



## Planning Committee

**Wednesday 13 November 2024 at 6.00 pm**

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

Please note this will be held as a physical meeting which all Committee members will be required to attend in person.

**The meeting will be open for the press and public to attend or alternatively can be followed via the live webcast. The link to follow proceedings via the live webcast is available [HERE](#)**

### Membership:

#### Members

Councillors:

Kelcher (Chair)  
S Butt (Vice-Chair)  
Akram  
Begum  
Chappell  
Dixon  
Johnson  
J. Patel

#### Substitute Members

Councillors:

Agha, Bajwa, Crabb, Gbajumo, Mahmood,  
Mitchell and Rajan-Seelan

Councillors

Hirani and Kansagra

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**Members' virtual briefing will take place at 12.00 noon.**

## **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.

ITEM	WARD	PAGE
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1. Apologies for Absence

2. Declarations of interests

Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary or personal interests in the items on this agenda and to specify the item(s) to which they relate.

3. Minutes of the previous meeting

(a) Wednesday 07 August 2024 1 - 18

(b) Wednesday 11 September 2024 19-44

(Agenda republished to include the September minutes on 12 November 24)

## APPLICATIONS FOR DECISION

- |  |              |           |
|--|--------------|-----------|
| 4. Glynn's Skip Hire, Fifth Way, Wembley, HA9 0JD      | Wembley Park | 49 - 110  |
| 5. 1-11 Elm Road and 10-12 St Johns Road, Wembley, HA9 | Wembley Hill | 117 - 164 |
| 6. Any Other Urgent Business                           |              |           |

Notice of items to be raised under this heading must be given in writing to the Deputy Director of Democratic Services or their representative before the meeting in accordance with Standing Order 60.

**Date of the next meeting: Wednesday 11 December 2024**



- Please remember to **SWITCH OFF** your mobile phone during the meeting.
- The meeting room is accessible by lift and seats will be provided for members of the public. Alternatively, it will be possible to follow proceedings via the live webcast [HERE](#)

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## LONDON BOROUGH OF BRENT

### MINUTES OF THE PLANNING COMMITTEE

Held in the Conference Hall, Brent Civic Centre on Wednesday 7 August  
2024 at 6.00 pm

PRESENT: Councillor Kelcher (Chair), Councillor S Butt (Vice-Chair) and Councillors Akram, Begum, Chappell, Johnson, Mahmood and J. Patel

Also present: Councillors Georgiou (Agenda Item 5)

#### 1. **Apologies for Absence and Clarification of Alternate Members**

Apologies for absence were received from Councillor Dixon with Councillor Mahmood attending as a substitute member.

#### 2. **Declarations of interests**

Councillor Johnson declared a personal interest in respect of Application 21/2587 – Hereford House & Garages, Carlton Vale and Exeter Court, Cambridge Road and Open Space and Play Area, Granville Road, London, NW6 (Agenda Item 4) as a previous Director and member of the South Kilburn Trust.

No other declarations of interest were made during the meeting.

#### 3. **Minutes of the previous meeting**

**RESOLVED** that the minutes of the previous meeting held on Tuesday 11 June 2024 be approved as a correct record of the meeting.

#### 4. **21 / 2587 - Hereford House and Garages, Carlyon Vale & Exeter Court, Cambridge Road and Open Space and Play Area, Granville Road, London, NW6**

##### PROPOSAL

Full planning application for the demolition of the existing Hereford House and Exeter Court buildings and the construction of four new residential buildings ranging from 3-13 storeys, the provision of flexible non-residential floorspace at ground floor of Block C1, a new public urban park and new access road along the western side of the site, cycle and blue badge car parking and associated infrastructure.

##### RECOMMENDATION

That the Committee resolve to GRANT planning permission subject to:

- (1) referral of the application to the Mayor of London (Stage 2 referral); and
- (2) the conditions and informatives as set out in the Committee and Supplementary report.

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Lena Summers (Planning Officer) introduced the report, detailing the proposal for the building of four new residential blocks varying in height and mass set within a significant amount of new public realm comprising hard and soft landscaping and additional parking and new cycling routes. The proposed site was arranged around a communal courtyard of consisting of blocks A, B and C with a new urban park and access road along the western side of the site. Following the submission of a supplementary report, the conditions had been reordered to reflect compliance, pre-commencement, post commencement and pre occupation with an update provided in relation to the revised bus contribution being sought by TfL as a result of the latest Transport Assessment, with the recommendation remaining to grant consent.

The Chair thanked Lena Summers for introducing the report and as there were no registered speakers for the application the Chair moved straight on to invite the Committee to raise any questions they had in relation to the information presented, with the following being noted:

- As the level of social housing properties on the site had reduced, further details were sought on whether the standard of homes had risen in balance and what benefit would be delivered as a result. The Committee were advised that although there would be 41 less social housing properties, there would be a net gain in the socially rented floor space amounting to 957sqm. There would also be a significant increase in family sized dwellings with 53 dwellings consisting of either three, four or five bedrooms and net uplift in level of affordable housing.
- In response to a query on the quality of open space within the proposed development, the Committee was reminded that this would comprise of an urban park site allocation. The open space had been relocated to the East side due to overlooking and new trees would also be planted for additional privacy.
- With regard to the proposals for community entrances, the Committee were informed that the Urban Design Officer had identified the proposals to be of a high standard given the design.
- Further details were sought on the decanting of existing tenants from the site, which the Committee was informed had been completed with tenants having been relocated within the wider South Kilburn area and nomination rights to the new development site being subject to established arrangements.
- Further details were sought regarding the surplus provision and whether the net loss was due to viability of the scheme. The Committee was informed that initially properties were part of a Shared Ownership Scheme but this had now been converted to social renting homes and the scheme had been redesigned to meet current building regulations. A viability assessment showed that this was the maximum provision that could be provided.
- Reading the query of whether Thames Water had been consulted on the risk of flooding and how the scheme would fit into Thames Water's future plans, the Committee was informed that Thames Water had been consulted and a Flooding Risk Assessment and Drainage Strategy completed with no specific concerns or objections being raised. Flood risk had been assessed, and the

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site represented a betterment reducing surface water run off to greenfield rates. Sustainable Drainage Systems (SuDS) measures had also been proposed to address surface water management, with further details of the drainage strategy to be secured by condition(s).

- In regards to the loss of light to neighbouring properties, whilst it had been recognised that the development would have some impact on neighbouring properties, largely in terms of loss of daylight and there would be some shortfalls against BRE guidelines, in particular to the properties to the north on Granville Road it was felt that the applicant has demonstrated in their submission that existing building arrangement and features of these affected homes had restricted access to light, including projecting balconies and the properties being low lying which also distorted the reported values. The level of impact was not therefore considered to be unduly detrimental given the general high level of compliance and urban nature of the scheme with the overall impact of the development considered acceptable, particularly in view of the wider benefits of the scheme in terms of the Council's strategic objectives.
- Further details were sought regarding the ecological impact of the proposed development with it noted there were currently 39 trees on site and the development resulting in a net increase of over 100 trees, with 45 of these planted within the Granville Urban Park and new street trees on Carlton Vale and Granville Road. The site was not within any designated ecological assets and achieved an urban greening factor of 0.33 which, whilst falling short of target, would be maximised through the application site with final landscaping details secured via condition. The Committee were informed that the tallest buildings were in Block C and there would be trees lining this block but none of the trees were mature.
- Regarding issues of flooding in the site in the past, the Committee were informed that flood risk had been assessed, and the site represented a betterment reducing surface water run off to greenfield rates with Sustainable Drainage Systems (SuDS) measures proposed to address surface water management and further details of the drainage strategy to be secured by condition(s).
- Further details were sought about the shortfall in amenity space. The Committee were informed that there was a policy target of 50sqm of amenity space for ground floor dwellings and 20sqm for the other floors, as well as communal gardens. Amenity space was provided as balconies and terraces and a communal courtyard for Blocks A, B and C. Dwellings in Block D were terraced houses and had both front and rear gardens. Whilst the amount of external private/communal space met London Plan requirements it had not fully met Brent's numerical requirements set out within policy BH13, however, the development had been designed to provide good quality amenity space and a new Urban Park adjacent to the new homes and as such this was considered of sufficient quality and to provide a variety of external communal spaces and on-site play for future occupiers.
- Details were sought on any plans to re-design Carlton Vale linked to the development. Committee members noted that whilst the scheme would

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involve some adjustment to the adjacent parking and loading bays there would be no change in the design of the existing highway along Carlton Vale.

- Regarding the impact on neighbouring properties and data on the shortfall, the Committee noted that the report showed shortfalls in BSE and BRE guidelines due to overhanging balconies, but this was balanced with the provision of outdoor space with the properties most impacted being 21-53 Granville Road. It was, however, noted that thirty three out of sixty three windows that were tested had met the relevant criteria.
- In seeking confirmation on the extent of public consultation undertaken the Committee were advised this had included letters being sent to 675 neighbouring properties, the display of site notices and notice within the press with follow up following scheme alterations and submission of revised plans. A Statement of Community Involvement had also been submitted outlining the level of consultation and engagement undertaken prior to the pre application stage.
- Clarification was sought around the change in wording on the Conditions (38/36) relating to wind microclimate mitigation measures with confirmation provided that the change would not impact on the delivery of necessary mitigation measures and had been designed to allow maximum flexibility in relation to the impact on amenity and around any further minor amendments to the scheme. The Committee was informed implementation of the relevant conditions would need to be completed prior to occupation of the blocks by residents.
- Clarification was also sought in relation to the level of off-site contribution in terms of amenity space and whether this was felt to be sufficient with members advised that the new urban park had been secured to provide modern play facilities aimed at a range of ages and would be an improvement in quality in terms of its design and usability from the existing space. The South Kilburn SPD envisaged open space to the west of site BSESA8 to connect to South Kilburn Open space and whilst the space being provided was to the east, it was considered the space would connect well into the surrounding route network and would increase usage. In terms of any associated financial contribution to reflect the shortfall in amenity space it was noted this had been based around the scale of additional play facilities to be provided with confirmation this would be secured for use locally within the South Kilburn Open Space.
- In seeking clarification in relation to the air quality assessment the Committee was advised that whilst an air quality positive statement had not been submitted, the range of evidence provided by the applicant demonstrated that holistically the scheme has been designed to address Air Quality Positive and would be air quality neutral.
- Further details were sought around the district heating system. Committee members noted that this was being secured by condition, which was now supplementary condition 29.

As no further comments were raised the Chair thanked officers for responding to the Committee's queries and then moved on to the vote.



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### DECISION

**RESOLVED** to grant planning permission subject to referral of the application to the Mayor of London (Stage 2 referral) and the conditions and informatives as set out in the Committee and Supplementary report.

(Voting on the above decision was as follows: Unanimous in favour)

#### 5. **22 / 2477 - 245-249 and 253 Ealing Road, Wembley, HA0 1EX**

### PROPOSAL

Redevelopment of site to provide two buildings accommodating residential units, the use of ground floor as a Community Use (Use Class: F2) with additional affordable workspace (Use Class: E) at ground floor level, associated vehicular crossover, car and cycle parking spaces, refuse storage, amenity spaces, landscaping and associated works.

### RECOMMENDATION

That the Committee resolve to GRANT planning permission subject to:

- (1) referral of the application to the Mayor of London (Stage 2 referral); and
- (2) the conditions and informatives as set out in the Committee report.

Nicola Blake (Principal Planning Officer) introduced the report, stating that the application was seeking approval to demolish the existing buildings on site and erect two buildings of up to 10 storeys in height in their place. The ground floor of the northernmost building would include a community facility measuring 140sqm with the ground floor of the southernmost building including a 251sqm affordable workspace area and a car park. The development includes 31 residential units within the northernmost building (block A) and 57 residential units within the southernmost building (block B) resulting in 88 residential units. The top storey of Block A would have a 234.4sqm communal terrace with attention also drawn to the updates within the Supplementary report and members advised that the recommendation remained to grant planning permission subject to the applications referral to the Mayor of London (Stage 2 referral) and conditions (as amended) and prior completion of a legal agreement.

The Chair thanked Nicola Blake for introducing the report and sought further details on the element of development being described as a creative enterprise. The Committee noted that these included amenities for artists, such as studio and retail space. The site looked to create broader job opportunities and was not limited to a particular industry.

The Chair then welcomed the first speaker Mike Poshteh (who had registered to speak in objection to the application) with the following noted:

- There had been approximately 86 objections from residents who felt that two 20 storey high buildings would impact the existing properties surrounding the

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development in terms of overshadowing, loss of light & privacy and insufficient space between neighbouring developments.

- It was felt that the area had materially changed since the original application in 2016 given the extent of other developments either built or approved including Alperton Yard, Alperton Waterside and Grand Union St George which had significantly added to liveable units in the area. Whilst residents understood the need for housing within Brent and London, it was not felt this development was the solution.
- The wider impact on amenity including additional strain on public transport, traffic and congestion, local school and health provision, which were already at capacity.
- Concerns were also highlighted in relation to the overbearing nature of the development and overlooking.

The Chair thanked Mike Poshteh for addressing the Committee and then invited members to ask any questions they had in relation to the information presented, with the following being noted:

- Further details were sought on the adjustments requested on the site. The Committee noted that residents would prefer the development to be reduced in scale and mass but recognised that there would be a cost element to this.
- Clarification was sought regarding the proximity of Mr Poshteh's home to the new development given the location of the site in a Tall Building and Growth Zone, which it was confirmed was located immediately adjacent to the development.
- Details were sought on what would be considered a more appropriate development. Mr Poshteh said that a smaller development would be ideal. He understood the need for housing but something similar to the Peartree Drive development would be preferable at 3-4 stories.

The Chair then welcomed Dr Matthew Grech Sollars (who had also registered to speak in objection to the application) and invited him to address the Committee with the following key points highlighted:

- Dr Sollars home was located directly opposite the proposed development and he urged the Committee to reject the application and to request that any application subsequently submitted was designed to comply with the necessary BRE guidelines.
- It was felt that the proposed building would reduce the lighting levels in adjacent blocks and break BRE guidelines as per the daylight impact assessment. Dr Sollars worked from home on some days and the new development would limit the light going into his property and lack of light was known to result in sleep issues, mood disturbances and associated health risks with concerns also expressed in relation to privacy and overlooking.

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- Concerns was also expressed in relation to the impact on the surrounding area and local amenity given the level of development across Alperton.
- As a result, Dr Sollars urged the Committee to take account of the wellbeing of those living adjacent to the proposed development and across Alperton and for the proposal to be rejected until an improved, more sustainable proposal was put in place that considered the true impact on the community.

As there were no questions from members the Chair then moved on to invite Councillor Georgiou to address the Committee as a local ward councillor with the following comments noted:

- Speaking on behalf of the residents of Alperton Ward, Councillor Georgiou highlighted the intense nature of development across the ward including the impact of large scale construction works which were negatively impacting local residents.
- It was felt that the bulk of these new developments in the area had not addressed the growing level of housing need but had compounded existing issues, such as lack of associated infrastructure and build quality.
- Referring to a letter from a local resident Councillor Georgiou highlighted concerns relating to the current application in relation to loss of light, privacy and overlooking.
- Concerns were also highlighted in relation to the nature of affordable housing provision proposed which had included an element of shared ownership that Councillor Georgiou felt did not represent a genuine affordable housing tenure. In acknowledging the scheme offered 35% affordable housing provision it was felt a higher level needed to be sought with the inclusion of 56 private units at market rent also challenged.
- In terms of build quality within existing developments the opportunity was also taken to highlight existing issues being faced by residents including broken lifts, antisocial behaviour in communal areas, lack of access to communal areas due to safety concerns and significant construction issues, which it was felt needed to be considered and addressed by the Committee in approving further developments and seeking to ensure the necessary commitments and build quality design from developers.
- Whilst welcoming financial contributions being offered as part of the application, clarification was also sought on the Controlled Parking Zone provision and how that would be utilised, the maintenance of street tree planting and improvements to open spaces which it was felt should be focussed on local provision. Whilst the contribution towards step free access at Alperton tube station was also supported it was highlighted these measures were required now rather than at some stage in the future.
- As a final point, concern was also expressed at the loss of the previous public house on the application site as a local amenity and its redevelopment

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with what was felt to represent unaffordable housing provision and further overdevelopment in the area without the necessary supporting infrastructure.

As there were no questions from members the Chair then moved on to invite Jay Patel on behalf of the applicant to address the Committee with the following comments noted:

- In highlighting that the current application followed a consent (lapsed) for a similar development he advised that following extensive discussions with officers the scheme was now felt to have addressed all relevant planning considerations and was therefore commended to the Committee for approval.
- In terms of the previous application submitted, the revised scheme included an increased level of affordable housing with a better tenure mix that was in accordance with the requirements within the London and Brent Local Plan and had been designed to meet the latest guidelines in relation to fire safety
- The conditions proposed were felt to be reasonable and would ensure the development was built as approved with minimal impact on neighbours. Comments from neighbours were fully understood and had been considered by officers, who confirmed in their report that, on balance, the proposal would not adversely impact on the amenities of neighbours.
- The proposal provided much needed housing in an area already designated for housing. Any shortfall was mitigated by contributions as detailed in the report.

The Chair thanked Jay Patel for addressing the Committee and then invited members to ask any questions they had in relation to the information presented, with the following being noted:

- In terms of use of the play area to be included in the communal rooftop terrace confirmation was provided this would include separate areas for younger and older children with the area retaining a flexible use.
- Details were sought on why blocks A and B had been separated and whether this related to potential future ownership of part of the site with the Committee advised that any potential discussions with interested Register Providers would be subject to future consideration and had not impacted on current design of the scheme.
- Regarding how long the development had been vacant, the Committee noted that this had been since 2015 with the public house building unlettable in its current condition.
- As the site was in a tall buildings zone, further details were sought on the design consultation and whether there was an opportunity to increase the height of the scheme to maximise the level of affordable housing provision. In response the Committee were advised that the applicant had felt the existing scale of the development provided the most appropriate fit for the current site. In terms of the adjacent site to the rear of the proposed development confirmation was provided this was not owned by the applicant

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but discussions had taken place with the owner to ensure any future development plans would not adversely impact on either site.

The Chair thanked Jay Patel for answering the member's questions and, with no further speakers, he then invited members questions to officers in relation to the information presented, with the following noted:

- Details were sought on levels of light and obscured windows. The Committee were informed that a daylight assessment had been carried out to assess the impact on neighbouring properties. The buildings surrounding the new development were fairly new and around 9 storeys high. A lot of them had long recess balconies with dual aspect apartments and light was restricted. The levels of daylight and sunlight received by the new homes and amenity spaces within the development were considered to be appropriate for a scheme of this density, with the provision of private external amenity space (in the form of balconies) outweighing the associated reduction in daylight received by rooms. It was also noted that residents would be able to access a variety of amenity spaces throughout the site, with the majority of these meeting BRE guidance levels for sunlight. The proposal was therefore considered to be acceptable in relation to the levels of internal daylight and sunlight.
- In terms of the design standards applied members were advised it was considered that the proposed buildings had successfully addressed the criterion set out within London Plan Policy D9, owing to the buildings limited impact, given their height when considered in the context of them being located within a Tall Building Zone, while remaining functional for all future users, with key accessibility points addressed, allowing the navigation through the site, between the two buildings. It was noted that an access condition would be added to ensure the level changes between the sites were addressed and would not impact the building's functionality. Overall, the building's design and appearance was considered to be acceptable. Whilst resulting in a substantial pair of buildings the focus of the development on the main road junction, and the light materials were considered to mitigate the height. The overall design and materiality of the proposed development was also considered to respond to and compliment the wider streetscene and local area, with a contemporary design language that would be broadly in keeping with other recent developments of a similar scale.
- Regarding the obscured windows, the Committee was informed that the south facing windows would be obscured and this was considered as an acceptable level and secured via Condition 7.
- Further clarification was sought on the affordable housing provision within the scheme with it note that the scheme would deliver 33 affordable units (10 Shared Ownership and 22 London Affordable Rents) at 35.5% by habitable room. As the scheme was delivering more than 35% affordable housing, confirmation was provided it had qualified for the Fast Track route, as set out within both the London Plan and Brent's Local Plan, subject to both an early and late stage review mechanism. The scheme would achieve a policy compliant level of family sized homes (24 homes in total) in line with policy BH6.

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- In terms of the quality of residential accommodation clarification was provided that of the 88 units proposed, 66 units would feature a dual aspect outlook which had been welcomed. The units which included single aspect outlook had been suitably located facing south-west and north-east, reducing any reliance on solely north or south facing units which was also welcomed. Those homes would have outlook to the west over Ealing Road, and to the north and east over Hatton Road. Windows would be obscure glazed to some windows facing towards the south, given the proximity of both the southern building and Grand Union House development. While there were very few instances of single aspect windows, given that the site was within the Alperton Growth Area it was considered that the shortfall of dual aspect units could therefore on balance be considered acceptable, resulting in an efficient use of the land in an urban context. In terms of the impact on neighbouring properties whilst there were some windows which did not achieve the BRE, the scheme did provide an overall high level of compliance with BRE guidance, which was considered to be acceptable given the urban context of the site and its location within a Tall Building Zone. The properties that were mainly affected currently afforded an outlook over the low scale existing buildings on site resulting in higher levels of daylight than could be expected in a typical urban context, in addition to being affected by their own developments and balcony placement. On this basis the overall benefits of the development including the delivery of new commercial floorspace and residential homes (including a policy compliant level of family sized homes) was felt to outweigh the limited harm identified with the design of the building and quality of residential accommodation considered to be acceptable and the height and massing in keeping with the local context.
- Details were sought on whether this development was in line with the Alperton Masterplan given the concerns and objections highlighted in relation to overdevelopment and the lack of associated infrastructure and need identified for potential review of the Plan as a result. In noting that the previously consented application had been included within the Masterplan the Committee were informed that the Local Plan was subject to regular review with the development site located with the Alperton Growth Area and a Tall building Zone as identified within the current version of the Local Plan.
- Further details were sought on the levels of consultation that had taken place on this application. The Committee noted that the consultation was carried out in line with statutory guidelines, which consisted of letters to individual households, site notices and the application being advertised in the press.
- Further clarification was sought on the potential to be able to extend the height of the development given its location within a Tall Building and Growth Zone as a means in seeking to maximise the potential of the site. In recognising the need to assess the application as presented, members were also reminded of the balance needing to be achieved in relation to site density and the relationship with neighbouring properties and wider urban context of the surrounding area with the current proposals in terms of the impact on height and density of the site considered to be acceptable and suitable in their current form. In terms of adaptability for future use the development included two clearly defined separate entrances to the blocks which provided the potential for separate ownership or management, subject to the necessary agreements being reached.

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- Further details were sought on initial proposals to include a drinking establishment within the new development, which the Committee were advised was no longer proposed with an alternative use to be provided in the form of a community centre as well as a workspace.
- In terms of financial contributions to be secured towards improvements in open spaces, details were sought whether this could be conditioned for allocation and use in the local area rather than across the borough as a whole which officers advised it would be possible to secure.
- In response to further details being sought in relation to the financial contribution supporting step free access at Alperton tube station members noted this had followed discussion with TfL with the proposals now at design stage and a further contribution also secured towards bus service enhancements to reflect the cumulative impact on services. Members were advised the step-free access project was interlinked with the Piccadilly Line upgrade project.
- In regards to transport and parking provision the proposed alterations to the public highway were considered to be acceptable, considering the needs of pedestrians, cyclists and motorists with 3 disabled parking spaces which was in accordance with standards and met the London Plan minimum allocation of an allocated disabled space for 3% of the units to be provided, with the remainder of the development expected to operate free of cars.
- As a final query details were sought on the adequacy of the servicing and refuse arrangements for the site which it was confirmed had met the required standards.

The Chair thanked the officers and as there were no further questions from members the Chair then moved on to the vote.

### DECISION

**RESOLVED** to grant planning permission subject to:

- (1) referral of the application to the Mayor of London (Stage 2 referral) and prior completion of a legal agreement to secure the planning obligations set out in the Committee report;
- (2) the conditions and informatives as set out in the Committee and Supplementary report including an amendment to the Section 106 agreement Heads of Terms to ensure that use of the £10,000 contribution secured towards the enhancement and improvement to public open spaces in the borough was focussed within the vicinity of the development.

(Voting on the above decision was as follows: 6 For; 1 Against & 1 Abstention)

### 6. 22 / 4179 - 6 Deerhurst Road, London, NW2 4DE

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The proposal involves the conversion of the existing dwellinghouse into five self-contained flats. The development would involve external alterations which include the erection of a rear dormer window and 1.no side rooflight, replacement front windows, and the relocation of the front entrance door along the principal elevation of the building. The rear garden area would also be subdivided, and the proposal will include the provision of off-road parking, cycle and waste storage and associated hard and soft landscaping.

### RECOMMENDATION

- (1) That the Committee resolve to GRANT planning permission subject to:
  - (a) The completion of a legal agreement to secure the planning obligations detailed within the report.
  - (b) the conditions and informatives as set out in the Committee report and supplementary report.
- (2) 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.
- (3) That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

Curtis Thompson (Planning Officer) introduced the report which the Committee was advised involved the conversion of the existing dwellinghouse into 5 x self-contained flats. The development would involve external alterations which included the erection of a rear dormer window and 1 side rooflight, replacement front windows, and the relocation of the front entrance door along the principal elevation of the building. The rear garden area would also be subdivided, and the proposal will include the provision of off-road parking, cycle and waste storage and associated hard and soft landscaping. Members attention was also drawn to the supplementary report which included reference to an updated plan and a resulting amendment to Condition 2 with the recommendation remaining to grant consent subject to the completion of the necessary s106 agreement and conditions.

The Chair thanked Curtis Thompson for introducing the report, and then invited Lalji Vekaria, speaking in support of the application as the architect, to address the Committee. The following key points were highlighted:

- The Committee were advised that the application had been submitted by a long standing charity operating in Brent the Shri Swaminarayan Temple based in Neasden who, whilst recognising the s106 planning contribution as as policy requirement, also felt that discretion should be available as to how this requirement was applied in relation to charitable organisations.



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- This was a revised application following the refusal of a previous application and dismissed appeal. The current proposal addressed the issue of the ceiling height in one of the proposed flats which had now reverted to a one person unit and also included a dormer window to provide better outlook. All the other flats exceeded the minimum requirements and were sufficiently large in floor area to include required storage space.
- Officers were commended for their hard work and engagement in bringing the application forward which it was pointed out now met in principle all national framework policies as well as complying with the application of local framework and policies and the Committee urged to support the application with or without a s106 contribution.

