/s unless otherwise agreed in writing by the Local Planning Authority.

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

- 5 Vegetation clearance of shrubs/trees 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: In the interest of safeguarding wildlife habitats.

- 6 Unless carried out in accordance with the details already discharged under application ref.

20/1759 prior to the commencement of development further details on the proposed mitigation measures for the site based on the APEC levels B/C and also the transport emissions being above benchmark emissions for AQ neutral shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full and maintained as such for the lifetime of the development.

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

- 7 Notwithstanding the approved plans, prior to the occupation of the development further details showing improved accessibility to the basement bin and cycle storage shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved details.

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

- 8 The development to which this permission relates shall provide 86 self-contained residential units, comprising 43 x 1-bed, 28x 2-bed and 15 x 3-bed, unless otherwise agreed in writing by the Local Planning Authority.

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

- 9 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:

Time	Area	Maximum noise level
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)

Tests shall be carried out prior to first occupation within one room of each built facade type for a living and bedroom area over a four-day period, to show that the required internal noise levels have been met and the results submitted to the Local Planning Authority for approval in writing.

Reason: In the interest of residential amenity.

- 10 Any plant together with any associated ancillary equipment shall be installed 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 5dB(A) below the measured background noise level when measured at the nearest noise sensitive premises. An assessment of the expected noise levels shall be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' and any mitigation measures necessary to achieve the above required noise levels shall be submitted to the Local Planning Authority in writing for approval. The plant shall thereafter be installed prior to the first use of the building to which the plant relates and maintained in accordance with the approved details for the lifetime of the Development.

Reason: In the interests of local amenity

- 11 Before any above ground construction work (excluding demolition) is commenced, details of materials for all external work 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 and retained as such thereafter.

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

- 12 Before any above ground construction work (excluding demolition) is commenced a detailed scheme for the hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping works shall be fully completed prior to occupation of the building(s), or within 12 (twelve) weeks of the commencement of the next planting season. Such a scheme shall include, but is not limited to:-

(a) Details of proposed walls, fencing and other means of enclosure indicating materials and heights, including secure fencing around the boundary of the site and the neighbouring designated SINC areas;

(b) Details for all new tree planting across the site, with all new trees planted at a minimum girth of 12-14cm,

(c) Details of adequate physical separation, such as protective walls and fencing between landscaped and paved areas;

(d) Details of existing contours and any proposed alteration to ground levels such as earthmounding;

(e) Details of any balustrade/balcony treatment

(f) Details of areas of hard landscape works and proposed materials, including details of a robust and durable choice of material for the refuse turning area;

(g) Details of the proposed arrangements for the maintenance of the landscape works.

(h) Details for the layout of external spaces including the communal roof terraces and the ground level area, including provision for outside seating / benches and children's play equipment

(i) Details for the provision of on-site bird and bat boxes Appeal Decision

Any planting that is part of the 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, unless the Local Planning Authority first gives written consent to any variation.

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

- 13 Prior to first occupation of the development hereby approved, confirmation from the Building Control body shall be submitted to the Local Planning Authority to demonstrate that the relevant building 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.

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

- 14 Unless carried out with the details already discharged under application ref. 20/1760 no works shall take place until full details of a drainage strategy detailing any on and/or off site drainage works which shall include but is not limited to a scheme of drainage measures for all areas of hard surface within the site, showing those areas to be treated by means of hard landscape

works to utilise a sustainable urban drainage system (SUDS) to reduce run-off rates, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation of the development and shall be retained for the lifetime of the Development.

Reason:

- 15 Prior to the commencement of above ground works further details of the proposed access and gate to the basement car park shall be submitted to and approved in writing by the Local Planning Authority.
The approved details shall be implemented in full and maintained as such for the lifetime.

Reason: In the interest of highway safety and local amenity

- 16 Unless carried out in accordance with the details already discharged under application ref. 20/1765

(a) Prior to the commencement of any works on site, with the exception of works necessary to facilitate compliance with part (a) of this condition, a Site Investigation shall be submitted to and approved in writing by the Local Planning Authority. The Site Investigation shall be carried out by competent persons in accordance with the principles of BS 10175:2011 to determine the nature and extent of any soil contamination present; include the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination; and include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors.

(b) Prior to the commencement of any works, with the exception of works necessary to facilitate compliance with part (b) of this condition and UNLESS the Local Planning Authority has previously confirmed in discharging part (a) above that no remediation measures are required, a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall specify measures to contain, treat or remove any soil contamination to bring the site to a condition suitable for the intended residential use; include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures; ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The works shall be carried in accordance with the approved details in accordance with the approved timetable of works. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Any remediation measures required by part (a) above shall be carried out in full.

(c) Prior to the occupation of the Development and UNLESS the Local Planning Authority has previously confirmed in discharging part (a) above that no remediation measures are required, a Verification Report shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Verification Report shall demonstrate that the remediation has been carried out in accordance with the approved Remediation Strategy; and that the Development is permitted for its approved end use.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors.

- 17 Prior to the commencement of development further details of a detailed design and construction method (in consultation with London Underground) shall be submitted to and approved in writing by the local planning authority which:

- provides details on the use of tall plant
- accommodate the location of the existing London Underground structures

The approved details shall be implemented in full and maintained as such for the lifetime of the development.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

- 18 Prior to the commencement of development further details of piling and excavation works (in consultation with Network Rail) shall be submitted to and approved in writing by the local planning authority which provide details of:

- Vibro-compaction machinery/piling machinery
- Ground treatment works
- A method statement to include the proposed methods of piling, excavation and construction

All works shall be carried out in accordance with the approved details and maintained as such for the lifetime of the development.