The Chair thanked Lalji Vekaria, for addressing the Committee and then invited questions and comments from members in relation to the information heard. The following key points were highlighted:

- Further details were sought on whether this application took into account all relevant standards in relation to the design and quality of the accommodation with it confirmed that all of the proposed units meet the relevant standards for internal and external space and quality. While the proposed units would meet or exceed the minimum GIA standards, it is noted that only unit 5 would meet the minimum requirements for built-in storage. However, in these instances, officers consider that as the shortfall of built-in storage space was compensated by the overall GIA floorspace provided, the shortfall of built-in storage space could reasonably be addressed within each unit. Given the surplus in overall floorspace and general good quality of accommodation, the shortfall was considered to be acceptable. The proposed design standards would also Policy D6 within the London Plan.
- Details were sought on the ability to waive Section 106 for charitable organisations. The Committee noted that whilst the requirement for these contributions would need to be applied to all qualifying developments it was possible to apply for certain exemptions including those related to charitable purposes in relation to Community Infrastructure Levy. In terms of the level of contribution required Policy BH5 of the Local Plan set out the need for developments of between 5-9 units to make a financial contribution for the provision of affordable housing off-site. The financial contribution was £100,000 per dwelling as set out within Brent's S106 Planning Obligation SPD. with any reduction in the financial contribution needed to be justified by a Financial Viability Assessment (FVA) that demonstrated that the scheme was securing the maximum reasonable payment in lieu of on-site delivery. Having been subject to the necessary assessment it was considered that that the scheme would be required to deliver a contribution of £83,000 as the maximum viable amount of contribution for off-site affordable housing provision.
- Regarding transport considerations, clarification was sought on the layout of the car park spaces and whether any alternatives had been considered due to the two spaces in tandem on the driveway. Whilst recognised as an unusual layout the provision would continue to comply with relevant standards.

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- Regarding the borough losing a family home and gaining 3 flats instead, the Committee noted that Policy BH11 was applied here to ensure the properties designed had at least 3 bedrooms in them.
- Whilst recognising that the application would result in the conversion of the existing 3 bedroom dwellinghouse into 5 new self-contained flats the proposals was policy compliant with the proposal comprising a mix of dwelling types including a family unit (3-bedroom) at ground-floor with private amenity access. All proposed units meet the relevant standards for internal and external space and quality and would contribute to Brents housing delivery targets, as well as other modest external alterations. The site was also located within a priority area for housing and thus residential intensification in this location was considered acceptable in principle.
- Whilst noting the proposal did not clearly set out whether the scheme would achieve an Urban Greening Factor (UGF) in line with policy BH4 the benefits of the scheme including an improvement the UGF and the delivery of a family sized home were considered to outweigh any limited harm in conflict with this policy.
- Clarification was sought on whether the Council had nominations rights to the properties. The Committee noted that the Council would not, as these would be considered private properties.

As there were no further questions from members the Chair then moved on to the vote.

### DECISION

**RESOLVED** to grant planning permission subject to the conditions as set out in the Committee and Supplementary report and prior completion of a legal agreement to secure the planning obligations set out in the Committee report.

(Voting on the above decision was as follows: Unanimous in favour)

### 7. **24 / 02962 - Thanet Lodge Garages, Mapesbury Road, London, NW2 4JA**

#### PROPOSAL

Proposed part demolition of garage block and erection of a single storey dwellinghouse with associated amenity space, alterations to boundary treatment and provision for new pedestrian access, cycle and refuse storage.

#### RECOMMENDATION

- (1) That the Committee resolve to GRANT planning permission subject to the conditions and informatives as set out in the Committee report.
- (2) 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)

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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.

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

Curtis Thompson (Planning Officer) introduced the report which the Committee was advised related to a single storey garage plot on the eastern side of Thanet Lodge. Thanet Lodge contained forty-three residential units and had a large amenity space to the rear. The site was located within the Brondesbury Conservation Area but did not contain any listed buildings. This site formed the garages to Thanet Lodge which was constructed in c1938. The garages were contemporary in construction, single storey and of no special interest with the applications requiring consideration by the Committee due to the number of objections received. Members attention was drawn to the supplementary report with included details on additional representations submitted with the recommendation remaining to grant consent subject to the conditions listed.

The Chair thanked Curtis Thompson for introducing the report and then invited Dorian Chiarpain (who had registered to speak in objection to the application), to address the Committee. The following key points were highlighted:

- The proposed scheme for Thanet Lodge Garages ref. 24/0296 followed on from a previous proposal ref. 20/0600 with the exception of the enlarged external amenity areas and reversal of bedroom and living room position in the new layout.
- The previous proposal had been rejected on appeal with the main reasons being the effect of the proposed development on the living standards of future occupiers, proximity to Thanet Lodge, bin store and vehicular access to its car park, which both caused unacceptable harm to the external amenity proposed.
- The current proposal was felt to include the same shortfalls in that the large bin store was adjacent to front garden creating substandard level of amenity, the driveway to car park was adjacent to the front door creating unsafe access to the dwelling; the proposed driveway width reduction from 3.5 to 3m to create a 0.5m wide footpath would produce vehicular circulation below recommend width and a narrow and unsafe pedestrian zone; the Thanet Lodge car parking spaces retained in the hardstand area at the back would have insufficient space for access and egress due to the proposed dwelling and rear garden and internally bedroom 2 being narrower than the minimum allowed in the London Plan.
- On this basis it was felt unclear how the proposal could have been recommended for approval, given that the appeal decision grounds were all still applicable to this current scheme and the Committee were urged not to grant consent.

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The Chair thanked Dorian Chiarpain, for addressing and with no questions raised by the Committee in terms of the representations made then invited Emma McBurney, speaking in support of the application as the applicant's representative to speak. The following points were noted:

- By way of background, the application followed a previous 2021 appeal decision for a similar proposal in which the Inspector had narrowed the planning issues by agreeing:
  - The size of the internal accommodation was acceptable for future occupants.
  - Future occupants would have adequate levels of sunlight and daylight.
  - The existing garages did not make a positive contribution and the proposal preserved the character and appearance of the conservation area.
  - Parking provision was acceptable.
  - There would be no harm to the existing residents in Thanet Lodge.
  - How Thanet Lodge was managed and future development proposals were not relevant considerations.
- The appeal was dismissed for 2 reasons - sense of enclosure due to the size and depth of amenity spaces and noise from the car park and bin store. The first of these had been addressed by extending the depth of the rear garden from 4m to 7.6m, reversing the position of the living and sleeping accommodation so that the living area was at the back of the dwelling, and providing sound insulation separation between the bin store and the smaller front garden. The 2-bed proposal provided a 54sqm private rear garden accessible from the kitchen/diner and a 20sqm private front garden (including cycle storage) accessible from bedroom 1. The proposal provided more than three times the Council's amenity space standard with particularly good outlook from the large window in the living area. The second issue had been addressed by the deeper rear garden, which meant there were no longer parking spaces to the immediate rear. It was probable that bins or the six remaining parking spaces would only be used occasionally between 23:00 and 07:00, which was not unusual for a London property.
- Moving the bedrooms to the front of the proposal had taken them away from the six space parking area and there would be an insulated cavity wall and a high level double glazed window between bedroom 2 and the road and bedroom 1 would also be isolated from it. The occupants of the bedrooms (and the living area) were therefore expected to be unaffected by road or parking noise.
- Modern plastic wheely bin lids were designed to create a cushion of air that would prevent them from being slammed loudly. The bin store would be separated from the front garden by a 2m brick wall, which would attenuate noise with the double glazing to building regulations standards.
- The proposal complied with the London Plan and Brent Local Plan by providing a new home in a PTAL 4 location within a priority area for housing and was consistent with the Local Plan and the presumption in favour of sustainable development was therefore felt to fully apply.

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- As such the proposal was felt to now have satisfied the appeal inspector's concerns with the officers report having covered the relevant planning issues and the Committee therefore urged to accept the recommended grant of consent.

The Chair thanked Emma McBurney for addressing the Committee and with no questions raised then invited members to questions officers in relation to the information presented, with the following points noted:

- Further clarification was sought in relation to the way in which the application was felt to have addressed the objections raised by Mr Chiarparin at the meeting. In response, the Committee were provided with a comparison site plan with the main change being the removal of car parking spaces to the rear of the site and increase in external amenity space, which made best use of the space comprising noise reduction. As previously mentioned, the bedrooms had been moved to the front of the dwelling to further reduce noise. The Committee also noted that the new plan had better quality outdoor space with the proposal therefore felt not to result in a significant impact on the residential amenities of neighbouring occupiers in terms of noise and disturbance, daylight and sunlight or overlooking having regard to the provisions in SPD1.

As there were no further questions from members the Chair then moved on to the vote.

### DECISION

**RESOLVED** to grant planning permission subject to the conditions and informatives as set out in the Committee and supplementary report

(Voting on the above decision was as follows: Unanimous in favour)

### 8. Any Other Urgent Business

None.

The meeting closed at 8.15 pm

COUNCILLOR KELCHER  
Chair

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# LONDON BOROUGH OF BRENT

## MINUTES OF THE PLANNING COMMITTEE

Held in the Conference Hall, Brent Civic Centre on Wednesday 11 September 2024  
at 6.00 pm

PRESENT: Councillor Kelcher (Chair), Councillor S Butt (Vice-Chair) and Councillors Akram, Begum, Chappell, Dixon, Johnson and J Patel

Also present: Councillors Kennelly (for agenda item 4)

### 1. Apologies for Absence and clarification of Alternative Members

There were no apologies for absence.

### 2. Declarations of interests

Councillor Kelcher declared a personal interest in relation to item 4 of the agenda as a resident of the Wembley Event Zone and had attended hospitality events at the Stadium in the past.

Councillor S. Butt declared a personal interest in relation to item 4 of the agenda as a resident of the Wembley Event Zone.

Councillor Akram declared a personal interest in relation to item 4 of the agenda as a resident of the Wembley Event Zone and a recipient of complimentary tickets from a Residents Association.

Councillor Begum declared a personal interest in relation to item 4 of the agenda as a resident of the Wembley Event Zone and a recipient of tickets.

Councillor Johnson declared a personal interest in relation to item 4 of the agenda as a resident of the Wembley Event Zone and ward councillor for Barnhill Ward which received tickets for residents in the area.

All councillors who had declared an interest had not sought to take any position on the application and therefore felt able to consider the application impartially and without any form of pretermination.

### 3. Minutes of the previous meeting

RESOLVED:-

That the minutes of the previous meeting held on Wednesday 10 July be approved as an accurate record of the meeting.

### 4. 24/1329 - Wembley National Stadium, Olympic Way, Wembley, HA9 0WS

PROPOSAL

Permission was sought for the variation of conditions 1 (Event Cap) and 2 (Temporary Traffic Management) Page 19  
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dated 21 June 2021, for the 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 8 additional major non-sporting events per event calendar year.

### RECOMMENDATION

That the Committee resolve to GRANT planning permission subject to:

- (1) Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance;
- (2) Payment of the Council's reasonable costs associated with mitigation, including the following (please note that some of these mitigation measures are all secured through the existing (E)consent);
- (3) Indexation of contributions in line with inflation; and
- (4) Any other planning obligation(s) considered necessary by Committee and the Head of Planning.

Sean Newton (Development Management Planning Manager, Brent Council) introduced the planning application committee report, detailing the proposal to amend planning permission conditions 1 and 2 to increase the number of major non-sporting events at the Stadium from 46 to 54 per calendar year, adding up to 8 additional events. The planning application also increased the definition of a major event from a capacity of 51,000 to 60,000+.

Attention was drawn to the supplementary agenda which highlighted corrections and the additional responses from the London Boroughs of Ealing and Harrow, a resident on Dennis Avenue and a letter received from the National Wembley Trust.

The Chair thanked Sean Newton for introducing the report. As there were no Committee questions raised at this point, the Chair then invited Mr Francis Henry (who had registered to speak as an objector) to address the Committee in relation to the application, who highlighted the following points:

- Bus diversions had led to many bus services being cancelled or severely delayed, such as the 206 routes.
- The objector highlighted significant problems for Dial-a-Ride, particularly during concert season.
- The objector felt there was a need to increase the number of traffic wardens in the area on event days due to failures to enforce illegal parking and deal with road congestions caused by car hire drop-offs, with Mr Francis suggesting the installation of zoom-capable cameras that could facilitate ticketing to help keep areas clear.



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- The objector described the impact of events occurring on multiple consecutive days on residents living in the area, with many unable to access or leave their properties.
- Road closures occurred early in the day and continued late into the night, particularly during events like the Taylor Swift concerts; extra events would be welcomed if there was better management of existing events to alleviate current parking issues and noise challenges.
- The objector described residents who rented out their driveways to event goers, who operated unchallenged, further complicating the situation for residents.
- Mr Francis felt that the Stadium Access Corridor would never be completed, despite potential funding from the Neighbourhood Community Infrastructure Levy (NCIL).
- Mr Francis did not feel that the digital signage in the area was entirely effective, resulting in confusion and frustration for visitors and residents.
- There were insufficient toilet facilities available for event attendees resulting in public urination issues.
- An ice cream vendor had been parking on the pavement outside the Bubble Experience every day over the last three months and never received a parking ticket. Despite numerous calls to the Enforcement Team, little action had been taken, especially after 6 PM when the service closed at 9 PM.
- Coldplay had called for a 10-day event with very few gaps in between; during major events, there had been fireworks and helicopters, and residents were eager for the Stadium Access Corridor to be completed as originally planned.

The Chair thanked Mr Francis Henry for addressing the Committee and invited members to ask any questions they had in relation to the information presented, with the following being noted:

- In response to a query on the primary concern, Mr Henry confirmed that residents would be less likely to object to the planning proposal if the existing events were managed more effectively.
- As a point of fact, it was noted that by law CCTV could not be used to enforce parking. Whilst cameras could not address some of the concerns raised, other solutions could be explored.
- Further details were requested about whether there were any additional concerns relating to rubbish and debris on event days, and the objector highlighted that waste dumping and urination were problems in the area. Mr Francis explained that where such issues were raised to the police and security officers' attention, they had not been proactive in addressing the problems. He felt similarly in regards to the response to antisocial behaviour. Regarding rubbish and littering, Mr Francis highlighted that, on event days, there were not enough street cleaning staff to clean up and this was resulting in the mental and physical health of residents being impacted. Residents were also experiencing sleep disruption due to noise pollution generated from events.

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The Chair thanked Mr Francis Henry for responding to the Committee's queries and proceeded to invite local Councillor, Daniel Kennelly (who had registered to speak as an objector) to address the Committee.

The following key points were highlighted:

- Councillor Kennelly began by acknowledging that Wembley Stadium had a number of benefits, such as providing employment and opportunity for the Borough. However, he believed that the expansion of events created some adverse consequences for local residents that needed to be addressed.
- Residents were concerned about the extent and robustness of the consultation that was conducted with regard to increasing the number of Wembley Stadium events, as SKIPPPRA Residents' Association had not been included as part of consultation.
- The need for traffic management mitigations was raised. He provided the example of the recent England football match against Finland, where no notifications had been posted at bus stops, provided through the TFL app, or communicated to residents regarding how diversions would be working for buses, such as the 92 and 206 buses.
- Councillor Kennelly felt that TFL should be lobbied and encouraged to increase the number of buses on event days, which would help to make events more environmentally friendly, reduce air pollution and ease road congestion. It was also noted that the committee report did not address private hire taxi vehicles, including UBER, parking in the area, and when enforcement officers approached, the taxis left.
- Councillor Kennelly addressed concerns regarding air pollution which he highlighted impacted the most disadvantaged residents in the area, especially on Wembley High Road. Due to the high levels of air and noise pollution caused during event days, he questioned extending the number of event days if high levels of air and noise pollution continued to persist. Light pollution was an additional concern that caused damage to the environment, local residents, and animals.

The Chair thanked local Councillor Kennelly for addressing the Committee and, as no Committee member had additional questions, subsequently invited Nick Baker (Planning Director) along with Mark Lynch (Wembley Stadium Director), Chris Bryant (Director of Tournaments & Events) and Tom Legg (Head of External Operations) as the applicants to speak.

The following key points were highlighted:

- The planning application sought to ensure that Wembley Stadium remained competitive, iconic, commercial, and hard working in an everchanging and challenging environment whilst also seeking to be a good neighbour and partner to residents, local businesses, the Council and wider community.

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- In recent years, the live music industry had seen changes, including increased competition from other venues across London and nationwide.
- Event promoters now required the option of reserving and releasing multiple dates along with longer tenancies. This meant that a wider variety of dates needed to be available and potentially booked to stay competitive, even if they were not ultimately used. Consequently, event dates could not be offered unless they could be guaranteed.
- The applicant felt it was important that Wembley Stadium remained an iconic, multiuse venue to showcase London and Brent to the world. To achieve this effectively, the Stadium needed to be flexible and better able to respond to the commercial booking process for music events moving forward.
- Taylor Swift concerts had been hosted at the Stadium for a record-breaking 8 nights in the summer. Oasis had recently released details of a similar run and there was also significant interest from other high-profile artists. Taylor Swift's Eras Tour alone had generated an estimated £300 million for the London economy and the Brent community benefited not only from spending and employment but also from charitable donations. Whilst not all artists had the same impact, an independent survey analysis indicated that each concert generated at least £3 million for the local Brent economy whilst also creating local job opportunities across the Stadium, including stewarding, catering, traffic management and hospitality.
- The proposed permanent variation would permit up to 8 additional major events which would constitute 60,000+ visitors per season. The increase would not necessarily mean that 54 events would take place. To date, 40 events had been delivered in the current season under the existing 46 events cap. The additional capacity and flexibility were key to the long-term success of Wembley Stadium and further economic growth and benefit for Brent, without which artists and events would be sought elsewhere.
- Wembley Stadium wanted to be good neighbours to Brent, and acknowledged that improvements in event operations could be made. Significantly, by listening to and addressing the needs of local residents in response to consultations and discussions, a comprehensive set of mitigation measures had been prepared in partnership with the Council. Measures included supporting the Council's operational costs and payment for CCTV upgrades and further transport initiatives. The applicant confirmed that the Council would not bear any costs for additional events delivered at Wembley Stadium.

The Chair thanked Chris Bryant (Director of Tournaments & Events) for addressing the Committee and invited Members to ask any questions they had in relation to the information presented, with the following being noted:

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- The Chair queried why the identified mitigation measures had not already been implemented.. In response, Chris Bryant shared that more could always be done as part of the planning process and as a partner to Brent in order to make improvements for the benefit of the Council and local residents. Over the past 8 years, there had been notable improvements to the way the Stadium had been managed, but it had been recognised that this could be further improved, and so those mitigations had formed a part of the planning application with a a Best-in-Class initiative in operation with the Council and Quintain to continually improve what could be done. The comprehensiveness of the proposed mitigation measures was also highlighted.
- Clarification was provided on whether the proposed increase in the number of events was exclusively focused on music and large concerts rather than sporting events, to capture the music entertainment market. The response confirmed that the proposed extension of the number of events was exclusively for non-sporting events.
- Details were sought regarding the differences in mitigation measures for sporting events compared to concerts, considering their respective impacts and benefits for Brent. In response, Members heard that, from an economic perspective, football traditionally attracted visitors for a shorter duration as fans came in and out of the stadium. By contrast, concerts had significantly greater economic benefits to the local area. The applicant advised members that people travelled from all over the globe to see music artists and music events tended to have an increased impact on the local area due to earlier arrivals. For both sporting and music events, roads were managed by implementing closures four hours prior to the events. The Committee heard that while the risk of anti-social behaviour from early arrivals at events was low, there were still mitigations required relating to congestion, cleaning, waste management, and urination issues. Stadium management teams were good at moving traffic away from Great Central Way and official stadium car parks, though challenges remained both on event and non-event days around diverting traffic on Harrow Road, Wembley High Road, and Wembley Triangle, in particular. The key issues around Harrow Road included private hire vehicles and vehicles parking on residential driveways with commercial value, both of which had an adverse impact on traffic management within the area. Traffic management was working well in the eastern area and considered best in class, but there was potential for further improvements on the western side of the estate. . A comprehensive transport study of those highly congested areas to the value of £100,000 was currently underway to understand the best ways to mitigate risk and improve traffic flow. The applicant felt it was equally important to ensure that there was sufficient funding to implement the recommendations the study found so £200,000 had been set aside to implement these suggested recommendations.
- Members requested additional information regarding comments on the need to remain competitive, particularly in comparison to other stadiums. In

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response, Chris Bryant expressed that the competitive nature of non-sporting events across London and nationally had changed compared to when the Wembley Stadium was first built. There were a number of other stadiums, such as Tottenham Hotspur, Twickenham and Emirates, keen to capitalise on music events. Remaining competitive to hosting the biggest and best artists in the world was seen as key to the continuing success of Wembley Stadium. Some artists were interested in holding multiple bookings and would release them if they were no longer able to fulfil them. It was essential for the Stadium's event cap to be modern, flexible, and purposeful in today's competitive environment.

- Questions were raised around whether hosting 40 events this season, with 6 unused slots, was typical for the Stadium and if there were there any significant changes taking place next year that would mean all event slots would be filled. Chris Bryant responded that there had been an increase in interest and opportunity to hold more events next year. This did not necessarily mean that 54 events would take place; the actual number would depend on potential interest and opportunities coming to fruition. He highlighted that the music industry was growing and there was a need to be able to flexibly adapt to market changes and have a modern and flexible cap.
- The Chair raised queries around how the stadium operating team had arrived at the figure of aiming to host 8 additional events per calendar year, and whether this model for hosting events would change again in the near future. In response, the Committee heard that the figure was determined by assessing the market, opportunities attained within the booking process and what was reasonable in the circumstances. The applicant highlighted that although it was unlikely that the music industry would grow significantly more than it already had, it was an important adjustment to increase the number of events per event calendar year to provide a flexible and modern event cap for the foreseeable future. It was not expected that the Stadium would be looking to further increase event days in the near future.
- Considering Chiltern Railway's concerns around rolling stock and TfL's issues regarding the rise in people travelling from the Stadium after 23:00 PM, assurance was sought by members on how stadium operating teams were working with travel services to mitigate travel disruption to residents wishing to access underground and overground services on event days. In response, Tom Legg confirmed that Chiltern Railway had initially raised concerns but had subsequently issued supporting statements on the matter. He noted that TfL's initial reservations were around capacity, so the Stadium had offered a financial support package designed to improve the way Wembley Park Station operated on event days, including additional resource around signage, wayfinding and CCTV.. Moving forward, the Stadium was looking to formalise processes that were already in place but not yet documented in collaboration with TFL regarding curfew times, risk mitigation of engineering works, capacity for event day operations, enhanced services and communications to passengers about the impact of

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events. Members heard that Chiltern Railway's initial reservations concerned its aging rolling stock fleet. Chiltern had been working with the Department for Transport (DfT) over the last 4 years to lobby support for additional funding to provide new rolling stock which presented an opportunity for them to work with the Stadium and DfT to bring forward that programme. The national stadium had reached an agreement with Chiltern Railway, committing to provide an Event Day Management Plan for all events. It was noted that there were now no outstanding issues with either Chiltern Railway or TfL.

- Further assurance was then sought that the national stadium would work more closely with local residents, including the Wembley National Stadium Trust, as part of the application, considering the impact of event days on residents in the locality and the letter received from the Trust regarding the application. Chris Bryant responded that the national stadium was working closely with the Wembley National Stadium Trust to generate a greater impact for residents in Brent with the funds provided to the Trust. The national stadium agreed with and were working to deliver the points set out in the letter written by the Trust, including around employment opportunities and ticket ballots. The national stadium was eager to continue working with the Trust as one of the most effective vehicles to engage with residents. To better understand the issues and needs of local residents, there was currently a Residents' Committee and drop-in sessions around events, though it was acknowledged that more could be done to further engage with local residents. Tom Legg added that a quarterly residents and business meeting was held and was open to all local residents and businesses across the Borough to understand local issues and agree resolutions. Some previous examples of 'you said, we did' were raised. For example, he highlighted that over the last 7 years, significant investments had been made into improving the way external operations worked. There were currently over 15 specially designed modular toilet units that had previously undergone consultation and were now deployed in problem areas of public urination. The applicant acknowledged that circulation lists and pre-event information such as fact sheets could be improved to ensure they reached all impacted resident households.
- In response to earlier comments around the deterioration of the controlled parking zone signage, Tom Legg informed the Committee that a new traffic management contractor had been appointed at the beginning of the year to implement new signage and equipment to provide real time messaging to motorists arriving on event days. Background information on non-event days would also be provided to advise residents and workers in the area about upcoming event dates. A range of funds put forward as part of the application could be used to improve controlled parking zone signage. There were approximately 150 traffic management operatives working to ensure local traffic kept moving.
- It was noted that, in the past, Wembley Central station previously ran a service from Wembley Central to Euston Station. Members queried whether

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any discussions had taken place around increasing the use of Wembley Central station and implementing additional transport links through Wembley Central. In response, the Committee heard from Tom Legg that a three-station strategy had recently been completed to gain a detailed understanding of how stations operated on both event days and non-event days. Wembley Central station was a significant aspect of the transport plan as it provided good access to Baker's Street via the Bakerloo Line and was useful in moving people away from the Stadium area. A key objective for the Stadium was to maximise the level of capacity on transport networks whilst promptly and efficiently moving people to the major transport hubs in the area for their onward journey. There was a recommendation within the transport strategy to improve signalling to halt West Coast Mainline services at Wembley Central with significant advantage to event audiences, as they would not need to go back into Euston for their onward transfer to the northwest. There were also plans to extend platforms at Wembley Stadium Station to support Chiltern railway with additional carriages.

- The Chair put questions to the applicants about the percentage of event goers that typically travelled by public transport. It was reported that at the recent Taylor Swift concert, approximately 92% of 90,000 event attendees travelled to Wembley Stadium by public transport, the majority of whom travelled through Wembley Park Station with smaller numbers travelling through Wembley Stadium Station and Wembley Central Station. It was acknowledged that more use could be made of London buses, a large number of which were diverted on event days, and the national stadium was currently working with London Buses to resolve this issue. The number of private vehicles had decreased to 2,000-2,500 following an increase in usage during the covid-19 pandemic. Travel behaviours were now changing again with people returning to pre-covid routines. Now, of the majority of event attendees travelled by public transport which was said to be the most, sustainable, efficient way for people to travel to the Stadium.
- Members sought details on the joint scheme the national stadium had been operating with partners concerning illegal parking in the surrounding streets and the possible outcomes. Tom Legg responded that in relation to illegal parking issues, the transport study would identify a range of mitigation measures to improve parking operations. The national stadium was working with Brent's Highways Team to ensure there were enforcement officers and tow trucks on the ground, with the appointment of the new contractor delivering a step change in responding to illegally parked vehicles. It was felt that more work could be done to promote the Trusted Parking Scheme which was designed to ensure that parking operators were acting responsibly and were not overloading the parking areas to ensure a sufficiently managed operation appropriate to the capacity of the local network. One benefit that had been observed from the Quintain operation was the use of the ANPR cameras that managed access into local high roads, and it was felt that investment was necessary to enable residents to safely access residential roads while preventing private hire vehicles from using those spaces.

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- Questions were also raised about the response of the national stadium to Quintain's measures to add s106 agreements and conditions to the Wembley Stadium planning application. Chris Bryant explained that there was already an estate management agreement in place between the national stadium and Quintain which ensured significant protections to Quintain, ; therefore, adding further restrictions and conditions through s106 agreements was felt to be unnecessary and the existing restrictions considered fair and appropriate. Whilst the applicants acknowledged the points made by Quintain, they would not seek more restrictions on the way the stadium operated to ensure the stadium stayed adaptable to changing circumstances, which included a modern event cap.
- In response to whether the applicant was committed to traffic management specifically on Harrow Road, Oakington Manor and Victoria Avenue, Tom Legg confirmed that all of those roads and associated roads were a key focus for the transport study looking to improve how those areas of Brent operated on event days. To alleviate current challenges, temporary traffic measures were in place at Oakington Manor to help get vehicles out as quickly as possible to support event day operations. Members noted these measures had helped to alleviate traffic there.
- Members noted that, in addition to increasing the maximum number of major events at the Stadium to 54, the application also proposed to raise the threshold at which an event was deemed to be a 'major' event from 51,000 to 60,000+ attendees. They asked the applicant to outline the reason for that change. Chris Bryant explained that the figure of 51,000 or more attendees was initially established based on the capacity of the lower two tiers of the Stadium, so that a major event could be easily defined as one where the upper tier was in use and provided a clear way to enforce the events at a 51,000 attendee limit. The Stadium had recognised that the added flexibility provided by electronic ticketing and turnstiles eliminated the necessity of linking the capacity threshold to the use of specific areas of the stadium. Studies and consultations showed that hosting an event with 51,000 attendees versus 60,000 did not result in any significant difference, as it did not trigger any additional impacts or measures. The Stadium's position was that 60,000 was a more suitable figure at this time, as the previous number was based on an operational factor that was no longer relevant. The applicant confirmed that the increased figure was not based on an increase in demand for event tickets, with strong emphasis on the need for a fit for purpose, modern event capacity.
- Members referenced the planning application committee report which they felt implied that, if permission was denied, any number of events could still be held below the 51,000-capacity limit. Chris Bryant explained that the reference in the report reflected the reality of the existing event cap in place which the Stadium currently operated. The ultimate commitment of the



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Stadium was to improve the delivery of services across the estate for all events.

- Members enquired whether the Stadium was open to working with Council Officers to develop an appropriate ticket scheme for residents within the Event Zone. Chris Bryant agreed that the distribution of tickets needed to be allocated fairly to the right people. The applicant confirmed that the Stadium was committed to working with Council Officers to develop an appropriate ticket scheme for local residents and would be supportive of a condition on this.

The Chair thanked representatives for responding to the Committee's queries and then moved on to offer the Committee the opportunity to ask the officers any remaining questions or points of clarity in relation to the application.

The following responses were provided:

- With regard to the Stadium's efforts to be a good Brent partner, Chris Whyte (Director Public Realm, Brent Council) confirmed that the Council had a strong partnership with the national stadium that had evolved principally from the issues that arose during the European Championship Final in 2021 and the work to ensure those were not repeated. Since then, there had been a concerted effort to improve operations, including the introduction of a Public Space Protection Order and the Best-in-Class initiative, which saw improvements in infrastructure around the Stadium and the deployment of a large team of council officers working to support operations on event days, the costs of which were borne by the Stadium. He added that there was healthy enthusiasm from staff in support of the stadium and a talented and committed workforce.
- Further clarification was provided in relation to the allocation of funds to ensure that local residents benefited from the Stadium's operations. This was in light of the stadium's commitment to invest in road improvements, while also addressing existing issues such as potholes, worn road markings, inadequate lighting, and signage in Stonebridge and the surrounding area. Members were advised that there had been a number of improvements over the last few years around waste collections and toilet provision. The Council had been working with local businesses to prevent the sale of alcohol which had helped to significantly reduce the level of overall antisocial behaviour on event days, particularly around football matches. Officers felt that the key remaining issues to tackle were around traffic management in the area on event days, including illegal parking, which would be addressed by the transport study and subsequent investment in the implementation of the recommendations that the Stadium had committed to. Currently on event days, traffic management heavily relied on foot patrols by parking enforcement officers, but this often resulted in displacement. It was hoped that the transport study exercise would help in understanding how that could be mitigated, including how digital technology could help to prevent vehicles from entering the zone.

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- Members noted that several residents rented out their driveways and used social media to sell parking spaces on event days which attracted more vehicles into the area and affected the travel movement of other local residents. Questions arose regarding how to address this issue. David Glover (Head of Planning and Development Services, Brent Council) confirmed that the transport study would look to identify solutions to those concerns. The study focused on areas where a large amount of parking and pickups took place, including in driveways. A joint programme between the Stadium, the Council and Quintain was looking at the issue known as 'pirate' parking, as there was little planning enforcement action that could be taken against the use of a single car parked in a driveway. . Members highlighted that the implementation of ANPR technology could help identify vehicles entering the local area that were not permitted to alleviate pirate parking. Officers highlighted that this would depend on a pre-approved list of permitted vehicles, allowing camera technology to ensure that only permitted vehicles were present in a designated area on any particular occasion. The Chair proposed a recommendation for the Resources and Public Realm Scrutiny Committee to explore this topic area in more detail.
- In response to further concerns regarding antisocial behaviour and littering on event days, officers advised that a Public Space Protection Order containing a list of prohibitions had been introduced, as well as a team of enforcement officers attending events to effectively lower the level of antisocial behaviour and the number of dumping offences with a particular focus on littering, street urination and controls on the sale of alcohol to football fans. Any complaints the Council received regarding antisocial behaviour, littering, the sale and consumption of alcohol and public urination was fed back to the Stadium regularly to identify any gaps in operations. In response to whether the increase in events would impact the capacity of enforcement and operational staff to take action, Chris Whyte confirmed he was confident that there were ready and willing officers to work additional events who made themselves available outside of normal working hours as there was appetite to support event teams at Wembley Stadium. The Council had not had any difficulties in finding staff willing to come forward, but there was the option to extend the pool of staff and draw more officers across the Council, funded by the Stadium.
- In addressing the challenges of waste management, parking, and increasing staff numbers to ensure the Best-in-Class, Members were advised that the Best-in-Class process was reviewed annually to drive improvements in operations. At times, additional resources would be needed, which would be resourced appropriately by the Stadium.
- In terms of discussions with local residents around past experiences and potential improvements in operations, Members were advised that the Council was a stakeholder in the Residents and Business Associations meetings and officers attended meetings to listen to the concerns of local residents and worked with partners to resolve the issues raised at the meetings. The Council also received complaints and concerns regarding

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Wembley Stadium events on an event-by-event basis, which were addressed as part of the Council's responsibilities. This feedback would then be communicated to the Stadium to identify solutions for the issues raised..

- Members raised concerns with the lack of communications to local residents regarding event days, timings of road closures and other associated restrictions, requesting for more information to be provided on the FA website about event timings, factsheets to be distributed more widely to local residents, and for the feasibility of increasing digital signage around the Wembley area to be reviewed. Confirmation was provided that the Stadium led communication efforts while the Council served as a conduit to ensure a consistent message. Chris Whyte added that officers often undertook a debrief discussion with ward councillors following events to understand any issues.
- In response to questioning around the use of blue badges, Members heard that the blue badge granted motorists certain entitlements on their use, but it was expected the parking would be done considerately. Where there were challenges around invalid or fraudulent use of blue badges, there were opportunities for enforcement, where implementing a targeted operation at future events could be beneficial in addressing these issues.
- Officers confirmed that the brief for the transport study was still to be agreed, so there was an opportunity to include an additional condition explicitly stating that the transport study should review the management of traffic associated with Oakington Manor School.
- With regards to the ticketing and ballot system, assurance was sought from Members that the procedure would be effectively overseen to ensure implementation to an acceptable and fair standard. It was agreed that an additional condition should require that the Stadium undertook a full review of the ticket allocation scheme to ensure it was the fairest assessment possible which would be submitted to and approved by the Council. In undertaking the review, relevant groups would be engaged with in terms of the operation and implementation of any new scheme.
- The Committee strongly endorsed a further meeting with Ward Councillors to discuss concerns.
- The Committee requested for the issue to be referred to the Resources and Public Realm Scrutiny Committee to consider reviewing the impact of event days on the Borough.

As there were no further questions from Members, the Chair then moved on to the vote, which included the additional condition.

DECISION

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**RESOLVED** to grant planning permission subject to the conditions and informatives set out in the report plus the following additional or revised conditions or obligations:

- (1) That the transport study that is to be secured through the Section 106 legal agreement shall include a review of the management of traffic associated with Oakington Manor School.
- (2) That the Stadium shall undertake a full review of the ticket allocation scheme to ensure it is the fairest assessment possible, and that shall be submitted to and approved by the Council. In undertaking the review, relevant groups should be engaged with in terms of the operation and implementation of any new scheme.

The Planning Committee also made a strong recommendation for the Stadium to host a further meeting with ward councillors to discuss concerns and for the issue to be referred to the Resources and Public Realm Scrutiny Committee to consider reviewing the impact of event days on the Borough.

(Voting on the above decision was as follows: For 6 and Against 1)

**5. 23/0176 - All Units at Dowlings Parade, HNS Autos and Delta Hand Car Wash, Bridgewater Road, Wembley, HA0 1AJ**

### PROPOSAL

The proposal is for the partial demolition of the HNS Autos building and other associated buildings on site and erection of new building comprising residential units and commercial space at ground floor level, cycle parking spaces, blue badge parking, amenity space and landscaping.

### RECOMMENDATION

That the Committee resolve to GRANT planning permission subject to completion of a legal agreement to secure the following planning obligations:

- (1) Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance.
- (2) Notification of material start 28 days prior to commencement.
- (3) Off-site Affordable Housing Financial Contribution (£185,470) to be utilised to fund additional affordable housing within the Borough together with an early and late stage review.
- (4) Affordable Workspace Provision contribution (£150,000)
- (5) Detailed design stage energy assessment:
  - (a) Initial carbon offset payment to be paid prior to material start if zero-carbon target not achieved on site.

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- (b) Post-construction energy assessment. Final carbon offset payment upon completion of development if zero-carbon target not achieved on site.
  - (c) 'Be seen' energy performance monitoring and reporting
- (6) Controlled Parking Zone – Financial contribution of £16,000 towards implementation of Controlled Parking Zone in the vicinity.
- (7) A parking permit restriction to remove the right of residents to on-street parking permits in any future Controlled Parking Zone that is implemented in the area.
- (8) Highway Works under a S38/S278 Agreement to:
- (i) widen the footway along the eastern side of Bridgehill Close fronting the site to 2m
  - (ii) remove the existing crossovers to Bridgewater Road and reinstate them to footway and verge.
  - (iii) repave the footway fronting Bridgewater Road, together with associated amendments to lining, signing, lighting and drainage and any other accommodation works.
- (9) Car Club - Provision of three years free membership of a local Car Club for all incoming residents.
- (10) Financial Contribution of £7,000 towards off-site planting of two street trees and their maintenance within the vicinity of the site.
- (11) Submission of a detailed 'Television and Radio Reception Impact Assessment' and underwriting of all mitigation required in addressing any interference.
- (12) Indexation of contributions in line with inflation (to be indexed from date of Planning Committee resolution)
- (13) Any other planning obligation(s) considered necessary by the Head of Planning.

Nicola Blake (Principal Planning Officer, Brent Council) introduced the report, stating that the application was seeking approval of a new eight storey building situated on the northeast side of Bridgewater Road along the southeast junction of Bridgehill Close. The proposal sought to demolish the existing buildings on site and provide an eight-storey building accommodating residential units, light industrial workspace, and a single ancillary disabled parking space accessible via Bridgehill Close. Ancillary floorspace, such as cycle stores and plant areas would be located at the ground floor level, with refuse stores also on the ground floor and accessed via Bridgehill Close. While the proposal included 720 sqm of light industrial floorspace, the provision of affordable workspace would be provided by a CIL contribution of £150,000.

The Chair thanked Nicola Blake for introducing the report and subsequently invited Alan Gunne-Jones (who had registered to speak as the agent) to address the Committee.

The following key points were highlighted:

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- This site had extant planning permission which was granted in 2022 and had proposed 28 residential units and industrial floor space with a s106 agreement securing, amongst other matters, affordable housing.
- Following the grant of this planning permission, the viability of the approved scheme was appraised, given that it had undertaken a 2-year journey from application submission to the granting of planning permission in 2022. The appraisal concluded that the approved development proposals were no longer viable and furthermore, experience suggested that identifying a Registered Provider to acquire a small affordable package of sub-10 units would prove problematic and render the permission undeliverable.
- The concept of an off-site contribution to affordable housing on viability grounds was therefore considered and reviewed with the planning department through formal pre-application engagement with the outcome sufficiently encouraging to proceed with the submission of this current application.
- The key differences between the permitted scheme and the one currently under consideration were as follows:
  - a) An additional 4 residential units achieved by adding one extra storey to the approved scheme and increasing the height by 3.1 meters.
  - b) A scheme that is fully compliant with current building regulations in terms of fire safety and protection through the inclusion of a separate fire escape core.
  - c) A financial contribution to provide affordable housing off-site.
  - d) A financial contribution to provide street trees and their ongoing maintenance.
  - e) A financial contribution to provide affordable workspace.
  - f) A commitment to assess the impact of the development on television and radio reception and to mitigate any interference if deemed necessary.
  - g) Car club membership for residents increased to 3 years.
  - h) An increased financial contribution to the CPZ and carbon offset.
- Alan Gunne-Jones concluded by stating that the above points had significant benefits that had not formed part of the previously approved scheme and were delivered by a scheme that was only one storey higher than the approved scheme and added 4 residential units. He felt that, on balance, the proposed scheme delivered more benefits than the approved scheme and hoped this would justify a grant of planning permission.

The Chair thanked Alan Gunne-Jones for addressing the Committee and invited Members to ask any questions they had in relation to the information presented with the following noted.

- In response to further clarification being sought on plans to provide children's play areas on the first and fourth floors, the Committee were advised that there were discussions regarding the potential inclusion of small children's play equipment, a soft surface, and the creation of a facility catering to younger age groups.

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- Members sought clarification regarding the change in affordable housing provision from the approved scheme. Alan Gunne-Jones confirmed that the extant planning permission included a s106 agreement to provide affordable housing units on site as a percentage of the overall development. This presented challenges related to viability and the acquisition of a Registered Provider (RP) to take on the units within the development which included workspace, general market housing, amenity areas, and children's play areas. Establishing a clear maintenance responsibility for the RP had proved to be difficult. Whilst the extant planning permission was still valid, due to viability, the present scheme offered a financial contribution to deliver affordable housing off-site.

The Chair thanked Alan Gunne-Jones for responding to the Committee's queries and then moved on to offer the Committee the opportunity to ask the officers any remaining questions or points of clarity in relation to the application. Issues raised included the financial viability appraisal, early and late stage upward only review mechanisms, and fire safety with the following responses noted.

- Confirmation was provided that the site was policy compliant. The financial viability appraisal had been reviewed by the Council's advisors and it was determined that on site affordable housing could not be provided if the scheme were to be delivered. Officers added that the extant planning permission granted in 2022 included an affordable housing quantum which met the Fast Track criteria and therefore, there had been no requirement for a financial viability assessment to be submitted. Following approval, the developer had conducted a more thorough financial analysis and concluded that it was not financially viable to proceed with what they had received planning permission for. The applicant had submitted a new application to effectively replace the extant consent which remained valid for another year. With the new application, which proposed a development at below 35% affordable housing, there was a requirement for a full viability assessment to be submitted with the application and independently assessed by the Council and its advisors. The assessment concluded that there was a slight surplus of less than it would cost to deliver even one onsite affordable unit. This was why officers were recommending approval for the application on the basis of an offsite contribution to the maximum breakeven amount calculated with independent advisors. It was also noted by officers that, since planning permission was granted in 2022, housing number targets had significantly increased, and it was important to have a site that could be deliverable to secure homes to meet overall housing targets. At the time of consideration for the scheme with extant permission, the old local plan was in effect and the current London plan had not been adopted. In response to the new Local Plan, the applicant was continuing to deliver the same quantum of commercial space and was proposing a contribution of £150,000 for the provision of off-site affordable workspace. It was noted that the application still carried a CIL liability.
- It was confirmed that there was both an early and late stage upward only review mechanism through the s106 legal agreement, with any additional surplus in viability increasing the contribution towards off-site affordable housing.

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- Members observed that the previous application site was one storey lower than the proposed site and inquired whether it might be feasible to add an extra storey to provide more affordable housing. Officers responded that a nuanced balancing exercise had taken place regarding the impact of the proposed building on the street scene and the maximum quantum of housing that could be accommodated on the site, with a previously taller proposed scheme being rejected. In assessing the proposed scheme, officers had consulted heavily with the Urban Design Officer to ensure the resulting scale was policy compliant, and Officers had concluded that the proposed scheme was the maximum in terms of the height and scale of the building that would reasonably be acceptable on the plot of land. Policy context details were also noted.
- Members asked whether there had been past instances where an approved scheme had been reassessed due to a new application being submitted.. In response, officers explained that there was a need to ensure that applications made were assessed on their own merit. Officers routinely considered new applications on sites that already had planning permission and emphasised the importance of acknowledging changing financial circumstances, such as build cost. The difficulties around viability were emphasised.
- In response to Members' questions around fire safety, officers advised that building regulations were separate to material planning considerations and that all relevant building regulations would need to be met if extant consent were to be implemented. The present application met those requirements. It was noted that the changes to overcome fire safety issues were substantive but not significant, and the Health and Safety Executive (HSE) was satisfied from a land use perspective under the current application.
- Considering that the current extant permission on site was not fast tracked and referencing the two fire escapes within the building, Members queried whether it held as much weight as indicated in the report, to which officers explained that this formed one factor for consideration, as it increased the development costs related to how the fire mitigation measures were implemented within the envelope of the building. Certain parts of the building needed to be separated from other parts of the building which had not been the case in the original consent. This constituted part of the reason for the submission of the application. Other reasons included financial viability. Although the site did not deliver onsite affordable housing, the development did deliver 4 additional residential units than the extant consent had. Officers had concluded that the planning gain in terms of an increase in housing delivery was acceptable.
- Inquiries were made around the challenges of acquiring a Registered Provider to take on a housing mix of different tenures. Officers responded that larger Registered Providers had a preference for larger developments with more homes in one space as opposed to various different sites across the Borough which would make maintenance and operational costs higher. Affordable housing blocks tended to be contained within the larger developments because they could all be concentrated into one building and associated costs would be distributed amongst those tenants as opposed to



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various different sites across the Borough. It was noted that, whilst the Council worked with developers struggling to find Registered Providers and provided lists, it was particularly challenging to acquire a Registered Provider for small sites.

- The Chair asked why the overall compliance and mitigating factors outweighed any concerns around height and overlooking at the existing semi-detached house at no.2 Bridgewater Road. Slides were presented, and the officers highlighted and explained the proposed site plan in comparison to the extant permissions.
- Members raised questions around parking spaces on the development site, considering that other developments within the area were normally car free. Officers confirmed that there was a car free agreement and a single disabled parking bay. It was noted that car free agreements removed the ability for residents to apply for a parking permit. There was also a contribution towards the CPZ in the area which had increased from 14,000 to 16,000 within the present application from the extant permission.
- As a separate issue, questions were raised about the Waste Management Strategy and whether there was a condition to have one for the application. The response was that there was a delivery and services plan which had been covered by condition 25 and was being reviewed by Highways Officers as well as Strategy Officers.
- As a further issue highlighted, Members queried whether safety was an issue regarding the communal roof garden above the 7<sup>th</sup> floor within the plans. Officers had secured by condition a railing and boundary treatments to ensure that the area was safe.

As there were no further questions from members the Chair then moved on to the vote.

### DECISION

**RESOLVED** to granted planning permission subject to the completion of a legal agreement and the conditions and informatives as set out in the Committee report.

(Voting on the above decision was as follows: For 5, Against 0, Abstention 1)

### 6. **23/3647 - Willesden Sports Centre, Donnington Road, London, NW10 3QX**

#### PROPOSAL

Proposed change of disused sports area to provide 2 padel courts with associated fencing and new path.

#### RECOMMENDATION

- (1) That the committee resolve to GRANT planning permission subject to conditions.

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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. Time Limit
2. Approved Plans
3. Materials
4. Arboricultural Method Statement, Impact Assessment and Tree Protection
5. Opening Hours

### Informative

1. Building near a boundary
2. Fire Safety

- (2) That the Head of Planning and Development Services 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.

Damian Manhertz (Development Management Area Manager, Brent Council) introduced the application, sought the use of a disused sports area to provide 2 padel courts with associated fencing and new path. The application site related to an area of land to the northwestern corner of the Willesden Sports Centre as well an area to the south to form a proposed pathway to join up with an existing pathway within the site. The site was located on the south side of Donnington Road.

The Chair raised clarifying questions around whether the 2 padel courts were proposed to be built on the disused tennis courts in an area formed of hardstanding. Confirmation was provided that that the proposed courts were on a large tarmacked, hardstanding area of land. Additional questions were raised around the necessity of constructing a path in the area, noting that when tennis was previously played there, no path existed. Officers explained that, upon review, a path might also have been beneficial for the tennis courts, as it would prevent people from tracking dirt and mud onto the court from the grass, which could create a slippery surface. Access would be improved to the area.

The Chair thanked Damian Manhertz for introducing the report, and then invited Mr Pambakian (who had registered to speak in objection to the application) to address the Committee. The following key points were highlighted:

- The proposal was submitted a year ago and an appeal had been filed. Mr Pambakian had petitioned a number of residents from the neighbourhood who were concerned that the development would occur in their quiet neighbourhood.

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- The original plans for constructing a canopy had been revised to enhance its appeal by opting for single-glazed panels.
- Most of the houses in the area were residential and included lofts. He felt that the glass panels would not effectively reduce the high noise levels from padel sports, which would continue until 11 PM.
- Previously, there was a bike school, and at the time the Council had received a surge of noise complaint calls from local residents. Similarly, it was felt that the padel sport at the application site was not suitable for the location. Citing the location plan, Mr Pambakian highlighted that the padel courts would be situated in the most densely residential part of the sports centre. The continuous noise would also be difficult for residents with special educational needs and disabilities to cope with.

The Chair thanked Mr Pambakian for addressing the Committee and then invited questions and comments from Members in relation to the information heard.

- In response to Mr Pambakian's concerns about the sporting activities operating until 23:00 pm, it was clarified that the latest closing time for the courts would be 21:30 pm. Members then asked whether this clarification offered any reassurance. Mr Pambakian felt that the change in operating hours would have little impact, as residents would still experience frequent noise throughout the day.

The Chair then welcomed Mr Cody Burrige (who had also registered to speak in objection to the application) and invited him to address the Committee. The following key points were highlighted:

- In addressing the Committee, Cody Burrige shared that he was a huge fan of sport in the local area and had been a coach at Queens Park Harriers for 15 years at Willesden Running Track. However, he believed the proposal needed to be adjusted so that it was respectful to the nearest and most affected residents of Donnington Road.
- He felt there was a lack of awareness, with little contact or communication with the residents that this proposal directly affected. Cody Burrige lived in close proximity to the proposed site and had received no communication about the proposal until a neighbour alerted him to the plans a week ago.
- Working from home, including meetings, was cited to be a challenge, as sports noise could be heard from inside the home.
- Outside of work, residents believed family life and relaxation time would be disrupted by the level of noise.
- Persistent noise would be difficult to live with not only during the week but also on weekends.

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- He suggested that for the welfare of the residents in the nearby area, the padel courts should be enclosed and potentially sound proofed so as not to disturb the residents of Donnington Road living closest to the proposal site.
- Cody Burrige concluded that he was not opposed to the Padel Court plans, but strongly urged the Committee to listen to the concerns of residents nearest to the proposal site.

The Chair thanked Cody Burrige for addressing the Committee. As no specific questions were raised in relation to the information presented, the Chair then moved on to invite Kai Woodgate (who had registered to speak as an applicant / agent) to address the Committee.

The following key points were highlighted:

- Kai Woodgate shared that he was one of the Operations Managers for Padel United and had been working at the company over the past three years. He had also been a player at the company's venues for six years. The company had originally brought him on as a junior apprentice which had enabled him to progress to a senior position.
- He emphasised that the company was always trying to be as inclusive as possible and was proud to offer prices below the average rate for padel at all of their venues, enabling as many people as possible within the community to get involved.
- Across the country, the company had eight venues which consisted of 25 courts, with over 7,000 active padel players and a wide demographic from younger children all the way up to more senior players. Across their venues, the company also worked with 12 different schools who used the facilities to allow children to get involved with the sport and learn vital skills. In addition to their partnership with local schools, the company also had over 1000 under 16 players who played at their venues annually. The company also offered a free junior membership, encouraging young people to enjoy the sport.
- For their project in Willesden, the company was looking to transform an underused area of tennis courts by adding two padel courts on top of the existing area. The location of the proposed padel courts would be within the boundaries of the leisure centre, who the company were looking forward to working in partnership with, in order to offer extra activities to the community.
- After listening to the original feedback, the company had applied for the club to have no floodlighting to reduce the light pollution to the residents nearby, which in turn would decrease the amount of playable time to players, especially during the winter months.
- Kai Woodgate shared that padel was an exciting sport and one of the fastest-growing sports globally, primarily due to its appealing Unique Selling Point and accessibility for people of all backgrounds and skill levels. This

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inclusivity helped make the sport and its clubs central to communities, serving as fantastic venues for socialising, staying active, and enhancing the mental and physical well-being of diverse demographics across communities and the country.

- Kai Woodgate expressed the hope that padel would serve as a valuable addition to the leisure centre and also benefit the wider community.

The Chair thanked Kai Woodgate for addressing the Committee and invited Members to ask any questions they had in relation to the information presented, with the following being noted:

- In clarifying the position regarding mitigations within the design area to address noise concerns from residents, the Committee were advised that the sport was somewhat louder than tennis. Though the balls used were identical to tennis balls in terms of pressure and softness, the rackets were slightly harder. Noise assessments had been conducted at other venues similar to the proposed build near residential areas, and no complaints regarding regular noise had been received. As for mitigation measures, the amount of playable time would be decreasing during the winter months to around 4pm and would not be continuing through the evening.
- In response to concerns regarding noise, Kai Woodgate confirmed that the company would consider any further noise mitigations to soften the sound and reduce its noise impact on local residents.

The Chair then moved on to offer the Committee the opportunity to ask the officers any remaining questions or points of clarity in relation to the application.

- The Chair sought details on what scientifically backed noise evidence existed to assist the Committee in making a decision. Officers explained that a noise acoustic report had been submitted as part of the application. An important consideration regarding noise was that perceived sound depended on the background noise levels. The background noise levels measured in the survey were reportedly high enough for the noise generated by the padel court during a 6-minute match, falling below that when measured from the nearest sensitive receptor, which was the window of the closest residential property. This provided a basic measurement of what the nearest resident would experience inside their home, which was lower than the background noise. It was confirmed that the information was assessed by Environmental Health Officers.
- Following on from the previous question, details were sought by the Chair about the weight an already well-used, noisy sports centre venue held in the Committee's judgment of noise pollution. Officers confirmed this was considered in the process. The sports centre venue was an appropriate place to hold an additional type of sport. Officers did not have the details of any noise complaints relating to the existing sports centre site but confirmed that these would be dealt with by the Environmental Health Team. The noise information available to the Committee was the impact the proposal would have by itself.