Reason: To ensure that there is no impact upon critical railway infrastructure

INFORMATIVES

- 1 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
- 2 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 3 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.
- 4 The applicant is advised that noise and vibration is controlled by the Control of Pollution Act 1974 and statutory nuisance provisions contained within the Environmental Protection Act 1990 and the British Standard Codes of practice 5228:1997 Parts 1 to 4. Key issues relating to noise from construction sites include: (i) prior consent may be sought from the Council relating to noise from construction activities (s.61 of COPA 1974); (ii) if no prior consent is sought, the Authority may serve a notice on the site/works, setting conditions of permitted work (s.60 of COPA 1974); (iii) an action in statutory nuisance can be brought by a member of the public even if the works are being carried out in accordance with a prior approval or notice (s.82 of the EPA 1990). In particular, the normal hours of work shall be between the following hours:

Monday to Friday - 08.00 to 18.30
Saturdays – 08.00 to 13.00
Sundays and Bank Holidays – No noisy works at all

No work or ancillary operations, which are audible at the site boundary, will be permitted outside these hours unless fully justified and any such works shall be kept to an absolute minimum.

- 5 The applicant is advised that Building Regulations control these works and compliance is required when converting an existing basement to habitable use, excavating a new basement or extending an existing basement. Building Regulations control matters such as structure, fire safety, ventilation, drainage, waterproofing, insulation, sound proofing, heating systems and access.

For the avoidance of doubt, the granting of planning permission does not provide any warranty against damage of adjoining or nearby properties, and the responsibility and any liability for the safe development of the site rests with the developer and/or landowner.

- 6 The applicant is advised that some aspects of construction are subject to licences. For example, the developer/contractor will be required to obtain licences from the Local Authority before:
- (i) erecting any scaffolding, hoardings, gantry, temporary crossing or fence on the highway;
 - (ii) depositing a skip; or
 - (iii) operating a mobile crane, aerial platform, concrete pump lorry or any such equipment.

The contractor has a duty to inform local residents likely to be affected by such activities at least 14 days prior to undertaking the works, as well as applying for the appropriate permits and licences. The most suitable method of informing residents is through newsletters. Such newsletters should also update neighbours on site progress and projected activities that might cause loss of amenity, e.g. road closures for delivery or use of mobile cranes or abnormal deliveries to the site.

- 7 The applicant is advised that the Highways Act 1980 (particularly Part IX) sets out requirements relating to construction work on or near the highway. Key requirements of the 1980 Act include:
- (i) permission by formal agreement from the Highway Authority (London Borough of Brent except for the North Circular Road) is required for any works to highways;
 - (ii) licences are required for permission to place temporary obstructions on the highway (e.g. hoardings, fenced storage areas, temporary cross-overs, scaffolding, gantries and skips);
 - (iii) deposition of mud or other such materials on the highway is prohibited. Measures to prevent this (e.g. wheel washing) can be required by order;
 - (iv) surface drainage from a construction site must not be allowed to run across the footway part of a public highway;
 - (v) the contractor is responsible for any damage caused by their activities to roads, kerbs or footpaths in the vicinity of the work site;
 - (vi) any street furniture (electrical or non-electrical) cannot be removed or relocated by the developer or any of its contractors. This may only be carried out by the Highway Authority or its appointed contractor.

The applicant is also advised of their responsibility to apply to the Council for parking bay suspension:

www.brent.gov.uk/services-for-residents/parking/suspending-a-parking-bay-and-dispensations

- 8 The applicant is advised to adhere to the following guidance in respect of vibration to ensure measures are taken to protect the residents and users of buildings close by and passers-by from nuisance or harm and protect buildings from physical damage:
- (i) human exposure: the contractor should refer to BS5228:1992 Part 4 'Code of Practice for Noise and Vibration Control Applicable to Piling Operations' for guidance; and
 - (ii) protection of structures: the contractor should carry out demolition and construction activities in such a way that vibrations arising will not cause significant damage to adjacent structures and should refer to BS7385 'Evaluation and Measurement of Vibration in Building - Part 2 Guide to Damage Levels from Groundborne Vibration' for guidance.
- 9 The applicant is advised that the Environmental Act 1995, Clean Air Act 1993, the Health and Safety at Work Act 1974 etc, the Environmental Protection Act 1990 all control air quality and that the EPA 1990 controls dust under the 'statutory nuisance' provisions. The contractor should:
- (i) take all necessary measures to avoid creating a dust nuisance during both demolition and

construction works including excavations;
(ii) not burn any materials on the site;
(iii) avoid the occurrence of emissions or fumes from the site including from plant and ensure off-road vehicles (e.g. bulldozers, excavators etc) with compression ignition engines comply with emission standards set in EC Directive 97/68/EC, meeting Stage II limits where possible and run on low sulphur diesel;
(iv) ensure on-road vehicle emissions are in line with the provisions of the Road Vehicles (Construction and Use) Regulations (as amended) and the Motor Vehicles (Type Approval) (Great Britain) Regulations made under the Road Traffic Act 1988 and the EURO standards.

- 10 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.
- 11 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 12 The applicant is advised to adhere to the principles set out in the Construction Management Plan at all times during construction.
- 13 The applicant is reminded that they are required to submit the development form to AssetProtectionLNWSouth@networkrail.co.uk and the Party Wall notification (including a plan of the site) to PropertyServicesLNW@networkrail.co.uk
- 14 The applicant is advised of the following in relation to Thames water:
1. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
 2. There are large water mains adjacent to the proposed development. Thames Water will not allow any building within 5 metres of them and will require 24 hours access for maintenance purposes. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.
 3. The applicant is advised to contact Thames Water Developer Services on 0800 0093921 to discuss the details of piling.

Any person wishing to inspect the above papers should contact Paige Ireland, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 3395

This page is intentionally left blank