## PLANNING COMMITTEE

11 September 2024

- Members sought clarity on the maximum dB recorded for the source sound pressure level of two padel tennis courts at full capacity. Although the report indicated that the level was 63 dB, it had mentioned instances where it could be louder without providing specific details. Members further highlighted that difference in sound levels between tennis and padel was approximately 20dB and questioned the possibility of whether one padel court could be in use at any one time as opposed to two courts to reduce the noise. Officers responded that Environmental Health Officers determined that the initial noise assessment conducted did not exceed the permitted level of noise and had also considered unusual or higher peaks than the average noise levels in their assessment. As there was not a direct objection to the two padel courts, officers did not see a benefit in reducing the use of both courts to one. Officers then confirmed that the maximum noise level during a 6-minute game of padel tennis in 2 courts measured 3 meters away from the rear of the court was 71dB. Further to this, Members heard from officers that the noise level at the nearest receptor was 52 dB, which was 3.6 dB below the existing ambient noise level of 55.6 dB. Environmental Health Officers had reviewed the proposal and found the level of noise to be acceptable. Statutory noise nuisance was covered through Environmental Health legislation.
- In relation to Environmental Health, officers highlighted that without the use of floodlighting, the amount of time that the courts could be used was limited. Therefore, playable time of the sport and the sound emitting from padel was naturally limited to daytime hours.
- Members cited a similar application relating to the build of a sports centre around Queens Park School and questioned whether glass panes reduced noise levels. The response confirmed that the glass panels were not built for noise but was rather an enclosure for the court. It was added that measures to minimise noise consisted of management arrangements and reminders for players to keep their noise levels down.
- Members inquired whether discussions had occurred regarding alternative locations for the courts, suggesting that the site could potentially be moved to the back of residents' gardens, away from their homes. Officers responded that discussions had not taken place regarding this, with focus on the proposed location area because of the existing hardstanding. It was added that there were no plans for lighting based on consultative feedback.

As there were no further questions from Members, the Chair then moved on to the vote.

### DECISION

**RESOLVED** to grant planning permission subject to the conditions and informatives as set out in the Committee report and supplementary report.

(Voting on the above decision was as follows: For 5, Against 1, Abstention 1)

**PLANNING COMMITTEE**

11 September 2024

There was no other urgent business.

The meeting closed at 8.54 pm

COUNCILLOR KELCHER

Chair

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## 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).

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## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

13 November 2024  
04  
23/1426

## SITE INFORMATION

<b>RECEIVED</b>	<b>21 April 2023</b>
<b>WARD</b>	<b>Wembley Park</b>
<b>PLANNING AREA</b>	<b>Brent Connects Wembley</b>
<b>LOCATION</b>	<b>Glynns Skip Hire, Fifth Way, Wembley, HA9 0JD</b>
<b>PROPOSAL</b>	Demolition of existing buildings and structures and erection of up to seven buildings ranging in height from 5 to 15 storeys to provide purpose built student accommodation (Sui Generis use), light industrial (Use Class E(g)(iii) and cafe (Use Class E(a)) floorspace, car and cycle parking, amenity space (internal & external), new public realm, landscaping, alterations to vehicular access, highway works and other associated works. (REVISED plans and supporting technical information received)
<b>PLAN NO'S</b>	See Condition 2.
<b>LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION</b>	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_164550">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_164550</a></p> <p><b><u>When viewing this as an Hard Copy</u></b></p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"> <li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li> <li>2. Select Planning and conduct a search tying "23/1426" (i.e. Case Reference) into the search Box</li> <li>3. Click on "View Documents" tab</li> </ol>

## RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to the application's referral to the Mayor of London (stage 2 referral) and the prior completion of a legal agreement to secure the following planning obligations:

1. Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
2. Notification of material start 28 days prior to commencement.
3. Minimum 50% affordable student accommodation (379 bedrooms) on site, in line with the Mayor's Affordable Housing and Viability SPG, and the Mayor's Housing SPG.
4. *Nominations agreement for student accommodation* – Applicant to use reasonable endeavours to enter into Agreement with one or more Higher Education Providers to secure nomination rights for at least 51% of the student bedrooms (381 bedrooms). Communal facilities including refuse storage, cycle storage, internal and external communal areas to be available equally to all students without additional charges.
5. *Training and employment of Brent residents* - Prior to a material start:
  - a. to inform Brent Works in writing of the projected number of construction jobs and training opportunities and provide a copy of the Schedule of Works;
  - b. to prepare and submit for the Council's approval an Employment Training Plan for the provision of training, skills and employment initiatives for residents of the Borough relating to the construction phase and operational phase of the Development
  - c. financial contribution (estimated to be £107, 250; calculated in accordance with Brent's Planning Obligations SPD) to Brent Works for job brokerage services.
6. *Energy assessment*
  - a. Prior to a material start submission and approval of a detailed design stage energy assessment. Initial carbon offset payment (estimated to be £299,820 / £95 per tonne) to be paid prior to material start if zero-carbon target not achieved on site.
  - b. Post-construction energy assessment. Final carbon offset payment (calculated at £95 per tonne) upon completion of development if zero-carbon target not achieved on site.
  - c. 'Be seen' energy performance monitoring and reporting
7. *Travel Plan* – Submission and implementation of full Travel Plan(s) for student accommodation and commercial uses, with a target of 100% of trips to be made by foot, cycle or public transport , including monitoring and review arrangements under the i-TRACE or TRICS survey methodology,
8. Submission, approval and implementation of a Waste Management Plan including upon commencement including commitment to fund and arrange independent collections from the site. Collections must be entirely privately funded and arranged unless an alternative plan showing a revised layout is submitted and agreed with the LPA which meets Veolia's requirements in respect of carrying distances.
8. Car free restriction.
9. *Financial contribution to Transport for London*: for improvements to public transport bus services (£208, 000), to be paid in full not less than 6 months prior to the Occupation of the development.
11. Works to the highway through Section 38 / 278 Agreement to secure the following;
  - a. Construction of a zebra crossing at the eastern end of the site, together with associated lining and signing, enhanced street lighting and speed cushions on the approach to the crossing;

- b. Construction of an 11m long loading bay with entry and exit splay kerbs within the footway fronting the northern side of the site;
  - c. Alterations to any westbound bus stop at the western end of the site to provide a 25m long bus cage, a bus shelter and a bus stop flag;
  - d. Widening of the footways fronting the northern and southern sides of the site to retain a minimum footway width of 3m, and to offer the land to the Council to become adopted at no cost to the Council;
  - e. Construction of a footway crossover at the eastern end of the northern side to facilitate access to the proposed service yard;
  - f. Removal of all existing crossovers to the site and repaving of the footways fronting the site; together with
12. Healthy Streets contribution – £50, 000 to support Healthy Streets improvements in the vicinity of the site
13. Permissive path: A north-south permissive route traversing the southern site, as well as a permissive north-south route traversing the northern site as shown indicatively on the Landscape Works Drawing.
14. Permissive Path Management Plan; A plan to be submitted in respect of the proposed management arrangements for the permissive path(s).
15. TV and radio reception impact assessment, and undertaking to carry out any mitigation works identified within the assessment and agreed.
16. Commercial Servicing Plan to include the restriction that only vehicles with a maximum length of 6.7m and maximum width of 2.2m to enter the service yard to the north east of building G
17. Indexation of contributions in line with inflation from the date of committee resolution

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

#### *Compliance*

1. Three year rule
2. Approved drawings and documents
3. Restrict occupation to students
4. Restricted number of student bedrooms
5. No fewer than 10% of bedrooms to be wheelchair accessible
6. Restrict the quantum of Class E (g)(iii) and Class E (b) floorspace
7. Disabled parking provision & ECVF infrastructure
8. NRMM
9. Compliance with AIA and Tree Survey
10. Compliance with EclA and BNG Assessment
11. Compliance with FRA & Drainage Strategy
12. Provision of cycle and refuse storage prior to occupation
13. Access to internal and external amenity spaces (at ground floor)
14. Water consumption efficiency
15. Ground floor glazing
16. No outward opening doors (buildings F and G)
17. Specific Class E uses; removal of permitted development rights

#### *Pre-commencement / pre-installation*

18. Construction Logistics Plan
19. Window Obscure Glazing Strategy

20. Revised cycle parking details
21. Revised cycle store details
22. Acoustic Glazing Strategy
23. Construction Method Statement
24. Secure by Design
25. District heating network connection
26. Overheating Mitigation Strategy
27. Communal TV system / satellite dish
28. Marketing Strategy
29. Lighting Strategy
30. Sound insulation measures
31. Odour control and extract ventilation
32. Fibre connectivity
33. External materials
34. Piling Method Statement

*Pre-occupation / commencement of use*

35. Student Management Plan
36. SuDs Whole-life Management and Maintenance Plan
37. BREEAM
38. PV Strategy
39. BRUKL Assessment
40. Whole Life-Cycle Carbon assessment reporting
41. Circular Economy Statement reporting
42. Landscaping scheme
43. Plant noise levels
44. Soil contamination; verification report
45. Delivery and Servicing Plan

Informatives as listed in the Committee Report.

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

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

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



# SITE MAP



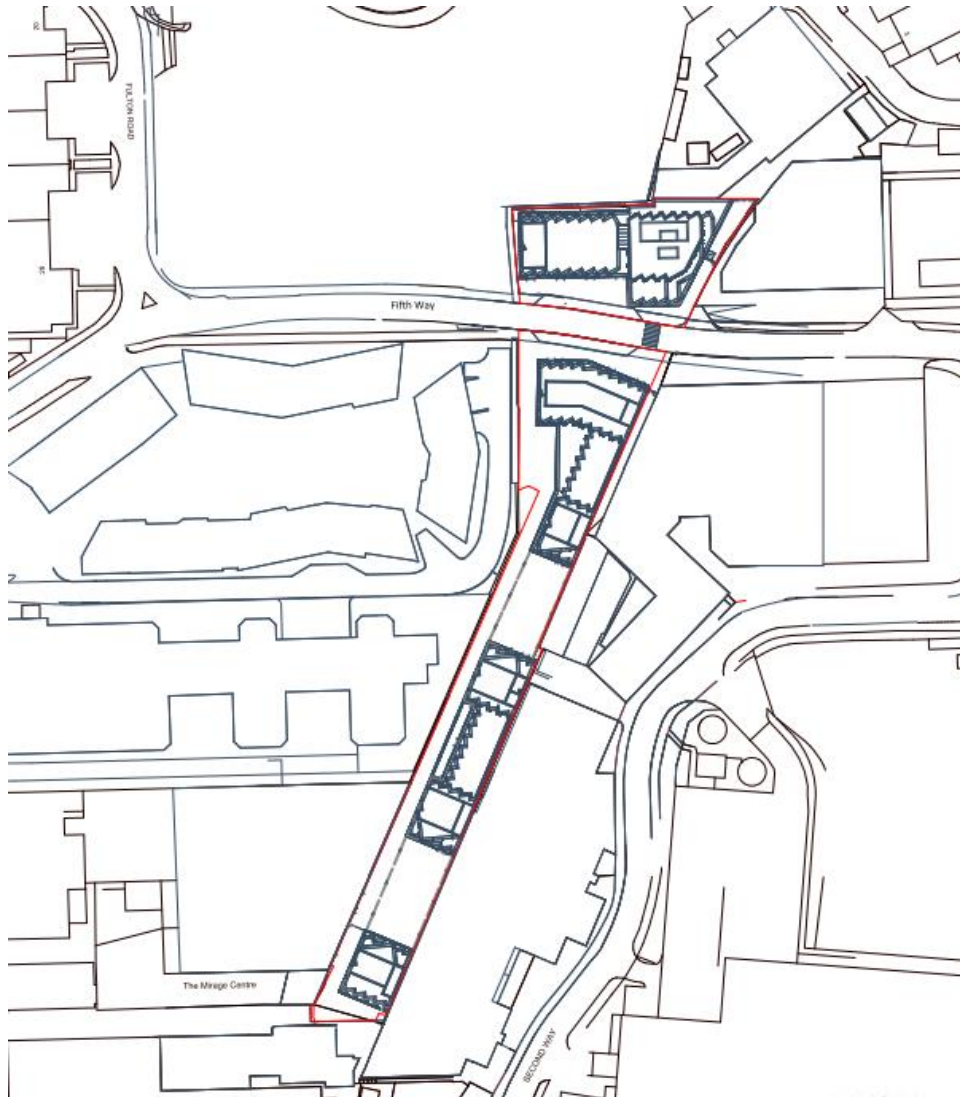
**Brent**

## Planning Committee Map

Address: Glynn's Skips Hire, Fifth Way, Wembley, HA9 0JD

Map in copyright and database rights 2011 Ordnance Survey 100025260

This map is indicative only.



## PROPOSAL IN DETAIL

The proposal is to demolish all existing buildings and develop two parcels of land situated both to the north and south of Fifth Way, Wembley, as purpose-built student accommodation (PBSA) buildings, together with light industrial floorspace and a café.

The proposed PBSA is to be accommodated in seven buildings ranging in height from 5 to 15 storeys (Sui Generis use), 1,232sqm of light industrial floorspace (Use Class E(g) (iii)) and a 100sqm café (Use Class E). In association with this it is proposed to provide ancillary communal facilities for students, internal and external amenity space, hard and soft landscaping, new public realm, alterations to existing vehicular access, highways works and other associated works.

A total of 759 student bedrooms are proposed, comprising of 192 x cluster units and 567 x studio units. A minimum of 50% of these bedrooms (379 bedrooms) will be provided as affordable student accommodation. Provision of 609 cycle parking spaces is proposed, along with on-site servicing facilities and disabled parking spaces.

## EXISTING

The existing brownfield site consists of an elongated parcel of land approximately 0.6ha in size. This site is divided by Fifth Way, with the larger parcel (c. 0.45ha) to the south of Fifth Way and a smaller parcel (c. 0.15ha) to the north.

As referred above, the south parcel is currently occupied by Glynn's Skip Hire, a waste management company, and this is allocated as a West London Waste Plan protected site. It is used for the external storage and processing of waste. All existing associated low rise buildings on this site are proposed to be demolished. The north parcel currently contains shipping container type structures as well as areas for open storage and hardstanding, used in association with the waste use.

Surrounding land uses (existing and emerging) vary in this location. To the west, sites have been subject to recent redevelopment, the former Kelaty House site (now known as Pavillion Court) has been redeveloped to provide PBSA and serviced apartments, in buildings of up to 13 storeys. Also to the west Arch View House (former Cannon Trading Estate) has been redeveloped as PBSA, in buildings of up to 11 storeys. Other sites to the west, south and south-west are currently in a range of different employment generating, mostly industrial type uses in lower rise buildings. Adjacent to the north land parcel (to its western side) is the former Euro House site, this is currently under construction to deliver residential accommodation and commercial floorspace, in buildings of up to 23 storeys. Surrounding land uses to the east and north of the site are predominantly commercial and industrial, representative of the surrounding designation as Strategic Industrial Land (SIL). Wembley Stadium is located c. 250m to the south-west of the site.

The site is within Wembley Growth Area and Wembley Opportunity Area. It is included within Local Plan Site Allocation BCSA9, together with the neighbouring (former) Kelaty House and Cannon Trading Estate sites, which as referred above, are sites that have already come forward and been redeveloped. The site allocation requirements are covered in more detail in the 'Remarks' section below.

Wembley Park Station is a c.800m walk from the site, which has a Public Transport Accessibility Level (PTAL) of 3 (moderate).

The site is not in a conservation area and does not contain any listed buildings.

## AMENDMENTS SINCE SUBMISSION

Amended plans and additional / updated supporting documents were received during the course of the application, summarised as follows:

Amendments relating to southern blocks A, B, C, D and E:

- Alterations made to the siting of the buildings to ensure these better align with the layout and siting of neighbouring Arch View House and Pavilion Court buildings to the west and to help improve connectivity to these western sites, including through the alignment of external courtyard spaces.
- Improved separation distances to neighbouring buildings.
- Alterations to pedestrian access, incorporation of connecting internal walkway between buildings A-E, general internal layout arrangements, and external massing refinement.
- Revised servicing and emergency access arrangements.

Amendments relating to northern blocks F and G:

- Internal layout arrangements and external massing (including removal of previous overhang along Fifth Way).
- Layout alterations to light industrial floorspace and student amenity areas, including reconfiguration of the ground floor plan to swap the uses over.
- Public realm improvements, including a new north-south pedestrian link through the buildings (F and G), alterations to servicing and delivery arrangements, including a new service yard to the west to serve the light industrial floorspace.
- Increased separation distances to neighbouring Euro House redevelopment achieved by moving buildings F and G further south by 1.5m (plus re-designing of the angled / directional windows in places to prevent direct overlooking)
- Alterations to upper roof terrace levels.
- Alterations to landscape and public realm, including changes to the frontage and inset servicing / loading bay.
- Increase in number of studios with kitchenettes and the number of apartment-type cluster units.

The amendments result in a slight increase in the number of proposed student bedrooms from 735 to 759 (+24). The provision of light industrial floorspace (Use Class E(g)(iii)) has been reduced marginally from 1,277sqm to 1,232sqm (-45sqm).

Alterations have been made to layouts to accommodate a new bus stop and cage along Fifth Way, along the site frontage of the south parcel, resulting in the removal of previously proposed inset loading bay and alterations to proposed pedestrian crossing on Fifth Way.

Due to the nature of the amendments made since the application was submitted, further consultation has been carried out (see 'Consultations' section for further details).

## SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Objection has been received from ten interested parties whose reasoning for objecting is set out in the 'Consultations' section. Members will have to balance all of the planning issues and objectives when making a decision on the application, against policy and other material considerations.

**Neighbour objections:** As set out in the 'Consultations' summary below, objections received relate to (but are not limited to the following); the use of the private service road to the south of the site and the impacts this will have on the operation of existing businesses who rely on this road for access, the applicant has no legal right of access over the service road, the unsuitability of the service road for large/HGV vehicles, impacts in the locality during construction (including on the operation of existing businesses), and the proposals will be detrimental to future redevelopment potential of neighbouring sites.

**Principle of development:** Loss of a safeguarded waste site is acceptable as it has been demonstrated appropriate compensatory capacity can be made locally, which would be at or above the same level of the waste hierarchy and would at least meet the maximum achievable throughput of the site proposed to be lost, as required by London Plan policy SI 9. The supporting addendum waste capacity report identifies that the existing waste transfer site on Alperton Lane (within Brent) formerly operated by O'Donovan Waste Disposal, now operated by Sortera, as having both the significant capacity as well the operational ability to provide the necessary offset tonnage, if required to as a result of the application site's closure. Written confirmation of this has been provided by Sortera, the current waste operator of the site. The proposed PBSA would, together with the enhanced east-west connectivity, provision of permissive path(s) through the site, and new public realm respond appropriately to the wider aims of BCSA9 site allocation policy. The proposed student accommodation would positively contribute to the borough's housing targets, contribute to the strategic London demand for student accommodation and would provide active uses at ground floor to animate the public realm and spaces surrounding the buildings. The industrial floorspace proposed represents the maximum level of re-provision that can be achieved and will mitigate the loss on site, in line with the site allocation. The proposed mixed-use redevelopment would contribute to the viability and of the Wembley Growth Area and is acceptable in principle.

**Affordability and mix of student accommodation:** The application is proposing on site affordable student accommodation (50%) and it secures a reasonable endeavours commitment so that at least 51% of rooms would be secured under a nominations agreement with one or more higher education providers. The proposal includes 759 student bed spaces, which would be of two different typologies; cluster

units and studio units, with no fewer than 10% of the total provided as accessible units. Nominations agreement(s) would secure proportionate numbers of each type, including for affordable accommodation.

**Design and appearance:** The buildings would be up to 15 storeys in height, and would relate to the varied and undulating skyline that is both established and emerging in the area. The site is within a Tall Building Zone designated in Brent's Local Plan, and the building heights are considered appropriate in this location as policy seeks a transition of building heights towards the edge of the zone. These heights are commensurate with existing and consented nearby developments. No harm is identified to be caused to any heritage assets or protected stadium views, and the siting, separation, massing and articulation of the buildings would enable these to read as distinct point blocks, which breaks up the visual impact of the buildings. Active frontages have been maximised at ground floor across both sites, landscaping and new public realm would create a successful relationship with adjoining sites, which is further improved by the enhanced east-west connectivity and permissive paths through both sites. The detailed design of the buildings is considered to be well considered and responsive to the site constraints and would be of high quality.

**Fire safety:** The proposal has been reviewed by the Health & Safety Executive (HSE) under the Gateway One process. The HSE have confirmed they are 'content' and have no objection on layout or land use matters. Fire safety will also be considered at Building Regulations stage.

**Quality of student accommodation:** The student bedrooms have been designed with efficient layouts to maximise available space, and would be comparable, and in a number of cases, more generous in size to other student accommodation schemes in the Wembley area. Design solutions have been utilised to ensure all rooms would receive adequate outlook, daylight and would not be unduly at risk of overheating. Communal external amenity space is proposed across the sites in different ways, combined with on-site (internal) amenity facilities and landscaped external space / public realm, further contributing to the quality of the accommodation proposed and student experience.

**Relationship with neighbouring properties and wider Site Allocation:** Impacts on daylight, sunlight and overshadowing to nearby residential developments have been analysed and captured within the submitted assessment. While some habitable rooms, principally student bedrooms in existing nearby development would experience a noticeable impact, effects such as this are considered inevitable when seeking to develop at high density in a way that makes efficient use of the land, within a growth area and where there is a dense pattern of development already established and still emerging in the locality. Effects are to be expected in the locality particularly where there is an existing undeveloped site that comprises buildings lower in scale than other nearby sites, within a growth area, and which is subject to a site allocation policy that seeks to encourage further growth. Any harmful effects will be balanced against the planning benefits overall. The building design and internal layouts respond to the site constraints, helping to mitigate the proximity of buildings to site boundaries. This considered design approach means this development does not prevent future development coming forward on nearby undeveloped sites.

**Sustainability and energy:** The development is estimated to achieve a 32% carbon reduction compared to 2021 Building Regulations, which would be derived from energy efficiency / demand reduction measures, as well as through renewable energy technologies proposed in the form of air source heat pumps and solar PV panels. A BREEAM 'Excellent' rating is being targeted for all non-residential elements. A contribution to Brent's carbon-offsetting fund would be secured through the s106 agreement, to offset residual emissions to net zero. In addition, Whole Life Carbon Cycle and Circular Economy Statement commitments would be secured by condition.

**Impacts on microclimate:** The proposal would result in wind conditions within and around the site that would be suitable for the intended use or consistent with baseline conditions. A survey of predicted impacts on TV and radio reception to neighbouring properties (including any mitigation measures necessary) would be secured through the s106 agreement.

**Environmental health considerations:** Air quality would be improved in the locality as a result of the sites redevelopment which involves the removal of the existing waste transfer use. The development would be air quality positive. Noise and contaminated land impacts have been assessed and Brent's Environmental Health officers consider these to be acceptable subject to conditions. A detailed Construction Method Statement would be secured by pre-commencement condition further setting out how environmental impacts will be reduced and mitigated during construction phase.

**Flood risk and drainage:** The site is in Flood Zone 1 for fluvial flooding and a small portion of the southern site is Zone 3a for surface water flooding. It is within a Critical Drainage Area. A detailed Flood Risk Assessment and Drainage Strategy (including detailed SuDS strategy) have been submitted to assess the

risk. The proposed strategy, including SuDS features show that post development there would be a betterment in runoff rates which is an improvement from a flood risk perspective.

**Trees, biodiversity and urban greening:** A comprehensive tree planting strategy is proposed that demonstrates a net increase in trees across the site. There are no trees on site currently, with c.80 new trees to be provided at ground level and within raised amenity spaces. Larger specimens are proposed where space allows this. It has been demonstrated the proposal would result in a biodiversity net gain as a result of the development and once the landscaping proposals have been implemented, equivalent to a positive change of 100%. The Urban Greening Factor of 0.40 indicated is in accordance with the policy target. Overall, the development will lead to positive biodiversity and green infrastructure outcomes.

**Transport considerations:** The site is in a sustainable location (PTAL Rating 3) and the development would be car-free, with adequate provision made for cycle parking and sustainable transport further encouraged through the submission and monitoring of Travel Plan(s), secured under the s106 agreement. The layout accommodates a new bus stop along the site frontage, as required by TfL, which will assist further in terms of sustainable travel choice. A new pedestrian crossing on Fifth Way will lead to improved pedestrian infrastructure in the locality, and a Healthy Streets contribution (£50, 000) will support further improvements in the vicinity. The deliveries and servicing strategy (both during construction and operation) is set out in the outline Construction Logistics Plan and outline Delivery and Servicing Plan. Post development servicing would be achieved through a combination of (proposed) on-street loading bay, dedicated on-site service yard to serve the light industrial uses, and via a secondary and carefully managed on-site arrangement for specifically identified reasons (i.e. waste and emergency). Further details of how site access arrangements would be managed both during the construction and operational phases will be secured through conditions. A contribution of £208, 000 towards bus network capacity enhancements is agreed by the applicant and will be secured through the s106 agreement.

## RELEVANT SITE HISTORY

**Relevant Planning History** (n.b. for south land parcel only)

### **10/2680 – Granted**

Construction of an extension to front yard of existing waste transfer station to enclose existing operations, removal of existing trommel and installation of new trommel within the front enclosure, with associated soft landscaping improvements along Fifth Way frontage.

### **07/0330 – Granted**

Demolition of existing maintenance/office buildings and erection of 4 portacabins for use as offices/WC/store.

### **06/0313 – Certificate granted**

Certificate of lawful existing use for the acceptance, handling and transport from the site of putrescible waste every day at all times in breach of condition 6 of full planning permission 94/0329 dated 22/9/1994 for extension of waste transfer station, including new location of portal frame building and planning permission 95/0566 dated 11/07/1995 which varied condition 6.

There are other more historical applications relating to the south land parcel and its historic use for waste transfer operations.

## CONSULTATIONS

Two rounds of full public consultation have been undertaken. The initial consultation letters were sent out on 5 May 2023 (to 71 addresses/representees), and following receipt of revised plans and additional supporting information, a second round of public consultation was undertaken, with letters sent out on 15 February 2024 (to 80 addresses/representees). Press adverts were published and site notices were posted (in a number of locations in the vicinity of the site) for both rounds of consultation.

Consultation has also been carried out with all relevant statutory and non-statutory consultees, including re-consultation where required (as set out below)

Objections from / on behalf of ten ((10) individual addresses / interested parties were received. It should be noted that in some cases those submitting representations provided more than one set of comments, however, where this has been the case each set of additional comments received is not treated as an additional objection. The comments received are summarised as follows:

Objection comment	Officer response
<p>Increased vehicular and pedestrian traffic along private service road, to the south of the site, will be detrimental to the operation of neighbouring businesses in terms of access and to pedestrian safety.</p>	<p>The access strategy during construction proposes vehicle access via Fifth Way, and via the service road to the south, off First Way. Any impacts and disruption resulting from use of the service road would be temporary in nature, and minimised as far as is reasonably possible through the implementation of a detailed Construction Logistics Plan (to be secured as a pre-commencement condition).</p> <p>During the operational phase access will principally be from Fifth Way. The southern access, via the private service road will be a managed access, and only permitted to be used infrequently by refuse and emergency vehicles. This will minimise any impacts. This proposal would not introduce pedestrian use of this service road as pedestrians can currently access the service road, it would though facilitate improved pedestrian connectivity which is considered beneficial for the development and the wider aims in the locality.</p>
<p>Private service road to the south cannot accommodate large HGV vehicles accessing the application site.</p>	<p>Please see the Transport considerations section of this report.</p>
<p>Dust and air quality impacts during construction period will be detrimental to operation of nearby businesses.</p>	<p>Such impacts will be temporary only, and any effects are to be reduced / mitigated through effective implementation of a detailed Construction Method Statement (to be secured as a pre-commencement condition).</p>
<p>Application site boundaries are incorrect.</p>	<p>Submitted site location plan (and red line boundary) is consistent with Title plan provided.</p>
<p>Loss of parking and general disruption to nearby businesses.</p>	<p>Proposed development does not result in the loss of any formally designated parking. Any loss would be from informal parking that takes places currently along the private service road. Any disruption during the construction phase would be temporary in nature.</p>
<p>Proposed development will infringe on adjoining Title. This encroachment onto the private service road will affect access / egress for nearby businesses.</p>	<p>Disputed Title / encroachment is not a material planning consideration. This would be a civil / property law matter. This is discussed further in the Transport considerations section of the report below.</p>
<p>Submitted outline Construction Logistics Plan proposes to route construction traffic via the private service road to the south of the site. There are no legal rights or reservations that permit third parties to use this land.</p> <p>The outline CLP should remove all reference to use of the private service road as construction traffic route</p>	<p>Please refer to responses above and Transport considerations section of this report.</p>
<p>Integrity of the private service road to the south will be undermined if used by HGV's.</p>	<p>The service road to the south of the site is privately owned and maintained. This would be a civil matter.</p>
<p>Proposals are detrimental to future redevelopment value and redevelopment potential of neighbouring sites.</p>	<p>Impact on land / property value is not a material consideration.</p> <p>Impact on future redevelopment potential has been addressed in the 'Relationship with wider site allocation and neighbouring sites and assessment of impacts' section of the report below.</p>

<p>Proposals are being bough forward prematurely in a vacuum and without proper consideration of the potential impacts on the wider site allocation and its ability to deliver the quantum of accommodation identified in policy.</p>	<p>The current proposal was the subject of extensive pre-application engagement with the Council and other stakeholders (including public consultation) between 2020 and submission of the planning application in March 2023. It has since been subject to detailed consideration, including how this potentially impacts on the wider site allocation. This consideration is also addressed within the application supporting information.</p> <p>Please refer to the 'Principle of student accommodation' and 'Relationship with wider site allocation and neighbouring sites and assessment of impacts' sections of this report.</p>
<p>Must avoid a situation where a smaller site within the site allocation stimies the optimum development potential of the principal development land parcels.</p>	<p>It is not considered this is the case. The proposed layout and building design responds to the site constraints and buildings are offset from the western boundary.</p> <p>The site allocation policy BCSA9 also acknowledges a risk to development is that the land within the allocation is in multiple ownership which may prevent comprehensive redevelopment.</p> <p>Development proposals have already come forward and been approved for individual site's within the allocation. Each case is assessed on its own planning merits.</p>
<p>Not clear whether any testing has been done to demonstrate that the proposals do not unduly compromise the delivery across the wider site.</p>	<p>This is addressed in the 'Relationship with wider site allocation and neighbouring sites and assessment of impacts'. Future development proposals for surrounding sites should demonstrate such proposal respond accordingly to their context, including any planning consents extant at that time.</p>
<p>Concerned that permeability, legibility and public realm experience could be unduly compromised.</p>	<p>The proposal would facilitate enhanced east-west connectivity, improved south-north permeability and provide new accessible public realm and landscaped external spaces. Any future development coming forward on neighbouring sites should come forward in a way that responds to this.</p>
<p>Application should be held in abeyance until its relationship with Latif House is better understood.</p>	<p>Please refer to responses above.</p>

### **Statutory / Non- statutory consultees**

#### **Greater London Authority / Transport for London initial Stage 1 response summary:**

*Land use principles:* The proposals would bring forward the redevelopment of an underutilised brownfield site as part of a Site Allocation, in an accessible location identified as a Growth Area and an Opportunity Area. The student accommodation use (including 50% affordable), maximum quantum of light industrial floorspace, and alternative capacity arrangements for the safeguarded waste site are supported, subject to affordable student accommodation and nominations agreement requirements being confirmed and appropriately secured.

*Urban design:* Concerns highlighted to do with site servicing, vehicle movements, and pedestrian/cyclist safety requiring resolution. There are some concerns about the number of 'communal' rooms per cooking/dining facility, which should be clarified. Tall buildings are in accordance with London Plan Policy D9 (Part B) and may be in accordance with Part C subject to conclusion at Stage 2, taking account of all outstanding matters and material considerations.

*Transport:* Concerns highlighted to do with site servicing, vehicle movements, and pedestrian/cyclist safety. Further information is required to demonstrate that student move-in/out would not have an adverse impact on the highway network. A revised trip generation assessment is required.

n.b. It is considered that concerns highlighted in the GLA Stage 1 response have been suitably addressed through the evolution of the proposed development. Since the Stage 1 comments were issued the applicant has responded by revising the proposed servicing strategy, with amendments also made in relation to pedestrian / cyclist movement. Internal layout changes and alterations made to the student bedroom typologies address comments relating to internal layouts. Stage 1 comments are further addressed through the updated draft Student Management Plan and Transport Assessment addendum, as discussed in more detail in the 'Detailed Considerations' section of this report.

*Climate change and environment:* Further information is required on energy, whole life carbon, circular economy, and water.

n.b. During the course of the application the applicant has responded to the Stage 1 comments relating to these matters, and it has been confirmed by the GLA that no further information is required. As requested by the GLA, appropriate conditions are recommended in relation to these matters, and energy obligations are to be secured in a s106 agreement, as set out above in the draft Heads of Terms.

**Transport for London:** As per the most recent set of comments (Sept 2024) it is considered the comments raised in TfL's Stage 1 response (relating to transport impacts, servicing, vehicle movements and pedestrians and cyclists) have been adequately addressed to TfL's overall satisfaction. Conditions and s106 obligations will be required in the event the application is approved. This is discussed further within the 'Transport' section, in the main body of the report.

**Thames Water:** Request that a Piling Method Statement be secured as a pre-commencement condition. With regards to foul water sewerage infrastructure capacity, no objection raised. No objection in relation to surface water network infrastructure capacity (Note, should permission be granted, Informatives to be attached to the decision notice also).

**Secure by Design (Metropolitan Police):** Some concerns highlighted, relating to site permeability and surveillance. Conditions have been recommended in the event of approval.

**Health and Safety Executive:** Confirmation received following the most recent round of consultation that the HSE is 'content' with the proposals from a fire safety design perspective.

**West London Waste Authority (WLWA):** Do not consider that compensatory capacity has been robustly assessed and calculated (dated July 2023), or that compliance with London Plan policy SI 9 is achieved. In response to this the applicants provided an addendum Waste Capacity Report (Feb 2024). No further comments have been provided by the WLWA despite repeated requests.

**London Fire Brigade:** LFB note the provision of evacuation lifts, firefighting lifts and disabled refuge areas. Applicant is advised to ensure the proposals conform to Part B of Approved Document of the Building Regulations, also advised to adhere to Guidance note 29 on Fire Brigade Access.

#### ***(Internal Consultees)***

**Local Lead Flood Authority:** No objection, the proposal will result in a betterment in terms of runoff rates.

**Environmental Health:** No objection subject to recommended conditions (relating to plant noise, land contamination and construction management).

#### **Pre-application engagement by the applicant**

The National Planning Policy Framework and Brent's Statement of Community Involvement set out an expectation that developers will undertake a proportionate level of engagement with the local community prior to submitting a planning application.

The Statement of Community Involvement submitted in support of the application sets out in detail the level of engagement that was undertaken by the applicants prior to submission to inform the design evolution of the proposals. In this case, from May 2022 onwards, the applicants engaged with a wide range of local stakeholders including residents, businesses community groups and elected councillors (including Wembley



Park Ward members). A flyer was distributed to c.5, 468 addresses in the vicinity of the site. An online consultation website was set up, webinar event organised and in-person consultation events held. A freephone number was established and information circulated on social media.

The number of activities, breadth of consultation and level of engagement undertaken prior to submission are considered to be appropriate to the scale of the development proposed and consistent with the advice set out in Brent's Statement of Community Involvement.

It should be noted also that the proposed development went through Brent's Design Quality Review process and was scrutinised by panel members. Pre-application meetings were held with the GLA (including TfL). A pre-application presentation was also made to Members of the Planning Committee. The feedback received from these has informed the submitted proposals.

## **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, relevant to this proposal, is comprised of the:

London Plan (2021)  
Brent Local Plan (2019-2041)  
West London Waste Plan (2015)

Key policies include:

### London Plan (2021)

GG1: Making the best use of land  
GG5: growing a good economy  
SD1: Opportunity Areas  
D1: London's form, character and capacity for growth  
D3: Optimising site capacity through the design-led approach  
D4: Delivering good design  
D5: Inclusive design  
D8: Public realm  
D9: Tall buildings  
D10: Basement development  
D11: Safety, security and resilience to emergency  
D12: Fire safety  
D13: Agent of Change  
D14: Noise  
H1: Increasing housing supply  
H15: Purpose-built student accommodation  
E7: Industrial intensification, co-location and substitution  
E11: Skills and opportunities for all  
HC1: Heritage, conservation and growth  
HC3: Strategic and Local views  
G1: Green Infrastructure  
G5: Urban greening  
G6: Biodiversity and access to nature  
G7: Trees and Woodland  
S11: Improving air quality  
S12: Minimising greenhouse gas emissions  
S13: Energy Infrastructure  
S14: Managing heat risk  
S15: Water infrastructure  
S16: Digital Connectivity Infrastructure  
S17: Reducing waste and supporting the circular economy  
S18: Waste capacity and net waste self-sufficiency  
S19: Safeguarded waste sites  
S112: Flood risk management

SI13: Sustainable drainage  
T1: Strategic approach to transport  
T2: Healthy streets  
T3: Transport capacity, connectivity and safeguarding  
T4: Assessing and mitigating transport impacts  
T5: Cycling  
T6: Car parking  
T6.5: Non-residential disabled persons parking  
T7: Deliveries, servicing and construction

#### Brent Local Plan (2019-2041)

DMP1: Development management general policy  
BP1: Central  
BCGA1: Wembley Growth Area  
BCSA9: First Way (site allocation)  
BD1: Leading the way in good urban design  
BD2: Tall buildings in Brent  
BH1: Increasing housing supply in Brent  
BH2: Priority areas for additional housing provision within Brent  
BH7: Accommodation with shared facilities or additional support  
BE1: Economic growth and employment opportunities for all  
BHC1: Brent's Heritage Assets  
BHC2: National Stadium Wembley  
BGI1: Green and blue infrastructure in Brent  
BGI2: Trees and Woodlands  
BSUI1: Creating a resilient and efficient Brent  
BSUI2: Air quality  
BSUI3: Managing flood risk  
BSUI4: On-site water management and surface water attenuation  
BT1: Sustainable Travel Choice  
BT2: Parking and car free development  
BT3: Freight and servicing, provision and protection of freight facilities  
BT4: Forming an access on to a road

#### West London Waste Plan (2015)

WLWP2: Safeguarding and Protection of Existing and Allocated Waste Sites  
WLWP7: Presumption in Favour of Sustainable Development

The following are also relevant material considerations:

The National Planning Policy Framework (NPPF) (2023)  
Planning Practice Guidance

#### Brent guidance documents

SPD1 Brent Design Guide (2018)  
S106 Planning Obligations Supplementary Planning Document (2022)  
Brent's Waste Planning Guide (2015)  
Residential Amenity Space & Place Quality SPD (2023)  
Sustainable Environment & Development SPD (2023)

#### Other relevant policy and guidance documents

Mayor of London Housing SPG  
Mayor of London Affordable Housing and Viability SPG  
Mayor of London Optimising Site Capacity: A Design-Led Approach LPG  
Mayor of London Urban Greening Factor LPG  
Mayor of London Sustainable Transport, Walking and Cycle LPG  
Mayor of London Air Quality Positive LPG  
Mayor of London Circular Economy Statements LPG (2022)  
Mayor of London Whole-life Carbon Assessment LPG (2022)

## DETAILED CONSIDERATIONS

### Principle of development

#### *Land use*

1. The NPPF notes that Plans and Decisions should apply a "presumption in favour of sustainable development" (Paragraph 11), and this is reflected in Brent Local Plan Policy DMP1 and the other policies of the Local Plan. Policy DMP1 confirms the acceptability of developments subject to it satisfactorily addressing the broad issues identified, in order to secure development that improves the economic, social, and environmental conditions in Brent.
2. Chapter 11 of the NPPF promotes the effective use of land, as set out in paragraph 123 which states;  
*"Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land."*
3. NPPF paragraph 124, part c) sets out that planning decisions should *"give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs"*.
4. The aim of making effective use of land is carried forward in a number of development plan policies, including London Plan policy GG2, which identifies the optimisation of land, including the development of brownfield sites, as a key part of the strategy for delivering additional homes in London, as well as policies D2 and D3.
5. The application is proposed on a brownfield site, in a sustainable location and proposes a form of housing to meet an identified need as well as replacement industrial floorspace which will contribute to Brent's economy.

#### *Site allocation policy*

6. The site is located within Brent's Local Plan site allocation BCSA9: First Way, which also includes other development sites to the west, south and south-west, some of which have already been redeveloped (as PBSA or have extant consents for residential-led mixed-use development (Access self storage, First Way). The allocated use(s) is for residential-led mixed-use development, including education and industrial. The proposed uses would therefore accord with the site allocation.

#### *Safeguarded waste site*

7. The proposal would involve the loss of the existing waste transfer business and the site is safeguarded in the West London Waste Plan (WLWP) as a waste site. Local Plan site allocation policy BCSA9 states that this use should be accommodated in the redevelopment, or suitable capacity for the waste function provided elsewhere. London Plan policy SI 9 states that existing waste sites should be safeguarded and retained in waste management use; waste plans should be adopted before considering the loss of waste sites, which will only be supported where appropriate compensatory capacity is made within London, that must be at or above the same level of the waste hierarchy, and at least meet (and should exceed) the maximum achievable throughput of the site to be lost.
8. Given the elongated shape of the site and its associated constraints (i.e. the southern parcel's narrow plot width ) it is considered that retention and / or re-provision of the waste use on site as part of a comprehensive redevelopment would not be conducive to delivering a high quality form of residential-led mixed-use development, and that re-provision of a waste use would most likely result in poor amenity conditions for any future residents and be incompatible. Additionally, retention of a waste transfer use as part of the site's redevelopment would not assist in making most efficient use of the land as it would

likely sterilise parts of the site as well as the wider site allocation for other uses, such as housing. To address London Plan policy SI 9 suitable compensatory capacity should therefore be demonstrated on existing waste sites elsewhere in order to justify the loss on site. The maximum tonnage received at the Glynns skips site over the past five years which requires compensatory capacity to be found elsewhere amounts to c.28, 913 tonnes, as demonstrated in the submitted supporting information.

9. The application is supported by a Waste Capacity Report, and a further addendum report to this was provided during the consideration of the application. The addendum report, provided in response to consultee comments removes reference to (and reliance on) previously identified sites that do not have the operational capacity to handle the particular waste streams required. It also removes reference to any reliance on waste sites referred to as Neasden Goods Yard, Bridgemarts (Gowing and Pursey) and the Hawk site on Second Way, Wembley, for providing compensatory capacity for what is to be lost from the application site. These aforementioned sites cannot be robustly relied upon as compensatory sites due to them potentially being subject to future comprehensive redevelopment themselves (and loss of existing waste operations) or they are subject to short lease terms. Following the removal of these sites the addendum waste capacity report identifies that the existing waste transfer site on Alperton Lane (within Brent) formerly operated by O'Donovan Waste Disposal, now operated by Sortera, as having both the significant capacity as well the operational ability to provide the necessary offset tonnage, if required to as a result of the application site's closure. Written confirmation of this has been provided by Sortera, the current waste operator of the site. This compensatory site is focused solely on the processing and management of construction and demolition waste streams, in particular those waste streams accepted and managed currently by the application site.
10. Since the production of the original Waste Capacity Report, the O'Donovan sites permitted tonnage has been significantly increased, from 140, 000 tonnes to 300, 000 tonnes per annum. The maximum tonnage received by the site in the last 5 years (2018 to 2022 data is what was available at the time the report was completed) was 97, 159 tonnes, giving a capacity gap of c. 202, 000 tonnes. Furthermore, the O'Donovan's site has a newly revised permit, so it is considered that greater reliability can be placed on these figures, unlike a number of other sites within the West London Waste Authority (WLWA) area, where a number are still operating under older permits issued under different permitting regimes.
11. The O'Donovan site is not listed in the West London Waste Plan and is not allocated in the Local Plan for redevelopment. It has also been subject to recent significant multi-million pound site investment to improve its operations. As required by policy SI 9, it operates at the same tier of the waste hierarchy.
12. The O' Donovan site has recently been acquired by operators Sortera and it has been confirmed by them in writing, that if the c.28,000 tonnes of waste from Glynns Skips were to come to the market as a result of the site being redeveloped they could easily accommodate this at their former O'Donovan site. This written confirmation gives sufficient comfort that adequate compensatory capacity exists within the borough, that the site is able to accommodate this additional waste from an operational perspective, that the operator is willing to take this on, and that the site operates at the same tier of the waste hierarchy. There are no historic planning restrictions, either by condition or legal agreement that restrict the O'Donovan site from accepting an uplift in waste throughput. On this basis, loss of a safeguarded waste site is considered to be justified and acceptable in policy terms.
13. The WLWA who were consulted in their capacity as waste disposal authority, did not consider that the original Waste Capacity Report robustly assessed and calculated compensatory capacity. No further comments have been provided though in response to the addendum report, which, as the WLWA advised, removes reference to (and reliance on) Neasden Goods Yard and Bridgemarts (Gowing and Pursey) as compensatory offset sites. From a Policy perspective, Officers consider that the written confirmation from the new operators of the O'Donovan site provides adequate comfort that appropriate compensatory capacity is likely to be made locally which would be at or above the same level of the waste hierarchy and would at least meet the maximum achievable throughput of the site proposed to be lost, as required by London Plan policy SI 9 and West London Waste Plan policy WLWP2. No strategic concerns are raised by the GLA in their Stage 1 report with regards to the approach to waste capacity.

#### *Light Industrial / commercial uses*

14. Local plan site allocation policy BCSA9 as well as policy BE3 seeks the maximum re-provision of industrial floorspace, given the identified need within the Borough.
15. The site currently contains some low rise buildings used for the storage and processing of waste materials, the remainder is open yard space. In line with the policy requirement to demonstrate the

maximum level of industrial floorspace would be re-provided, the development is proposing 1, 232sqm of replacement light industrial floorspace (Use Class E(g) (iii)) located within the northern site (block G). This is to be provided as stacked floorspace, arranged over three floors (lower ground 567sqm, ground 328sqm and mezzanine 337sqm) providing flexible layouts to accommodate a range of future uses and occupiers. The nature of the floorspace is likely to lend itself well to creative sectors (i.e. fashion, makerspace, studios and others), and its flexibility means it could be designed for a single use and occupier, or if required, it can easily be sub-divided to provide three or more separate units of mixed sizes. This is supported by a report provided by a company called Beispiel, who have been responsible for discussions with the light industrial market and potential workspace operators, their feedback has informed the amended layouts to ensure these are suited to the target sectors. Active frontages are provided to the front, addressing Fifth Way and the access to the service yard.

16. In response to feedback, including officer feedback the proposed light industrial floorspace has been reconfigured during the course of the application. This has resulted in the following changes;
  - swapping over of the light industrial uses and the student uses in blocks F and G, so that the proposed light industrial floorspace better relates to neighbouring non-residential uses and designated SIL, to the east of the site;
  - provision of a dedicated service yard to the north-east of block G to serve the light industrial uses (this is in place of an area that had been intended as student amenity space);
  - incorporation of additional windows / skylights to serve the commercial floorspace at lower ground;
  - internal alterations to stair access and lift provision to better meet future occupiers needs;
  - reduction of 45sqm floorspace due to internal layout changes
17. It has been demonstrated that minimum floor to ceiling height of 3.5m will be achieved across the ground floor, this will help to maximise the useability and attractiveness of the unit to potential light industrial occupiers. Slightly lower internal heights are achieved at lower ground (3.1m) and mezzanine levels (3.3m).
18. In light of the amendments made to the light industrial floorspace, and further areas of clarification provided, officers are satisfied that what's proposed does represent the maximum level of light industrial floorspace that can be re-provided. However, in order to reduce the likelihood in the future of an application being submitted to change the use from Class E(g)(iii) to general Class E use, or similar, it is recommended that the submission and approval of a marketing strategy is secured through condition. For example, this strategy would be expected to demonstrate, to the Council's satisfaction that;
  - if the level of fit out proposed would require significant financial outlay prior to occupiers moving in, this is reflected through incentives such as rent free periods or lower rent periods to ensure the space is commercially viable to prospective occupants (and this should be confirmed by a professional agent);
  - that any marketing of the premises is explicit that the premises are designed for light industrial uses;
  - that appropriate operators have been targeted in any marketing,
  - that marketing efforts intensify an appropriate period of time prior to practical completion (e.g. 9 months);
  - a void period once constructed (e.g up to two years) is to be expected;
  - the pricing strategy proposed
19. The applicant has confirmed they are agreeable, in principle, to a marketing strategy condition being secured.
20. In summary, the proposed light industrial floorspace to be re-provided would be of high quality and flexible, which will help it appeal to and meet the needs of a range of different users, increasing likelihood of the space being successfully let. It will also benefit from satisfactory (and dedicated) servicing arrangements. This will deliver the maximum re-provision of industrial floorspace on the site, in line with the requirements of site allocation policy BCSA9 and policy BE3, and is supported by the GLA. This offer can also be expected to result in an uplift in terms of the number of jobs created across the site, compared to the existing use, in line with the aims of both Local Plan and London Plan policies for this Opportunity Area, to secure growth in jobs.

*Café use:*

21. In addition, 100sqm of Class E(a) floorspace is proposed as a café use on the ground floor of block

E, providing an active use fronting on to Fifth Way. This will serve the future student population as well as businesses and employees in the vicinity of the site. This is considered an appropriate small scale use and is supported.

#### *Principle of student accommodation*

22. London Plan Policy H1 sets out housing targets across London, with the target for Brent being 23,250 new homes over the ten-year plan period, and Policy SD1 designates Wembley as one of a number of Opportunity Areas with development potential of strategic importance for London. Local Plan Policy BH1 responds to this by proposing plan-led growth concentrated in Growth Areas and site allocations, including a target of 15,000 new homes in the Wembley Growth Area. Policy BCGA1 also supports the delivery of high quality homes and economic regeneration in the Wembley Growth Area. The London Plan notes that purpose built student accommodation counts towards meeting housing targets on the basis of 2.5 bedrooms counted as a home.
23. The site forms part of the wider BCSA9 (First Way) site allocation policy, which has an indicative capacity of 1, 312 dwellings and is allocated for residential-led mixed-use development, including education and industrial. There are a number of planning considerations identified within the site allocation and the development plan as a whole which are considered to make this site suitable for residential-led mixed-use development.
24. London Plan Policy H15 and Brent's Policy BH7 support the delivery of PBSA in well-connected locations to meet local and strategic needs, subject to specific criteria being met. The application site is well situated within the Wembley Opportunity Area and Wembley Growth Area, is in an accessible location with access to a range of public transport facilities. The site's PTAL is 3. Additionally, the site benefits from good access to local facilities, amenities and services, owing to its location proximate to Wembley Park.
25. The London Plan identifies a strategic need of 3,500 purpose built bed spaces across London (per annum), taking into account completions and the pipeline of permitted student accommodation schemes locally and across London. In support of the proposals the application is supported by a Student Housing Need Assessment, which sets out how the proposals help to address this identified strategic need – *this is discussed in the section below*.
26. At a strategic level, the GLA recognises that the proposed PBSA would contribute towards meeting the overall identified London need as set out in the London Plan, and that it would provide 50% of rooms as affordable. It is supportive of this use in strategic planning terms.
27. Potential over-concentration of student accommodation is a policy consideration, as set out in the aforementioned policies H15 and BH7, which seek to ensure student accommodation schemes contribute towards achieving mixed and balanced communities. The implemented Pavilion Court (former Kelaty House) and Arch View House (former Cannon Trading Estate) developments, which are on sites in the vicinity of the application site, provide PBSA alongside serviced apartments. Euro House redevelopment which is emerging opposite the site will provide conventional C3 housing. Other recently implemented and emerging sites in the surrounding Wembley Growth Area contribute further C3 residential-led mixed-use development in a range of different tenures and typologies. It is considered that, in this varied context, mixed and balanced communities will continue to be achieved across the wider site allocation as well as the wider growth area even with the provision of further student accommodation on this site. No concerns are raised about over concentration.
28. Whilst the site allocation policy does not refer specifically to PBSA, this type of housing is acknowledged to relieve some of the demand for conventional housing, and this provision would contribute towards Brent's housing supply (at a ratio of 2.5 bedrooms to one conventional housing unit), at the same time contributing towards London Plan housing targets. The proposed provision of 759 student bedrooms would therefore equate to 306 new homes in Brent (on the basis of 2.5: 1 ratio), which would positively contribute towards the boroughs wider housing targets, and to achieving the indicative dwellings capacity of 1, 312 dwellings within the whole of site allocation BCSA9. To date within the wider site allocation planning permission has either been implemented, or granted (but not implemented) for 600 C3 dwellings on the Access Storage site on First Way (ref; 18/4767) and 678 student bedrooms (equivalent to 271 new homes on the basis of the 2.5 : 1 ratio) at the former Cannon Trading Estate site (ref; 17/3799). Combined, each of these schemes if consented and subsequently implemented, including the proposed development would deliver the equivalent of 1, 177 new dwellings across the site allocation, contributing positively towards the

indicative site capacity for number of dwellings.

29. The proposed accommodation would be secured by condition for occupation by full time students enrolled on UK accredited and based further education courses during term time (for not less than 39 weeks of the year). The remaining time, (outside term time,) the Council is content that the units may be rented out on short-term lets, perhaps assisting tourism within the summer vacation period. This will apply to all of the student rooms. The majority of the units / bed spaces (51% of bedrooms / 381 bedrooms) would be provided through a nominations agreement with one or more higher education providers, and secured through the s106 agreement. This demonstrates that the accommodation would meet a specific London need, in line with policy H15 of London Plan and policy BH7 of Brent's Local Plan.

#### *Land use summary*

30. The proposal involves the loss of a safeguarded waste site, though it has been demonstrated that sufficient compensatory capacity exists at another waste site within the borough which will mitigate any loss from this site. The proposed replacement industrial floorspace represents the maximum re-provision, in line with the Local Plan site allocation policy requirements and this will benefit Brent's local economy. The proposed café is small in scale, is appropriate in this out of centre location, and will help to service the local area.
31. The proposed student accommodation will help to meet an identified London wide strategic need for such accommodation, and this will also positively contribute towards Brent's housing supply (at a ratio of 2.5 bedrooms to one conventional housing unit). This development will come forward in a way that makes effective and most efficient use of the land, in a sustainable location.

#### **Student accommodation**

##### *Need*

32. As noted above, the London Plan acknowledges the significant demand for student accommodation, with a potential requirement of 3,500 places annually over the Plan period. It goes on to recognise that the provision of PBSA will help reduce pressure on other elements of the housing stock currently occupied by students in the private rented sector.
33. Policy BH7 of Brent's Local Plan sets out a range of criteria that are expected to be met when considering proposals for student accommodation. One of the criteria is the need for PBSA proposals to demonstrate that there is a specific London wide need for the development. In response, the applicant has provided a Student Housing Need Assessment (2023) to demonstrate current and future demand for accommodation (and the suitability of Wembley as a location).
34. At the time the need assessment was carried out (in 2023) there were 4, 635 operational student bedspaces in Wembley. Students drawn to these developments study at central London universities as well as more local ones and it is considered the site's strong transport connections make the site an attractive location for students studying in central London. Wembley is seen as being an increasingly desirable location for students because of its connectivity, also helped by the growing number and types of amenities in the local area.
35. The assessment reports that in 2023 Brent had c.19, 510 residents who were students studying on a full-time basis, with 14, 345 students that require PBSA. This is an increase of 125% since 2014/15 and the increase can be attributed to recent PBSA completions in the Wembley area. Nearly two thirds of these students study at University of Westminster, Middlesex University and Buckingham New University. Yet there are just 4, 636 existing bed spaces across 12 PBSA developments. Due to this shortfall Brent has a student to bed ratio of 3.0, which is higher than a number of other local authorities in London. At the time of the assessment Brent was found to have an emerging pipeline of c. 1, 150 student bedspaces which will help address the demand. Since the assessment was carried out planning permission has been granted for 619 student bedspaces at 1-4 and 9 Watkin Road (ref; 22/3965), and at land rear of Fairgate House, High Road consent has been granted for 639 student bedspaces (ref; 23/2811). These developments will help, if implemented, however, they don't entirely address the shortfall in PBSA.
36. The future supply across London (at the time of the assessment) is to be boosted by a total pipeline of c.30, 000 beds. With around 374, 000 full-time students at London universities and around 100, 000

PBSA beds in the city, there is clearly pressing demand for further supply across the capital. This proposal will help to contribute towards this. Furthermore, with some 31% of students in Brent living in the private rented sector, this represents almost 5, 000 students. The proposed student accommodation would increase the PBSA supply available and take some pressure off the housing stock in the private rental market, across the borough.

37. The increasing demand for PBSA is also partly fuelled by increase numbers of international students studying in London, which is a trend that continues to rise. These students tend to favour PBSA over the private rented sector.
38. Affordability of student accommodation is increasingly becoming a problem in London, driven by the lack of available housing supply and high living costs in London. There is therefore a substantial need for affordable PBSA. Currently there are only c. 800 of these bedspaces across the London. By committing to 50% of the proposed accommodation as affordable, the development will help to meet this substantial need through delivering 379 affordable bedspaces on this site alone.
39. The application site is considered to be a strong location for PBSA and the wider area in general an increasingly desirable location for students. The demand assessment results clearly demonstrate the proposed development will help to address an unmet need for PBSA, and the site's location relative to a wide range local amenities (including access to open spaces), and good connectivity to central London mean demand for PBSA in the borough, particularly in Wembley, can be expected to continue.
40. It has been demonstrated this proposal will help to address the strategic London wide need for more PBSA. Furthermore, the accommodation would be secured by condition for occupation by full students enrolled on UK accredited and based further education courses during term time (for not less than 38 weeks of the year). The remaining time, (outside term time,) the Council is content that the units may be rented out on short-term lets, perhaps assisting tourism within the summer vacation period. This will apply to all of the student rooms. The applicant commits to reasonable endeavours to ensure the majority of the units (51% of bedrooms) would be provided through a nominations agreement with one or more higher education providers, and commits to 50% of the bed spaces being affordable student accommodation, to be secured through the s106 agreement. This demonstrates that the accommodation would meet a specific London need, in line with policy H15 of London Plan and policy BH7 of Brent's Local Plan

#### *Student Management Plan:*

41. A draft student management plan has been submitted, setting out how the student accommodation would be managed for the benefit of future occupiers, but also in such a way to limit the impacts of the use in the vicinity of the site. The building will be staffed by Scape UK management Ltd, with staff presence 24 hours a day, giving student residents on site access to staff and support. Arrival (check in) and leaving procedures (check out) are addressed, along with student discipline, cycle storage, visitor arrangements, health and safety and other matters (including an external complaints process). Management and maintenance of communal facilities, external areas, waste, refuse and recycling emergencies and security measures are also referred to within the draft plan. An updated management plan would be required for approval as a condition prior to occupation or the student use commencing.

#### **Affordability, mix of student accommodation and inclusive access**

##### Policy background

42. London Plan Policy H15 sets out a requirement for all PBSA to secure the maximum level as affordable student housing. This is defined as a bedroom (together with all services and utilities offered to equivalent non-affordable rooms) provided at a rental cost equal to or below 55% of the maximum income that a new full-time student studying in London and living away from home could receive from the Government's maintenance loan for living costs for the academic year. Applications providing at least 35% of rooms as affordable student accommodation under this definition, or 50% where the development is on industrial land appropriate for residential use where the scheme would result in a net loss of industrial capacity, are eligible for the fast track route, whereby viability testing is not required.
43. Policy H15 also requires the use of the accommodation to be secured for students, with the allocation of affordable accommodation to students considered most in need undertaken by the higher education providers via nominations agreements.



### *Proposed affordable student accommodation*

44. The revised proposals seek to deliver 759 student bedrooms, of which 50% is proposed will be affordable student accommodation (379 bedrooms), in line with the Fast Track Route threshold for the site, as set out in policy H15. All of the affordable student accommodation (50%) will be secured through nominations agreement(s) with one or more higher education providers. This provision is strongly supported by the GLA, subject to further details in relation to nominations agreement(s) proposals. An early-stage viability review is not required in this case as the development is already proposing 50% of the student accommodation as affordable, which is the % cap that would apply if an early-stage review was secured.

### *Nominations agreement*

45. The applicant has committed to using reasonable endeavours, to secure one or more ongoing nominations agreements with higher education providers, by the point of occupation of the development for at least 381 student bedrooms (comprising all of the affordable student bedrooms and one market student accommodation bedroom). This equates to more than 50% of the student beds and therefore comprises the majority of the student bedrooms, in line with policy H15. The nominations agreement commitments will be secured through the s106 agreement.

### *Proposed student accommodation mix*

46. There is no policy requirement to provide any particular mix of types of student accommodation. The following mix is proposed;

<b>Student Accommodation</b>	<b>Unit No</b>	<b>Studio</b>	<b>Cluster</b>
Building A	54	49	5
Building B	100	76	24
Building C	55	55	0
Building D	45	45	0
Building E	187	24	163
Building F	150	150	0
Building G	168	168	0
<b>Total</b>	<b>759</b>	<b>567</b>	<b>192</b>

### *Inclusive access*

47. Policy D5 of the London Plan seeks to ensure that new development achieves the highest standards of accessible and inclusive design (not just the minimum). Policy D7 requires that at least 10% of new build dwellings meet Building Regulation requirement M4(3) 'wheelchair user dwellings' (designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users); and all other new build dwellings must meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'. London Plan Policy E10 states that 10% of new bedrooms should be wheelchair-accessible in accordance with British Standard BS8300-2:2018; or 15% should be accessible rooms in accordance with the British Standard. Building Regulations make clear that student accommodation is to be treated as a hotel/motel accommodation, for the purposes of ensuring provision of accessible student accommodation.

48. The proposed mix would offer a range of room types to meet differing needs, and offer a degree of choice to students, with the applicant committing to no fewer than 10% of the rooms being wheelchair accessible from the outset. This provision will be secured by condition.

### **Design, scale and appearance (including townscape and heritage considerations)**

#### *Policy background*

49. London Plan Policy D3 sets out a design-led approach to new development that responds positively to local context and optimises the site's capacity for growth by seeking development of the most appropriate form and land use, while Policy D5 seeks inclusive design without disabling barriers. Policy

D9 sets out a framework for assessing proposals involving tall buildings including their visual impact, functional impact and environmental impact. The policy requires proposals to be justified with reference to existing and proposed long range, mid-range and immediate views, to demonstrate the impact of the proposal upon the surrounding streetscape.

50. Brent's Policy BD1 seeks the highest quality of architectural and urban design, whilst Policy BD2 directs tall buildings (defined as those of over 30m in height) towards designated Tall Building Zones (TBZ), and other locations shown on the proposals map such as, intensification corridors, town centres and site allocations, and expects these to be of the highest architectural quality. The application site is within a TBZ and site allocation policy BCSA9 identifies the location as being appropriate for tall buildings (noting these should be at lower heights than those buildings further west towards the stadium).
51. Section 16 of the NPPF advises Local Planning Authorities to recognise heritage assets as an "irreplaceable resource" and to "conserve them in a manner appropriate to their significance". Any harm to designated heritage assets requires clear and convincing justification. With regard to non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Brent's Policy BHC1 requires new developments to demonstrate and justify any impacts on heritage assets, and Policy BHC2 identifies and protects a number of important views of the Wembley Stadium arch.

#### *Site Context*

52. The existing surrounding land uses are varied, including a mixture of PBSA, serviced apartments, emerging C3 residential (former Euro House site) and retained industrial uses.
53. The site would accommodate seven buildings (A-G) that range in height from 5 to 15 storeys, with single level basement. The southern parcel will contain buildings A-E and the northern parcel buildings F and G. The southern parcel is constrained due to its elongated shape and plot dimensions, particularly towards the southern end, presenting challenges for development which has influenced the design, form and layout of the proposed buildings. For context, the former Kelaty House site (now known as Pavillion Court) has been redeveloped to provide PBSA and serviced apartments, in buildings of up to 13 storeys. Also, to the west Arch View House (former Canon Trading Estate) has been redeveloped as PBSA, in buildings of up to 11 storeys. Other sites to the west, south and south-west are currently in a range of different employment generating uses in lower rise buildings. Adjacent to the north land parcel (to its western side) is the former Euro House site, this is currently under construction to deliver C3 residential accommodation and commercial floorspace, in buildings of up to 23 storeys.

#### *Site layout*

54. The southern parcel would be accessed principally from Fifth way, but also from the west for non-vehicle access. This is via a continuation of the existing east-west links routed through the former Kelaty House and Cannon Trading Estate redevelopments, where there are level site boundary conditions. Additionally, non-car access, with the exception of refuse and emergency vehicles, from the southernmost end of the site, via the existing private service road that leads to First Way. The northern parcel is accessible direct from Fifth Way.
55. A basement service corridor is provided along the entire length of the southern parcel, this is for refuse storage and plant which helps free up space above. At ground floor level is a series of active student uses/amenity spaces that front onto the external amenity areas around the buildings, and the north-south route through the site. Entrances to buildings A-E are all located so that these are legible, addressing the external spaces around the buildings. The café use is accessed from the front, on Fifth Way. For the northern parcel, a lower ground floor level accommodates refuse, plant and cycle stores (for the student accommodation) and light industrial floorspace. At ground floor student amenity and reception areas provide an active frontage onto Fifth Way, with the industrial floorspace (and its main entrance) providing further activation for building G, this activation wraps around onto the eastern façade with generous areas of glazing proposed across the ground floor. The proposed industrial floorspace is stacked over three levels (lower ground/ground/mezzanine), all contained within building G, and this amounts to 1, 232sqm. A north-south pedestrian undercroft route cuts through the centre of the buildings, which improves pedestrian permeability through the site linking Fifth Way to the former Euro House redevelopment (to the north). Mezzanine levels provide further student amenity spaces.
56. At first floor level the southern buildings B, C and D are linked by an internal (glazed) walkway providing access between buildings for students and surveillance to the publicly accessible external

spaces below at ground level. As you move through the buildings to the upper floors the studio and cluster rooms are accommodated and a roof garden for student use is accessed from buildings A-B and D-E, at fifth floor. For the northern parcel buildings F and G, the lower levels accommodate a mix of back of house student functions, student amenity spaces and light industrial floorspace. From first floor and above studio and cluster rooms are accommodated, with a roof garden accessed from floor nine (building F).

57. The revised siting of buildings A-C helps ensure the external courtyard spaces better align with the east-west movement routes, with permeable boundaries illustrated along the western site edge to facilitate this east-west movement. The revised placement of buildings in the southern parcel also relate better to existing alignment of buildings to the west of the site.

#### *Heights and massing*

58. As referred above, the proposed buildings would range in height from 5 to 15 storeys, with building G the furthest north representing the tallest at c.53m. Building A is 11 storeys, building B 14 storeys, building C 11 storeys, building D 13 storeys, building E 14 storeys, building F 11 storeys and building G 15 storeys. Five storey shoulder elements link A and B as well as D and E together. The site is within a Local Plan designated TBZ (policy BD2), and tall buildings are supported in principle in this location, which is further reflected in site allocation policy BC9A9. It should be noted that the site is towards the edge of the designated TBZ, so a transition of heights is required stepping down to the adjacent SIL boundary.
59. As detailed above, nearby building heights to the west of the site range between 11, 13 and 23 storeys, and to the north, south, south-west and east are lower rise industrial buildings. Buildings +23 storeys are situated further west, within the Wembley Growth Area, closer to Wembley Park. Being within a TBZ and given the existing heights context the proposed building heights are considered to be acceptable in principle. These would not appear out of character in the locality. It is recognised that there would be a notable drop in heights between the proposed development and buildings within SIL to the north and east of the site, however this is an inevitable consequence of redeveloping the site. The existing buildings in the neighbouring SIL are typically of a much lower scale which is not expected to change any time soon and in response to this the proposal does provide a range of storey heights that provide the transition in heights required in this location.
60. With Policy D9 of the London Plan in mind the development is considered to have a well-designed base for each of the buildings. The bases incorporate one and a half or double storey spaces, predominantly glazed and designed with an interesting archway feature. This arch feature picks up on the former railway line that was routed through the site.
61. The middle sections of the buildings (A, D, E and G) are expressed by a darker materials palette and a consistent and simple ordering of the facades through the use of angled windows and the approach to the flank elevations, which include high level and false window openings to add interest to the elevations. To add some variation across the buildings building C and F are proposed in a much lighter facing brick, which does help to break things up.
62. To define the building tops these are treated with a lighter materials palette, contrasting materials (i.e. profiled or brushed metal panels) and have varying set backs.
63. Overall, the buildings are considered to have clearly defined base, middle and top sections to them, to address policy D9 in this regard.
64. The GLA has considered the appropriateness of the site for tall buildings, noting the following within the Stage 1 report; *“being within a Tall Building Zone, heights of c.10 storeys and above are acceptable in principle”*.

#### *Architecture and materiality*

65. London Plan policy D3 requires new development to be of a high quality of architectural design which responds to local character and ensures appropriate detailing and the use of attractive, robust and durable materials. Brent Local Plan policies also seek to ensure high quality of design is achieved. The submitted Design and Access Statement and supporting information sets out in full the proposed approach to materiality, detailing and articulation of the buildings.

66. As noted above, the buildings would have clearly defined base, middle and top elements and the proposed architectural design and materiality throughout is well-considered. The materials palette indicated appears to be of a good quality, and the use of alternating materials, feature cladding and the arched features at ground floor add interests and should help to unify the approach across the site. The window strategy is a well considered response to the specific site constraints in this location.
67. Overall, the proposals represent a considered and appropriate design response that demonstrates an appreciation of the existing and emerging context, including site constraints. The detailing and use of attractive materials will help to enhance the design quality and give depth and visual interest to the elevations. The design complies with London Plan policy D3 as well as Brent policies relating to design quality. A condition is recommended to require the submission and approval in of all external materials, this will help ensure the finished quality is delivered as expected.

#### *Townscape and visual impacts*

68. A Heritage, Townscape and Visual Impact Assessment (HTVIA) was provided in support of the planning, which assesses the townscape and visual impacts (including any heritage impacts) from 16 viewpoints, two of these are local protected views (as listed in policy BHC2). The assessment includes existing, proposed and cumulative views, which take into account other impacts from other developments.
69. In the HTVIA Addendum it is evident from viewpoints 15 (protected local view 5; Welsh Harp Reservoir) and 16 (protected local view 10; Metropolitan and Jubilee Line north of Neasden station) that the proposed buildings will be appreciated in the foreground of the stadium from these protected views, however, views of the stadium arch are not interrupted by the proposed development.
70. Due to the existing lower scale building heights to the north, east and south of the application site, mostly in neighbouring SIL, it can be appreciated from the HTVIA that the proposed development will lead to noticeable townscape and visual impacts from certain locations. This is most noticeable from more immediate viewpoints, such as viewpoints 1 (junction with South Way and Second Way), 3 (Fifth Way looking east), 5 (junction between Fourth Way and Fifth Way), 8 (First Way looking east), 9 (junction with Second Way and Third Way) and 10 (Second Way looking north), however, the proposed buildings will be appreciated in the context of and against a backdrop of other tall buildings (existing, proposed and consented) in the locality.

#### *Functional impacts*

71. The buildings have logical layouts that respond well to the surrounding areas of external space within the site and the industrial floorspace relates well to the neighbouring SIL uses. The replacement industrial floorspace is considered to be suitable for future industrial occupiers and the space designed to be flexible to adapt future occupier needs. The site has good public transport accessibility (PTAL 3) which helps to support tall buildings in this location. As recognised above, the bases of the buildings provide good levels of surveillance across the site, with generous and legible entrances throughout. The approach to servicing, deliveries and refuse collection will need careful management to ensure such movements do not conflict with pedestrian and cyclists movements, and that arrangements are acceptable from a highway safety perspective. This is proposed as car-free development (save for 2 disabled parking spaces in the southern parcel) so transport impacts are expected to be related to servicing and emergency / refuse vehicle access, as discussed in further detail in the 'Transport' section below.

#### *Environmental impacts*

72. Wind and microclimate impacts, daylight, sunlight and noise have all been assessed, as discussed elsewhere in the report.

#### *Heritage considerations*

73. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 respectively require the decision maker to have "special regard" to the desirability of preserving a listed building or its setting, and pay "special attention" to the desirability of preserving or enhancing the character or appearance of a conservation area. The NPPF (paragraph 195) recognises that heritage assets are an irreplaceable resource and seeks to conserve them in a manner appropriate to their significance.
74. The first step is for the decision-maker to consider each of the designated heritage assets, which would

be affected by the proposed development in turn and assess whether the proposed development would result in any harm to the significance of such an asset. The assessment of the nature and extent of harm to a designated heritage asset is a matter for the planning judgement of the decision-maker, looking at the facts of a particular case and taking into account the importance of the asset in question. Even minimal harm to the value of a designated heritage asset should be placed within the category of less than substantial harm.

75. Where harm is found to a designated heritage asset (even harm that is deemed to be less than substantial), the decision maker must give that harm considerable importance and weight as a result of the statutory requirements set out in Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Policy HC1 of London Plan and policy BHC1 of the Local Plan both seek to ensure that development affecting heritage assets should conserve their significance, by being sympathetic to the character and setting of those assets.
76. The NPPF (paragraph 206) states that any harm to, or loss of, the significance of a designated heritage asset requires “clear and convincing justification”. The NPPF expands on this by providing (paragraph 207) that planning permission should be refused where substantial harm or total loss of a designated heritage asset would occur, unless this is necessary to achieve substantial public benefits that outweigh that harm or loss, or unless all the four tests set out in paragraph 207 are satisfied in a case where the nature of the asset prevents all reasonable uses of the site. Where less than substantial harm arises, paragraph 208 of the NPPF directs the decision-maker to weigh this against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
77. To assess the potential effect of the proposed development to designated and non-designated heritage assets the applicants have submitted a detailed HTVIA, which considers potential heritage impacts from a wide range of short, middle and distant views. Heritage assets that have been identified in the HTVIA for consideration of potential impacts include conservation areas at Barn Hill, Neasden Village, Wembley High Street and St Andrews. These are all over 500m from the application site. Also considered are Grade II listed buildings; three K6 telephone kiosks (Empire Way), Wembley Arena and Brent Town Hall.

#### *Assessment of potential effects*

78. The conservation areas are physically and functionally separate from the Wembley regeneration area, which the site is situated in and separation distances between these assets and the site are considerable. Barn Hill is elevated which affords views southwards towards the stadium and wider regeneration area, where visible the proposed development would form part of and been seen in the context of a juxtaposition of taller development located around the stadium.
79. Given the separation distances to Neasden Village, Wembley High Street and St Andrews conservation areas, the topography and the presence of intervening tall buildings and the stadium it is not considered the proposal affects the architectural or heritage significance of the assessed conservation areas.
80. The proposals do not interact with, affect or harm the significance of identified Listed heritage assets, the closest being three listed K6 telephone kiosks (on Empire Way) and Wembley Arena, at least 500m from the site. Potential impacts are limited to visual ones, and certainly in the case of the kiosks and Wembley Arena only glimpsed views. The proposed buildings, where visible, will be appreciated in the context and against the backdrop of other intervening tall buildings as well as emerging buildings in an area that is under going continued transformation. In conclusion, it is not considered there would be an impact on the Listed assets architectural or historic interest, and even where visible the proposed building would be seen as an addition to an already established (and emerging) tall building context.
81. The HTVIA considers potential impacts on two protected stadium views (identified in Local Plan policy BHC2), these are viewpoints 15 (protected local view 5: Welsh Harp Reservoir) and 16 (protected local view 10: Metropolitan and Jubilee line north of Neasden Station) in the submitted assessment. As noted above, the proposed buildings will be appreciated in the foreground of the stadium from these protected views, however, views of the stadium arch are not interrupted as a result of the proposed development.
82. The submitted HTVIA is considered to be robust and demonstrates the proposal would be seen in the context of other tall buildings in this location, and that they would add to the emerging tall buildings and undulating skyline. Potential impact on heritage assets has been considered appropriately, and it is concluded there would be no harm to the setting of designated heritage assets as a result of development.

## *Archaeology*

83. Chapter 16 of the NPPF, London Plan policy HC1 and Brent Local Plan policy BHC1, all relate to the identified heritage assets, including those of archaeological importance.
84. The proposal is supported by an Archaeological Desk Based Assessment, prepared by RPS, which assessed below ground archaeological potential. The site is not located within a locally defined Archaeological Priority Area.
85. The assessment has identified a generally low archaeological potential at the site for all past periods of human activity and any past ground disturbance at the site is likely to have been severe as a result of historic construction and other activity since the 20<sup>th</sup> century. The construction of the (former) railway station in the 1920's is also likely to have had a significant impact on any below ground deposits.
86. It is concluded, the limited archaeological potential of the site, combined with likely historic impacts, suggests that the proposed development of the site would have no significant or widespread archaeological impacts.

## *Conclusion*

87. In conclusion, the impact of the development on the existing streetscape and townscape has been considered in detail and has been well demonstrated. The height, massing and bulk are considered appropriate in this location, taking into account the changing skyline and emerging tall building cluster, which this development would be read as an extension of. No harm to protected views is identified. Visually, the impacts are considered to be acceptable. The design response is of high quality that responds appropriately to the site constraints, with well-defined base, middle and top sections to the buildings and a high quality materials palette. No harm to any heritage assets has been identified. Active frontages at the ground level of the buildings have been maximised and the well-designed south-north route will create an attractive and active space around the buildings as well as deliver new public realm, which is safe and secure for those using and passing through the space. Overall, the proposals would contribute positively to the character of the surrounding area, and deliver public benefits. It is also relevant to note the GLA have confirmed in their Stage 1 report that they do not have any strategic planning concerns regarding visual, townscape or heritage impacts arising from the proposed development.

## **Fire safety**

88. London Plan Policy D5 requires an inclusive design approach to ensure that fire safety strategies for buildings provide emergency evacuation procedures for all building users. Policy D12 of the London Plan requires major development proposals to be accompanied by an independent fire statement (by a suitably qualified third party assessor) demonstrating how the development would achieve the highest standards of fire safety. The Mayor's draft Fire Safety LPG provides further guidance that should be considered.
89. A Fire Statement (issue 2.0) has been prepared by LBA Ltd, alongside a Planning Gateway One Fire Statement, the latter is required as this is considered to be a relevant high-rise residential building (i.e. is 18m or more in height, or 7 or more storeys). These statements highlight the main fire safety principles that have been employed in the design of the development, and set out a detailed strategy that has been prepared in accordance with London Plan policies D5 and D12, and revised during the course of the application to respond to previous comments from the Health and Safety Executive (HSE).
90. Fire safe building construction, fire spread prevention, evacuation strategies, means of escape, sprinkler systems, detection methods, firefighting access and facilities for the fire and rescue services and assembly points are all set out in detail within the statements. Fire fighting shafts and lifts are provided for each relevant building, and each building is served by two staircases, one of which is a firefighting staircase serving residential accommodation on the upper floors.
91. Emergency fire vehicle access will be achieved, and in the case of the southern parcel vehicles can enter via the southern end of the site near block A, travel in a south-north direction and exit the site via the Fifth Way access. This through route means that a turning area within the site is not needed for fire appliances. Blocks F and G within the northern parcel are accessible direct from Fifth Way.
92. The proposed firefighting strategy of the development is considered acceptable and in accordance with relevant planning policy and regulations. The HSE have responded to the most recent consultation and

on the basis of the revised Fire Statement (issue 2.0) and updated internal layouts, raised no objection to the proposed fire strategy, confirming they are content with the fire safety design aspects. The GLA also consider the fire strategy addresses the requirements of London Plan policies D5 and D12. Compliance with the Fire Statement shall be secured through condition.

## **Relationship with wider site allocation (BCSA9) and neighbouring sites and assessment of impacts**

### *Policy background*

93. One of the core planning principles in the NPPF is that decisions should “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”. London Plan Policy D6 states that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.
94. In accordance with Local Plan Policy DMP1, any development will need to maintain adequate levels of privacy and amenity for existing residential properties, in line with the guidance set out in SPD1. SPD1 states that development should ensure a good level of privacy inside buildings and within private outdoor space. Separation distances of 18m between directly facing habitable room windows is sought, except where the existing character of the area varies from this, or these are street facing windows. A distance of 9m should be kept from gardens to habitable rooms and balconies. Reduced distances between new frontages may be acceptable subject to considerations of overlooking and privacy, in addition to high quality design solutions that mitigate impacts and allow for efficient use of land, such as windows designed to direct views in certain ways and to avoid overlooking in other directions. These standards are also applied to help ensure that the development does not compromise the potential future redevelopment of adjoining sites.
95. To ensure that new development has an appropriate relationship with existing properties, it is set out in SPD1 that new buildings should sit within a 30 degree line of existing rear habitable room windows and a 45 degree line of existing rear garden boundaries (it should be noted in this case that the site does not directly adjoin any existing rear gardens).
96. SPD1 further states that development should ensure a good level of daylight, sunlight and outlook, throughout the day and year and minimise the impact on surrounding properties and spaces.
97. This guidance should be balanced against the policy objectives of London Plan policy D3 which sets out that site capacity should be optimised through the design-led approach. It goes on to set out that this requires the consideration of design options to determine the most appropriate form of development that responds to a site’s context and capacity for growth, and existing and planning supporting infrastructure capacity.
98. Due to multiple site ownership Local Plan site allocation policy BCSA9 states, developments must take care to ensure they do not compromise the ability of other sites within the allocation to make the most efficient use of land possible at a later date.
99. Within the wider site allocation two individual sites have been granted permission for redevelopment. One is the former Cannon Trading Estate, First Way (ref; 17/3797), which is a student accommodation led scheme. This has been implemented and as it is directly to the west of the application site the future relationship and impacts need assessing. The second site is further to the south, and this is Access Storage, First Way, however due the separation distance combined with the fact other potential future development sites are located in between there would not be any direct relationship with the proposed development. Also, to the west of the site, but outside of the site allocation another student accommodation development (former Kelaty House site, ref; 19/0882) will be a direct neighbour to the proposed development. In respect of the northern parcel, this is a direct neighbour to the residential led scheme (ref; 21/2989) being constructed at the former Euro House site on Fifth Way, as such the future relationship and impacts need assessing.
100. Other sites within the wider site allocation are expected to come forward in the future for mixed use development which is likely to include residential uses on the upper floors. The proposal would also need to have an appropriate relationship with those sites despite the absence of an existing permission.

### *Separation distancing / outlook / overlooking and privacy*

101. Due to the elongated shape of the southern parcel and the resulting width of the site the layout and design response is reflective of these constraints. Buildings A-E are laid out in a linear fashion, with buildings off set from the western boundary. Building offsets proposed to the western boundary, at ground floor, range between 8.1m and 7.43m (buildings A and B), for C between 7.2m and 7m, and for D and E between 4.65m and 10.76m. On the lower upper floors (1 – 5) some stepping forward and setting back of buildings is proposed. As result of this building A and B offsets on floors 1-5 range between 4.5m and 8.57m, for C a distance of 4.1m is maintained, and for D and E between 5.4m and 16.1m. On the upper floors (6 - 12) building offsets range between 4m and 5.63m. On the top floor (13) it is just buildings B and E that extend this high, and offsets of 4.7m and 5.5m are provided respectively.
102. The southern façade of building A is offset from the southern boundary by between 8.7m and 12.48m. No building offset is proposed along the eastern site boundary, which is shared with neighbouring SIL that comprises lower scale industrial buildings. The building separation between the facades of building E and F and G (northern parcel) across Fifth Way is 22m.
103. Building offsets from site boundaries are commensurate with surrounding development.
104. In terms of separation distances that would be maintained between proposed buildings and neighbouring buildings to the west this varies in a post development scenario.
105. Buildings A and B which are offset from the boundary as set out above relate most closely to the current Latif House and Mirage Centre buildings, which are lower scale industrial buildings built up to the shared boundary. These neighbouring buildings are located within site allocation BCSA9, and it is likely the sites will come forward for redevelopment in the future. Any future residential led redevelopment proposals for these neighbouring sites would be expected to respond accordingly to the current proposals in terms of building design and layout, by including commensurate building offsets and a similarly carefully considered approach to elements such as windows (i.e. through use of directional windows to mitigate against overlooking / loss of privacy where this would be beneficial). Provided this is satisfactorily demonstrated in the future, and it is not to the detriment of any future schemes overall quality, then it is not considered the current proposals unduly compromise the ability of these, or indeed other undeveloped sites within the wider site allocation from making most effective use of land.
106. Building C would relate most closely to the former Cannon Trading Estate redevelopment (Arch View House). This is student accommodation with windows facing towards the application site, however, the western facing façade of C does not include any habitable windows (other than high-level ones), therefore the 13m separation proposed is acceptable. The directional windows in south-western corner of building C would be separated by 18m to this neighbouring development, therefore not creating unacceptable overlooking or resulting in undue loss of privacy to current or future occupiers.
107. Building D would relate most closely to the former Kelaty House redevelopment, which is also student accommodation. The respective building offsets from the shared boundary would result in the elevations being c.22m apart, increasing to 25m where the central 'shoulder' section of buildings D and E steps back. Building E would maintain separation of 20m to the eastern facade of this neighbouring development. These separation distances for D and E exceed SPD1 requirements, and are welcomed.
108. For the northern parcel, buildings F and G have been revised during the course of the application to increase the separation to the neighbouring former Euro House redevelopment, this has been achieved by moving buildings F and G 1.5m further south.
109. The extent of the red line boundary to the northern parcel relative to the proposed building footprints results in building offsets that are notably reduced (in part) compared to the southern parcel. These offsets range from approximately 1m in places (to the north and west), increasing on the upper floors, and to between 5m and 10m to the east.
110. It is important to note that the design response is sensitive to the site context and the aforementioned relationships and separations that would result between proposed buildings and the site boundaries, and between proposed buildings and existing (or under construction) neighbouring buildings. This is evident through the following design responses;
  - For buildings A-E, from first floor level upwards the facades to the tower elements that are closest to the western boundary only contain high level secondary windows. These can be conditioned to be obscure glazing also to provide added mitigation.



- For buildings A-B and D-E, where the buildings step back, the set back 'shoulder' elements contain directional habitable windows designed to direct views in certain ways and to avoid overlooking in other directions.
- For buildings A-E, where directional windows are located on the building corners, facing towards north-west or south-west then generally window to window separation of 18m+ is maintained in the interest of overlooking and privacy.
- For building F the scheme revisions ensure that separation of 15.1m is maintained to the former Euro House development to the north. To mitigate against any direct overlooking and loss of privacy, due to this separation being less than 18m, the building design responds accordingly. The window strategy proposes to utilise directional habitable windows designed to direct views in certain ways and to avoid overlooking in other directions.
- For building F a separation of 10m is provided to the neighbouring development directly to the west. This is considered acceptable on the basis the proposed window strategy is to only have high level secondary windows within the proposed western facing façade. These windows can be conditioned to be obscure glazing also to provide added mitigation against potential overlooking or loss of privacy between the respective developments.
- For building G this relates most closely to neighbouring SIL, to the north and east, comprising of much lower scale industrial buildings. Proposed building to boundary distances range between 4m and 4.8m, and building to building distances post development range between 7.7m and 12m. Similar to the other proposed buildings, the proposed window strategy utilises directional windows so there are no windows facing directly north. Along the eastern façade there will be a limited number of habitable room windows that are c.4.8m offset from the shared boundary. These windows are not proposed to be directional, however they face towards designated SIL, so potential impact on overlooking or privacy is not applicable.
- Both buildings, F and G, will provide additional surveillance over the access road through the Euro House redevelopment, which is welcomed.

111. The majority of windows serving the proposed student accommodation are inward looking and any separation distances to neighbouring sites and buildings, including residential/student accommodation have been sensitively considered, as reflected in the proposed design response, including the proposed window strategy. All window-to-window distances to neighbouring properties to the west (excluding the secondary high level windows) meet or exceed 18m. Given the emerging site context and dense pattern of development already established in the locality, combined with the highly constrained nature of the application site, its relationship to surrounding development as well as the site allocation aspirations and potential future developments on neighbouring sites, on balance it is considered that appropriate steps have been taken to mitigate the potential future impacts from outlook, overlooking and loss of privacy, as detailed in full in the Design and Access Statement.

112. In summary, the proportion of habitable windows that have been angled such that oblique and indirect views of the neighbouring, and potential future developments would only be possible and the Brise-Soleil feature that has been incorporated into the design to create a layer of visual obstruction, are supported. Other windows located in the flank facades are mostly high level and secondary only, so these are acceptable and should not unduly impact neighbouring sites. These design response measures are considered to greatly improve the sense of privacy for current and prospective residential occupiers, represent a reasonable response to the specific site constraints, whilst helping to optimise and make most efficient use of the land, and should help to not compromise the ability for other sites within this allocation to make the most efficient use land at a later date.

### *Daylight and Sunlight*

113. A revised Daylight, Sunlight and Overshadowing Assessment (DSO) has been prepared by Hawkins Environmental and submitted in support of the proposals, to demonstrate the impact of the development on surrounding existing properties. The DSO uses the recommendations set out in the BRE 'Site layout planning for daylight and sunlight – a guide to good practice (2022)' document. For the purposes of the assessment, only habitable rooms within residential properties surrounding the site have been assessed. As part of the assessment a 3-d computer model was constructed both with and without the proposed development in place.

114. The BRE Guidelines recommend two measures for daylight. Firstly, the Vertical Sky Component (VSC) assesses the proportion of visible sky and is measured from the centre point of the main window. Secondly, the No Sky Contour or Daylight Distribution assesses the area of the room at desk height (850mm from floor level) from which the sky can be seen, though this is often seen as an additional

assessment rather than as an alternative to VSC. It relies on knowledge of the room geometry which is not always available.

115. The guidance suggests the existing daylight may be noticeably affected by the new development if:

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

116. To assess impacts on sunlight to existing south-facing windows and amenity spaces, assessment of Annual Probable Sunlight Hours (APSH) is recommended by the BRE guidance. Direct sunlight to existing windows may be affected by proposed development if at the centre of a window:

- Receives less than 25% of Annual Probable Sunlight Hours (APSH) throughout the whole year, or less than 5% APSH between 21st September and 21st March;
- Receives less than 0.8 times its former APSH during either period; and
- Has a reduction in sunlight over the whole year of greater than 4% APSH.

117. It should be noted that loss of sunlight to windows only needs to be assessed if the window faces within 90 degrees of due south. The main focus is on living rooms, with bedrooms and kitchens deemed less important.

118. The BRE Guidelines also recognise that different criteria for daylight and sunlight may be used in dense urban areas where the expectation of light and outlook would normally be lower than in suburban or rural areas, and support the use of a 'mirror image' analysis in such cases. The NPPF (2023) also supports a flexible approach to applying standards in order to make efficient use of sites, and this approach is also reflected in the Mayor's Housing SPG, which advocates that when applying the BRE guidelines to apply these rigidly, recognising the London Plan's strategic approach to optimise housing output and the need to accommodate additional housing supply in locations with good accessibility suitable for higher density development.

119. BRE overshadowing criteria for a garden or outdoor amenity space to be considered well sunlit, is that, at least 50% of the garden or amenity space must receive at least two hours of direct sunlight on the 21<sup>st</sup> March. If this cannot be achieved, providing that the area overshadowed with the proposed development in place would be greater than 0.8 times the existing level of shadowing, it is considered that no effect on overshadowing would occur.

120. The DSO identifies the following nearby building as sensitive receptors, containing a number of windows that could be affected by the proposed development;

- Arch View House (former Cannon Trading Estate);
- Former Kelaty House (now Pavillion Court);
- The Waterside, blocks D and E (formerly Euro House)

### *Daylight*

#### *Arch View House and former Kelaty House (Pavillion Court)*

121. The results of the VSC assessment show that of the 413 windows assessed, at 318 of these windows, the proposed level of daylight would be less than 27% and the proposed level of daylight would be less than 0.8 times the existing level of daylight; therefore, in accordance with the BRE Guidance, there could be a noticeable change in daylight to 318 existing windows. These results are in part a consequence of this location being a high-rise dense urban environment which is characterised by a large number of high-rise buildings in close proximity.

122. Further investigation noted that some of the windows under consideration could be discounted for various other reasons. For example, a number of windows were discounted from the analysis because the windows served dual aspect rooms, with windows on other facades unaffected by the proposed development. At the Waterside, many of the living room/kitchen windows are dual aspect, with one of the windows unaffected or with the reduction being within acceptable limits; therefore, the rooms are likely to retain a reasonable level of daylight. At Kelaty House and Arch View House, both of these

buildings house student accommodation, with single aspect bedrooms, but dual aspect communal living areas, with impacts to most communal areas being discounted from the analysis.

123. The assessment has determined that when discounting windows with a marginal impact and those serving dual aspect rooms where the other aspect is unaffected by the proposed development, there would be residual impacts to 20 windows at Arch View House and 52 windows at Kelaty House. It is understood that all 72 windows serve bedrooms.
124. It should also be noted, and taken into consideration the fact Kelaty House and Arch View House are both used for student accommodation, so the impacts should be viewed in the context of the transient nature of the residents of these developments, that residents would not be considered as sensitive to change as a normal C3 dwelling, and the fact that all residents have access to other non-affected shared spaces within the buildings.
125. For buildings used by transient occupants (e.g. hotels, hostels, prisons and student accommodation), the DSO suggests the absolute level of daylight is a better indicator of impact. As referred to in the DSO, in relation to a hearing associated with the proposed redevelopment of a site in Dalston the GLA conducted an independent review of daylight and sunlight methodologies. The report noted that;

*"the independent daylight and sunlight review states that in an inner city urban environment, VSC values in excess of 20% should be considered as reasonably good, and that VSC in the mid-teens should be acceptable. However, where the VSC value falls below 10% (so as to be in single figures), the availability of direct light from the sky will be poor".*

126. It has been observed that at Kelaty House, all windows will retain a VSC of over 10%, most considered to be mid-teens; therefore, the retained level of daylight would be considered to be "acceptable". Similarly, at Arch View House, all windows with the exception of 4 of windows to the student bedrooms will retain a VSC of greater than 10%, with many in the mid-teens and above.

#### *The Waterside (former Euro House)*

127. The DSO assessment has determined that when discounting windows with a marginal impact and those serving dual aspect rooms where the other aspect is unaffected by the proposed development, there would be residual impacts to 40 windows at The Waterside.
128. It is important to recognise that these windows serve a development that is currently under construction. As a consequence, as with the transient student accommodation, the noticeability of the impact would be reduced. Furthermore, this site forms part of the Wembley Growth Area, undergoing significant regeneration, characterised by dense development and tall buildings. As a consequence, it is considered that the impacts likely to be experienced at the Waterside do not go beyond what one might expect in a regeneration area.

#### *Sunlight*

129. To assess impacts on sunlight levels, the APSH has been calculated for those windows which face within 90 degrees of due south.
130. It can be seen from the results that some windows at Arch View House, Kelaty House and the Waterside do not fully meet recommendations contained within the BRE guidance in relation to sunlight.
131. At Arch View House and Kelaty House, the residual impacts are primarily at windows serving bedrooms. As noted within the BRE Guidance, sunlight is required to main living rooms only and is less of a concern to bedrooms. This is more so that case at Arch View House and Kelaty House with the transient nature of the occupants, plus the fact that all residents will have access to communal areas served with windows unaffected by the development. As a consequence, it is not considered that the sunlight impact would be significant at Arch View House and Kelaty House.
132. At the Waterside, windows affected serve a development that is currently under construction. As a consequence, as with the transient student accommodation, the noticeability of the impact would be reduced.

#### *133. Overshadowing*

134. The Third Edition of the BRE Report, published in 2022, requires at least 50% of the garden should be capable of receiving at least two full hours of direct sunlight on the 21st of March. If this cannot be achieved, providing that the area overshadowed was greater than 0.8 times its former value, no impact would have occurred.
135. Analysis shows that without the development in place, on the 21<sup>st</sup> March, the outdoor amenity area located at podium level of the Waterside development would experience just over 2hrs of direct sunlight in the morning. With the proposed development in place, all of the amenity area would receive just over 30mins of direct sunlight. There would therefore be an impact. This impact is considered in the context that this is a shared amenity space, and future residents of this neighbouring development are not restricted to just using this space, they will have access to other shared spaces with access to direct sunlight.

*Summary of results (daylight / sunlight / overshadowing)*

Address	Parameter	Number of Windows/Gardens Assessed	No of Windows/Gardens Transgressing from the BRE Guidance	No of Windows/Gardens Transgressing from Revised Criteria
Arch View House	Daylight	66	62	20
	Sunlight	30	6	-
	Overshadowing	0	0	-
Kelaty House	Daylight	129	129	52
	Sunlight	68	17	-
	Overshadowing	0	0	-
The Waterside	Daylight	218	124	40
	Sunlight	138	42	-
	Overshadowing	1	1	-

(Table 1.1)

136. Under the BRE guidance the proposed development will have an adverse impact on Arch View House, Kelaty House and the Waterside. That said, the BRE guidance represents best practice guidance, it is not mandatory, and it is a well established approach that the guidelines should be interpreted flexibly, taking into account the need to make efficient use of land to meeting housing needs and site context characteristics.
137. A further important point to note is that given the open and low scale nature of the existing site, it provides higher levels of light to surrounding receptors than would be expected in this urban location and higher density redevelopment of the site, which the site allocation policy supports, would naturally result in some adverse impacts to neighbouring receptors.
138. The identified impact to the properties should therefore be balanced against the benefits of the scheme overall, and Members should therefore consider whether those benefits do outweigh the harm.
139. The applicant has taken care to design a scheme that on the whole maintains appropriate and reasonable separation distances, is of a height that is in keeping with the location whilst looking to optimise use of the site for housing, which is appropriate given it is brownfield land in a sustainable location, and meets the aspirations of the site allocation policy. Given these considerations, and the planning benefits of the scheme overall, on balance the proposal is considered acceptable in respect of daylight, sunlight and overshadowing effects, despite the identified impacts.

**Quality of student accommodation**

## Policy background

140. London Plan Policy H15 requires PBSA schemes to provide adequate functional living space for students in terms of the design and layout of rooms. However, there are no specific policy standards in terms of minimum internal floorspace or external amenity space to be adhered to. Brent's Policy BH7 requires non self-contained accommodation, including student accommodation, to provide acceptable quality, meeting appropriate standards for the needs of its occupants, including external amenity space, and appropriate communal facilities. London Plan policy H16 requires PBSA to be of good quality and design and provide adequate functional living space and layouts.

## Internal layout

141. Two different types of student accommodation are proposed; individual studios (with kitchenettes) and apartment cluster type accommodation, which comprise a smaller number of private en-suite bedrooms (6) which share cooking and living facilities.

142. Average room sizes would be 20.2sqm, which compares well to other PBSA schemes. It is considered the rooms would benefit from good levels of daylight. No student room windows are included in the western elevation on the southern parcel, which is also the SIL boundary, in order to avoid future conflict with nearby industrial uses. This approach is understood given the site constraints. Some windows are located on the eastern and northern elevations of the northern parcel, overlooking neighbouring industrial sites, including SIL. The design response on the northern elevation, to include directional windows helps to mitigate, and only a limited number of windows in the eastern façade rely on outlook to this side. On balance, acceptable building set backs from the boundary are maintained and should, in the future, the neighbouring SIL be de-designated and any neighbouring sites come forward for residential uses then these scheme would also be expected to respond accordingly and provide commensurate boundary set backs.

143. Shared amenity space of 2.29sqm per room would be provided in a variety of different forms across all student buildings. The proposed communal amenity spaces at ground and mezzanine floor levels provide socialising and lounge areas, study areas, and more active spaces which compares well to other PBSA schemes. The amenity spaces are mostly at ground floor helping to provide active uses and surveillance across the site. In addition, external ground/podium/roof gardens are to be provided for student use, and ground floor external courtyard spaces will be publicly accessible. Laundry rooms are provided throughout the buildings on different floors for student use.

144. By comparison the proposed development performs well against other recent PBSA schemes in the area, either approved and/or built development, as indicated below;

	Average room size (sqm)	Amenity per room (sqm)
<b>Proposal</b>	<b>20.2</b>	<b>2.29</b>
Kelaty House	13.1	0.7
Wembley Greenway	17.7	1.51
Fairgate House	17.7	1.51
Watkins Road	13.5	1.49

(Table 1.2)

145. Separation distances between rooms is generous, facing elevations of the proposed buildings exceed a distance of 18m, ranging between 25m and 28m. In addition, facing windows are directional avoiding any windows that are direct facing within the site. For buildings C, D and E, within the southern parcel window to window separation distances to existing neighbouring residential developments are 18m or more. For buildings F, within the northern parcel window to window separation of 15.1m will be provided to the development being implemented at the former Euro House site, which with the added benefit of directional windows proposed in the northern façade (building G) is considered acceptable, on balance. Buildings A and B contain flank wall directional windows facing east towards Latif House, and these buildings are set away from the shared boundary. Some of the windows are within 10m of the shared boundary which is unavoidable given the tight plot dimensions towards the site's southern end, and other flank windows are proposed to be high-level and secondary, which could be controlled by planning condition. On balance, it is considered the design response (including the proposed window strategy) will

not be harmful to the amenity of future occupiers within the site where generous separation distances are to be provided between the proposed buildings, nor will it be harmful to existing neighbouring residents. Neither should it preclude neighbouring undeveloped sites within the site allocation from coming forward as a development site in the future, and from making most efficient use of their land.

146. Internally, the layouts are considered to be well-planned and present different room typologies that support different ways of student living for a range of different residents. The considered design response will help to ensure privacy is not compromised for future residents, or for neighbouring sites. The proposal offers a good variety of high quality internal and external communal amenity spaces throughout, which would give future residents greater choice and flexibility of lifestyles, contributing effectively to students' overall wellbeing and quality of student life.

### *Conclusion*

147. In summary, it is considered that the proposal would offer a good standard of accommodation for students residing here, in terms of internal private and communal space, external amenity space, daylight and sunlight, and the range of communal facilities provided. The proposal compares well with other student accommodation developments, and noticeably outperforms others in terms of average room size and amenity space per room, all of which would contribute effectively to students' overall wellbeing and quality of student life.

## **Energy and sustainability, whole life-cycle carbon, circular economy and overheating**

### *Policy background*

148. Chapter Nine of the London Plan sets out a comprehensive range of policies underpinning London's response to climate change and mitigation, supported by policies within the Local Plan (Chapter 6.7). The application is supported by a suite of documents to address the various adopted policies and guidance.

149. All major residential and non-residential developments are expected to achieve zero carbon standards including a minimum 35% reduction on the Building Regulations 2021 Part L Target Emission Rates (TER) achieved on-site, in accordance with the energy hierarchy set out in London Plan Policy SI2. An Energy Strategy 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, where necessary. Policy SI4 requires the energy strategy to include measures to reduce the potential for internal overheating and reliance on air conditioning systems.

150. Ongoing monitoring and reporting of energy performance is also required under the 'Be Seen' part of this policy, and a Whole Life-cycle Carbon Assessment is required for applications referable to the Mayor. London Plan Policy S7 also requires a Circular Economy Statement.

151. Any shortfall in achieving the target zero carbon emissions standards is to be compensated for by a financial contribution to the Council's Carbon Offsetting Fund, based on the notional price per tonne of carbon of £95 over 30 years, or through off-site measures to be agreed with the Council.

152. For the residential parts of the development, the policy also requires at least 10 percentage points of the minimum 35 percentage point reduction to be attributable to energy efficiency measures (known as 'be lean' measures) and for the commercial parts of the development, the policy requires at least 15 percentage points of the reduction to be attributable to 'be lean' measures. An Energy Assessment is required, clearly outlining how these standards would be achieved and identifying, where necessary, an appropriate financial contribution to Brent's carbon-offsetting fund to compensate for residual carbon emissions.

153. Brent's Sustainable Environment and Development Supplementary Planning Document (adopted June 2023) provides guidance on a range of sustainable development issues.

154. Planning applications for major development are required to be supported by a Sustainability Statement in accordance with Policy BSU11, demonstrating at the design stage how sustainable design and construction measures would mitigate and adapt to climate change over the lifetime of the development, including limiting water use to 105 litres per person per day. This has been provided along with a BREEAM pre-assessment.

## *Carbon Reduction / Proposed Energy Strategy*

155. The submitted (revised) Energy Statement, including Overheating Assessment (February 2024), prepared by Savills Earth, outlines the approach to carbon emission savings and renewable energy and follows the energy hierarchy of the London Plan. The energy assessment follows the methodology set out in the GLA Energy Assessment Guidance (2022).
156. Baseline CO2 emissions for a building regulations Part L 2021 compliant building were established and the three-step energy hierarchy consisting of Be Lean, Be Clean and Be Green measures was applied to demonstrate compliance with the relevant policy targets. The student accommodation and commercial areas were assessed to demonstrate compliance with Part L2A of the Building Regulations 2021 for non-residential buildings.

### *Be Lean*

157. A fabric first approach has been followed and adopted to reduce building energy demand. As stated above, new development must show a minimum 15% improvement of the TER. Key design measures proposed as part of the design include;
- Highly efficient glazing systems mounted in the insulation layer of the façade to limit thermal bridging around the frame.
  - Solar control glass to limit solar gain, whilst also enabling good light transmittance for daylighting.
  - High-levels of thermal insulation for opaque elements, reducing heat loss.
  - Thermal bridging mitigated wherever possible to limit heat loss.
  - High level of air-tightness, reducing heat loss and mitigating drafts
158. Energy efficient plant is proposed, for example high-efficiency mechanical ventilation systems with heat recovery and low energy lighting throughout.

### *Be Clean*

159. This part of hierarchy seeks to ensure energy is supplied efficiently. For the proposed development, the feasibility of connecting to district energy networks has been considered, however, the owners of the local network at Wembley Park (Quintain) were not responsive to the Applicant's numerous attempts to engage to discuss connection details, especially once the Applicant enquired about their decarbonisation strategy. Notwithstanding this, the Applicant has committed to future proofing the proposed development to allow for the potential to connect to a DHN should one come forward in the future. This commitment is secured through condition.

### *Be Green*

160. On-site renewable energy generation is being maximised and optimised through use of suitable and available roof area to incorporate solar PV panels into the design. Air source heat pumps will be utilised to generate low carbon heat to satisfy the buildings space and domestic hot water heating requirements.
161. The 'Be Green' measures proposed will help further reduce carbon emissions. Regulated CO2 emissions for the scheme is 105.2 tonnes CO2/annum following the application of these Be Green measures, which is a 12% improvement over the Be Clean baseline (which is 155.4 tonnes CO2 annum).
162. As set out in the energy strategy the development could be expected to achieve a 32% reduction in regulated carbon emissions over Part L 2021.
163. In line with policy developments are required to offset all remaining regulated CO2 emissions associated with the building through a financial contribution, which is currently set at £95/tonne of CO2e across a 30-year lifespan to Brent's carbon offset fund. An estimated carbon offset payment of £299, 820 has been calculated, and this is to be secured through the s106 agreement and this will be directed towards Brent's carbon offset fund.

### *Be Seen*

164. In line with London Plan policy SI2 the energy performance of completed development is required to

be monitored, verified and reported following construction. These 'Be Seen' measures are to be secured by s106 agreement.

### *BREEAM*

165. A BREEAM pre-assessment has been undertaken, this forms part of the submitted Sustainability Statement, and in line with London Plan and Local Plan policy requirements, the proposed development is targeting a BREEAM rating of 'Excellent' on all non-residential elements. Further evidence of the achievement of this rating would be required prior to occupation of the building, and this shall be secured by condition.

### *Water consumption*

166. In order to minimise impact on water supply, Policy SI 5 of the London Plan confirms that water consumption should not exceed 105 litres per head per day (110 litres inclusive of external water consumption i.e. irrigation). The Sustainability Statement provides details on proposed measures to help meet the target for water consumption.

167. A condition is recommended to ensure the development achieves or exceeds the water consumption targets.

### *Whole life-cycle carbon*

168. In accordance with London Plan Policy SI 2 and relevant GLA guidance the applicant is required to calculate and reduce whole life-cycle carbon emissions to fully capture the development's carbon footprint, which includes carbon emissions resulting from materials, construction and use over a building's entire life, including demolition and disposal. The application is supported by a Whole Life Cycle Carbon Assessment (WLC), which has been undertaken in accordance with the relevant GLA LPG (March 2022) and subsequently revised in response to Stage 1 GLA comments.

169. The WLC sets out a series of reduction principles and proposed actions that have been considered to try and reduce life-cycle carbon emissions. These have informed the proposed design, and where carbon reduction principles have not been used, reasons are given why this is the case (i.e. exploring options for retaining existing buildings, which would not be feasible here as the existing buildings are built for waste transfer operations). Measures such as, but not limited to the following have been considered;

- Reuse and retrofit of existing buildings
- Use repurposed or recycled materials
- Material selection
- Minimise operational energy use
- Disassembly and reuse
- Designing for durability and flexibility
- Building life expectancy

170. Following further review, the GLA, has welcomed the above measures which are to be reviewed further as part of the Stage 2 referral, and they have recommended post-construction assessment reporting is secured by condition.

### *Circular economy*

171. Policy SI 7 of the London Plan (Reducing waste and supporting the circular economy) promotes the circular economy outcomes and aims to achieve net zero-waste. Policy D3 requires proposals to integrate circular economy principles into the design process.

172. Having regards to policy SI 7 and GLA guidance a Circular Economy Statement (CES) has been submitted in support of the application, with the most recent revision dated May 2024. The revised CES incorporates pre-redevelopment and pre-demolition audits an Operational Waste Management Plan, as well as the following circular economy principles;

- Focus on materials resource efficiency
- Focus on energy and water efficiency in operation



- Priority to locally sourced, high recycled content materials and products
- Designed for longevity, adaptability, flexibility and reusability; and
- Designing out waste

173. These principles are incorporated into the design, construction and management of the development.

174. The GLA is satisfied with the circular economy commitments of the development, and that the CES complies with London Plan policy, subject to a post-completion reporting being secured by planning condition.

#### Overheating

175. Policy SI4 (Managing heat risk) of the London Plan confirms that major development proposals should demonstrate how they would reduce the potential for internal overheating and reliance on air conditioning systems in accordance with a hierarchy that prioritises passive measures over active measures. In line with policy, the Applicant carried out detailed overheating analysis for the proposed site.

176. A CIBSE TM59 Assessment was carried out considering Building Regulations Part O requirements for the student accommodation, analysing the overheating risk. The table below shows the significant improvement measures taken by the Applicant, especially with regards to façade design and optimisation, in order to mitigate overheating risk. Detailed dynamic modelling was also carried out in line with CIBSE TM59, assuming an openable window strategy in the first instance.

177. For the baseline case, overheating was found to occur in 45% of bedrooms. Following the addition of passive design measures, including vertical fins and trickle ventilation, the analysis showed that overheating is mitigated for all bedrooms. However, noise constraints require windows to be shut to prevent disturbance. In this scenario, only 32% of bedrooms pass meaning that an MVHR system with peak lopping cooling will be required to mitigate overheating risk effectively.

**Table 9: TM59 results summary – Bedrooms % pass**

Case	DSYI
Baseline - openable windows	45%
i. Improved Passive Design - openable windows	100%
ii. Improved Passive Design –windows shut	32%

(Table 1.3)

#### Active cooling systems

178. The Mayor’s Cooling Hierarchy has been followed, with particular emphasis on minimising the amount of heat entering the building through an optimised façade design.

179. The total cooling demand for the actual and notional building have been extracted from BRUKL output reports and are shown in the table below. The additional cooling demand for the actual building is driven by the need for peak lopping cooling for bedrooms to mitigate overheating risk.

**Table 10: Cooling demand site-wide**

Case	Area weighted average cooling demand (MJ/m <sup>2</sup> )	Total area weighted cooling demand (MJ/year)
Notional building	75.09	2,357,263
Actual building	86.54	2,716,616

(Table 1.4)

*Summary; Revised Energy Strategy, Whole Life Carbon Assessment and Circular Economy Statement to address Stage 1 GLA comments*

180. To address comments raised by the GLA as part of the Stage 1 referral the Applicant has revised their proposed approach to energy, as summarised below;

GLA Stage 1 Comments	Applicant's Response
The submitted energy statement does not yet comply with Policies SI2, SI3, and SI4. The applicant should submit further information on energy efficiency measures; investigation of connection to the Wembley Park district heat network; provision of a communal heating system; demonstrate that renewable energy has been maximised, including roof layouts showing the extent of PV provision; confirm compliance with 'Be Seen' requirements, to be secured within the section 106 agreement; and provide further details on the design of the district heating network connection, to be secured by condition or obligation. Active cooling is not supported, and the applicant should follow the cooling hierarchy.	A revised Energy Statement has been prepared and submitted to demonstrate compliance with Policies, SI2, SI3 and SI4, and address relevant comments. Connection to the local district heat network has been fully explored and a condition is recommended which requires the Applicant to continue to explore opportunities to connect to the DHN. Energy strategy has been developed based on an all-electric, heat pump based scheme. Rooftop PV has been maximised. The need for active cooling has been demonstrated in order to mitigate overheating risk in accordance with the cooling hierarchy.
The development is estimated to achieve a 32% reduction in CO2 emissions, compared to 2021 Building Regulations. This falls short of the net zero-carbon target in Policy SI2.. As such, a carbon offset payment should be secured, based on a net-zero carbon target using the GLA's recommended carbon offset price (£95/tonne) or the Borough's carbon offset price. Detailed technical comments, including conditions and section 106 requirements have been shared with the applicant and the Council.	Carbon offset payment of £299,820 calculated to achieve net zero carbon target, following onsite emissions reduction of 32% over Part L target emission rate. Carbon offset payment is based on £95 per tonne CO2 over 30 year period.
The WLC report includes pre-application-level information only. An Excel version of the GLA template must be submitted to allow a full review to be completed. Should permission be granted, post-construction monitoring will be required to be secured through planning condition or legal agreement.	An enhanced Whole Life Carbon Assessment has been provided which addresses comments and demonstrates compliance with relevant policies.
The Applicant has submitted a CE Statement; however, it is unchanged from that reviewed at pre-application stage. As per pre-application comments, the applicant should provide a revised Circular Economy Statement in line with the requirements of the adopted LPG (March 2022), including a completed GLA template, Pre-Redevelopment Audit, Pre-Demolition Audit, and Operational Waste Management Plan. The technical pre-application comments have been re-provided to the applicant and the Council. Should permission be granted, post-construction monitoring should be secured through planning condition or legal agreement.	An enhanced Circular Economy Statement and supporting documentation has been provided which addresses comments and demonstrates compliance with relevant policies.

(Table 1.5)

181. In conclusion, the proposals provide a sustainable and energy efficient scheme which seeks to maximise reduction of carbon emissions through the application of the GLA's energy hierarchy. It will incorporate the principles of whole life-cycle carbon and circular economy, and seeks to reduce risk of overheating. Post construction reporting conditions are required to accord with policies SI 2 and SI 7 of the London Plan.

## **Impacts on microclimate and reception of TV and radio services**

### *Microclimate*

182. Policy D8 (Public Realm) of the London Plan requires the consideration of local microclimate created by buildings, which is reinforced by policy D9 (Tall buildings) which sets out the need for careful consideration of wind conditions where tall buildings are proposed. Brent Local Plan policy DB2 also identifies that consideration of wind conditions are important where tall buildings are proposed.

183. A Wind Microclimate Assessment has been submitted in support of the application (this was updated following scheme revisions to take account of any potential change in impacts), and this assesses the wind microclimate for the proposed development. Computational modelling (CFD) has been employed to predict the strength of wind speeds that will occur if the development is built. The suitability of wind conditions is determined using the widely accepted industry standard Lawson Comfort Criteria, to determine the suitability of wind conditions on site and the impact of the proposed development on the surrounding area. A number of nearby cumulative schemes are also included in the assessment.

184. Assessment results show that wind conditions at the existing site within existing surrounds are safe for all pedestrians and are comfortable for intended users. With the introduction of the proposed development, wind conditions remain safe for all pedestrians and comfortable for intended uses, both on the ground within and around the site, as well as on the (proposed) elevated amenity spaces. With the introduction of the cumulative surrounds, wind safety and comfort conditions remain materially the same as those of the proposed development within the existing surrounds. No mitigation measures were identified as being required.

### *TV and radio reception impact assessment*

185. London Plan Policy D9 (Tall buildings) confirms that buildings should not, amongst other things, interfere with telecommunication, while Policy SI6 (Digital connectivity infrastructure) advises that developments should take appropriate measures to avoid reducing digital connectivity. These are reflected in Local Plan Policy BD2 (Tall Buildings).

186. A pre-construction signal survey and reception impact assessment has been undertaken to determine the potential effects on the local reception to television and radio services from the proposed development. Impacts to the reception VHF (FM) radio, digital terrestrial television (DTT) and digital satellite television services have been assessed.

187. The assessment has found that the proposed development may cause some DTT reception degradation to properties immediately adjacent to the site, in a westerly and north-westerly direction. Mitigation in the form of antenna betterment or antenna relocation is suggested to address this (if required). The proposal may also cause interference to the reception of digital satellite television services (i.e. Sky) in areas to the immediate northwest (within 113m from the base of the tallest proposed building). Additionally, in similar areas, the use of tower cranes during construction could result in interference. Mitigation can be provided (if required) through re-locating the satellite dish, if this is not possible then the use of DTT receiving equipment could be considered. Reception of VHF (FM) radio is unlikely to be adversely impacted as a result of development.

188. Any necessary mitigation measures found to be necessary to address any local interference identified to the television and radio reception in the local area as direct result of the proposed development would be secured through the s106 agreement, as referred to in the above draft s106 Heads of Terms.

## **Environmental health considerations**

### *Air quality*

189. Like many areas in Brent, the site is in an Air Quality Management Area. London Plan Policy SI

1 requires that all major developments within London are Air Quality Neutral. As such, an Air Quality Neutral Assessment needs to be undertaken and submitted with the planning application. Brent's Policy BSUI2 requires major developments in Growth Areas to be Air Quality Positive, in line with the approach set out in the GLA's published Air Quality Positive guidance. The NPPF (paragraph 170) also states developments should make every effort to ensure local air quality conditions are improved.

190. An Air Quality Assessment (including Air Quality Neutral and Positive Assessments) has been submitted and includes an air quality neutral assessment and air quality positive statement. The assessment considers the potential air quality impacts associated with the proposed development and it concludes the site is suitable for the proposed use and development would not worsen air quality in the surrounding areas. The development can be considered to be air quality neutral in terms of both transport and building emissions, owing to its car free nature and electric energy strategy. The sites redevelopment would also result in the closure of the existing waste transfer operation, which would be a benefit to local air quality.
191. With regards to the impacts of construction on air quality, dust and other pollutant emissions from the
192. construction and demolition phases of the construction of the proposed development, it is recommended these potential impacts be addressed through a detailed Construction Method Statement, and this can be secured by condition.
193. In terms of air quality, the proposals adhere to local and national planning policy. Environmental Health officers raise no concerns.

#### *Noise and vibration*

194. London Plan Policy D14 expects new developments to reduce, manage and mitigate noise to improve health and quality of life. Policy D13 (Agent of change) of the London Plan expects that planning decisions reflect the Agent of Change principle and take account of existing noise and other nuisance-generating uses in a sensitive manner when new development is proposed nearby, with the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development. NPPF (paragraph 180) states that new development should avoid giving rise to adverse noise impacts on the site and surrounding area.
195. A Noise and Vibration Impact Assessment was submitted, and this identifies sources of external noise in the vicinity of the site, which are primarily from road traffic, and industrial/commercial noise from nearby industrial units. Noise surveys were carried out to establish baseline noise levels at the site, and these results used to determine if a scheme of mitigation is required to safeguard future occupiers.
196. The proposed development has been designed in a way that is sensitive to other nuisance generating uses in the locality, therefore adopting agent of change principles from the outset and carrying this through the design evolution. For example, majority of windows are inward looking, and the proposal does not rely on neighbouring SIL to the north and east to ensure an acceptable standard of accommodation is provided. The southern parcel (buildings A-E) does not have windows facing east, towards neighbouring SIL. The implementation of recommended mitigation measures (i.e. acoustic glazing for the student accommodation) will further help ensure agent of change principles are adhered to.
197. Having considered the baseline noise levels surveyed, Environmental Health Officers advise the assessment confirms that internal noise levels within the development will be satisfactory provided mechanical cooling is installed and suitable acoustic glazing. Provided these are installed then the development can be considered suitable in terms of noise conditions at this location.
198. Environmental Health officers also recommend a condition to limit noise from plant and equipment, in the interests of future residential amenity.
199. In terms of noise from the proposed development impacting on neighbouring residents, though not specifically recommended, it is considered that implementation of a Student Management Plan would further help prevent any undue nuisance or disturbance occurring. This approach is consistent with other consented student accommodation development in the locality.

#### *Contaminated land*

200. The applicant has submitted a Soils Limited Main Investigation Report for land contamination (March 2023). Having been reviewed by Environmental Health officers, this report is accepted and there is a recommendation that further investigative works are required in terms of asbestos on site, as such conditions are recommended to address remediation and verification measures.

#### *Construction process*

201. A condition is recommended, to secure the submission of a detailed Construction Method Statement (CMS), including air quality and dust management plan, prior to commencement. The CMS is required to minimise dust, noise and other environmental impacts of the construction process. A condition is also recommended to ensure all non-road mobile machinery used during construction complies with emissions standards set out in the GLA's SPG 'Control of Dust and Emissions during Construction and Demolition'.

#### **Flood risk and drainage**

202. Paragraph 173 of the NPPF states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere and that where appropriate, applications should be supported by a site specific flood risk assessment. Part c of Paragraph 173 requires development to demonstrate that they incorporate sustainable drainage systems, unless there is clear evidence that this would be inappropriate.

203. London Plan policy SI12 requires development proposals to ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy SI13 states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. Brent policy DMP1 seeks to prevent unacceptable increased exposure to flood risk as a result of new development and policies BSUI3 and BSUI4 require flood risk management sustainable drainage measures on major development sites.

204. The site is within Flood Zone 1 and within a Critical Drainage Area, and a small area within the southern parcel is in Flood Zone 3a for surface water flooding. A Flood Risk Assessment (FRA) and Drainage Strategy have been submitted in support of the application, including revisions to this (dated February 2024) and a Technical Note (7681/01), which is provided in response to comments contained in the GLA's Stage 1 report.

205. The revised FRA adequately assesses the risk of flooding from external sources such as fluvial, sewer, groundwater and reservoir flooding, which is low.

206. In the GLA's Stage 1 report it was suggested that proposed mitigation against the risk of pluvial flooding had the potential to increase offsite flood risk, which is not acceptable. It is also questioned if there would be any changes in ground level within the site that would have the potential to impact on pluvial flood risk. It has been confirmed that ground levels will not be altered and the prevailing fall of the land will be maintained so that there will be no impacts on other sources of flood risk.

207. The drainage strategy proposes to make use of green roofs, helping to reduce runoff rates and providing storage capacity. A rainwater harvesting system is to be implemented for the reuse of rainwater runoff from roofs. The Local Lead Flood Authority have assessed the proposed strategy, noting this is designed to accommodate a 1 in 100 year storm event, plus 40% climate change. This will be achieved by attenuation storage and flow control devices, and will be maintained by a private company. The required attenuation is proposed through a combination of green roofs, bio-retention areas and below ground attenuation tanks. The drainage strategy confirms that infiltration is not feasible on site due to below ground conditions (i.e. the presence of made ground and the impermeable nature of underlying London Clay). The post development discharge rates of 0.7 l/s for the northern site and 1.9 l/s for the southern site are significantly reduced compared to the existing unattenuated discharge rates and would offer a betterment from a flood risk perspective. This is welcomed in response to the surface water flood risk that the existing southern site presents.

208. The SuDS system will be managed and maintained privately and will be the responsibility of the future site owners. The applicant proposes this will be through a private management company acting on behalf of the site owners. Details of a management and maintenance plan will need to be secured for the lifetime of the development, and this can be done through condition prior to installation.

209. The GLA has confirmed that following submission by the Applicant of Technical Note (7681/01),

comments they had previously raised concerning potential pluvial flood risk have now been satisfied. Similarly, in relation to sustainable drainage, the additional information within the Note satisfies any concerns that were raised in the Stage 1 report.

210. Thames Water raises no concerns in terms of drainage and advises they have no issues either in terms of foul water infrastructure or surface water. It is requested a Piling Method Statement be secured by condition, to prevent and minimise potential for damage to subsurface sewerage infrastructure.

## **Ecology, biodiversity, urban greening and green infrastructure**

### *Ecological conditions*

211. London Plan policy G6 D (Biodiversity and access to nature) seeks to ensure that proposals manage impacts on biodiversity and aim to secure net biodiversity gain. Local Plan policy BGI1 (Green and blue infrastructure) promotes the enhancement and support of biodiversity and ensuring that developments do not undermine the biodiversity of green chains.
212. An Ecological Impact Assessment (EclA) has been undertaken in support of the application, and is based on information gained from a desk study and an extended Phase 1 habitat survey. All habitats within the site and within 30m of the site boundary (where access was available) were considered. This confirms the site is not located within, or close to any nationally or European designated sites. Eight non-statutory sites (which are all designated SINC's) can be found within 1km of the site, the closest of which is Wealdstone Brook (Wembley Park section), which is c.60m north of the site boundary. No signs of protected or notable species were identified on site following assessment. There was found to be low to negligible potential for any of the species identified by the desk study, such as slow worm, badger or bats.
213. An Ecological Management Plan (EMP) to support long-term maintenance and habitat creation is recommended to be secured by planning condition.

### *Biodiversity Net Gain (BNG)*

214. The Biodiversity Metric (4.0) is a calculation tool created by Natural England to assess an area's baseline value to biodiversity, and then to compare that to the post-development value of the same site. This is then used to establish whether there will be any measurable net gain in biodiversity conditions on site.
215. BNG is an approach to development that leaves biodiversity in a better state than before. This means that where biodiversity is lost as a result of a development, the compensation provided should be of an overall greater biodiversity value than that which is lost, notwithstanding that losses should, in the first instance, be avoided. As the application was submitted prior to the mandatory 10% net gain in biodiversity coming into force from February 2024, policy BGI1 requires a net gain in biodiversity be demonstrated.
216. The submitted EclA includes a BNG Assessment, and this is supplemented by Metric 4.0. Due to the presence of only hard standing and buildings within the site, there is no requirement to carry out a condition assessment of habitats, and the baseline value of the site is zero.
217. Landscaping enhancements across the site (as proposed) would positively increase the number of habitat units from 0 to 5.31 (i.e. through new tree planting, new green roofs), which results in a 100% increase in habitat units on site post development.
218. The proposed development is considered to comply with Policy G6 of the London Plan and Local Plan Policy BGI1. Conditions would be imposed to ensure that details of the landscaping and biodiversity enhancements are secured, and therefore a net gain BNG is achieved post development.

### *Urban greening*

219. London Plan Policy G5 and Brent's Policy BGI1 encourage development proposals to embed urban greening as a fundamental element of site and building design, and require detailed information on the development's urban greening factor to be submitted as part of major planning applications. The urban greening factor combines measures such as new tree planting, biodiversity enhancements, landscaping and sustainable drainage features into a single measure, and Policy G5 seeks a target UGF of 0.4 for

predominantly residential developments.

220. The UGF score for the proposed development is 0.4, which accords with relevant policy. This is achieved by proposed new landscaping across the site, including new trees, green roofs and SuDS features. The measures proposed would be secured by condition to ensure that the anticipated UGF score is achieved or exceeded.

#### *Green infrastructure (trees and landscaping)*

221. London Plan Policy G1 states that development proposals should incorporate green infrastructure. Policy G4 states that development proposals should where possible create areas of publicly accessible open space. Policy G7 states that development proposals should ensure that, wherever possible, existing trees of value are retained; if trees are removed, there should be adequate replacement based on the value of the benefits of the trees removed, using appropriate valuation system; and the planting of additional trees should generally be included.
222. Trees are a key component of green infrastructure and help to create resilient and more sustainable development. Policy BG12 (Trees and Woodlands) seeks to ensure that trees are protected as much as possible and to re-provide where loss is unavoidable. Policy DMP1 supports enhanced green infrastructure as part of development proposals
223. There are no existing trees on site, this is confirmed by the revised Arboricultural Report, which also confirms the development should not affect any off-site trees. The proposed tree planting strategy is embedded into the landscape strategy, and this includes new tree cover to the courtyard amenity spaces on the southern site, a new group of trees to the west of buildings A and B, with smaller trees in raised planters for the raised amenity gardens. Opportunities for tree planting within the northern site are more limited to site edges due to the built footprint, with some also within the raised amenity garden and trees indicated on the frontage would be agreed and secured through S278 agreement. Trees proposed are a mix of UK native species supplemented with some non-native species for additional variety and year round interest. Larger trees will be used where space allows and all trees will be planted into recommended substrate depths.
224. The Council's Tree Officer has reviewed the proposals, raising no objection. There will be a significant net increase in trees on site post development and full details of the tree planting strategy will be sought by condition, including further details of any below ground utilities that may constrain new planting.

#### *Landscaping*

225. A revised Landscape Strategy (PLA 0039 SD 1002 R07) was submitted in August 2024, proposing changes in response to consultation feedback. The site lies within an area of open space deficiency, and the closest publicly accessible open space is Brent River Park to the east of the site (c.350m walking distance).
226. In response to this the proposed development will provide new publicly accessible areas of public realm and amenity spaces, namely the shared surfaces around the buildings and the ground level courtyard gardens, within the southern site. Though these will be publicly accessible spaces it is expected they will be mainly used by on-site student residents, as well as students residing in the neighbouring accommodation. Additionally, the location of these courtyards relative to existing developments will also help to improve east-west permeability in the locality, and these respond well to where level site thresholds existing along the western boundary.
227. The ground floor courtyard spaces provide new planting (including trees), spaces for external games, furniture, seating and fitness equipment as well as SuDS features. The covered walkway at first floor level sits above these spaces and provides an internal connection for students, between the buildings and the raised (private) roof gardens within the southern parcel. The hard landscaping strategy will include features that reference back to the site's past rail heritage, when it formed part of an old railway built to serve the 1924-1925 British Empire Exhibition.
228. For the northern site, the revised layout of buildings F and G creates a north-south pedestrian link, passing through the former Euro House site. This improves permeability, connectivity and will improve the public realm. Landscaping, including streetscape landscaping opportunities are more limited within this parcel due to a combination of this being a smaller parcel, building footprint and front servicing

and loading requirements. Notwithstanding this, there are limited opportunities for new greening to be introduced along Fifth Way frontages, though these front spaces do need to be flexible and functional so that they service the future site uses. Front landscaping details, including new greening will need to be developed in further detail and designed to be compatible with any S278 agreement.

229. As referred above, there will be a significant net increase in new trees across the sites, which is a benefit and a key part of the overall landscape strategy. Permeable hard surfaces (paved areas) and linear planters (to act as sunken rain gardens) form part of the sitewide SuDS strategy, which is a betterment as the majority of the existing site consists of impermeable surfaces.
230. The raised podiums and amenity gardens (southern garden / middle garden / north block podium), for student use, will also include features that reference back to the site's past rail heritage, and the spaces are laid out to incorporate new greening (including trees in planters), biodiverse areas as well as spaces for recreation, social interaction and play.
231. In addition to the landscaped raised amenity gardens green roofs are proposed to non-accessible roofs across the site. These will be a mix of wildflower and sedum roofs, providing ecological and biodiverse benefits, including new habitats. Further details of the specification of these roofs, as well as their long term maintenance and management will be secured by condition.
232. Consideration has been given to people of all ability and all hard surfaces allow easy access and legibility for wheelchair users and people with partial sight.
233. The proposed hard landscape areas, furniture, external lighting, ground level amenity areas, planting (including trees), raised amenity spaces and green roofs will be maintained by a private management company. This commitment will be secured as part of the landscape related conditions. Further details of the external lighting strategy are to be secured by condition.
234. In summary, the landscape proposals represent a well-considered approach to integrating new green infrastructure and publicly accessible open space. This will be a betterment compared to the existing site conditions and will result in a net increase in trees across the sites. Furthermore, permeability will be improved through improved connectivity and the landscape strategy will also result in a measurable net gain in biodiversity. The proposals are considered to be in accordance with London Plan policies G1 and G4, and Local Plan policies DMP1, BGI1 and BGI2, subject to further hard and soft landscaping details (including long-term maintenance) being secured by condition. The proposed north/south and east/west pedestrian links shall be secured as permissive pedestrian and cyclist routes, and by planning obligation.

### **Transport considerations**

235. London Plan policy T1 sets a strategic aim for all development to make the most effective use of land reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. Local Plan Policy BT1 seeks to promote sustainable patterns of development in the borough, minimising the need to travel and reducing the dependence on private motor vehicles.
236. The application is supported by an updated Transport Assessment (TA), which considers the effect of the proposed development on the local highway and transport network.
237. Fifth Way has extensive parking restrictions by way of double yellow lines, including Event Day restrictions, and the site PTAL rating is categorised as 3 (moderate). There are underground and bus links (routes 92, 206 and 440) as well as a range of services and local amenities either within a reasonable walking distance of the site. Universities and higher education institutes, including a number located in central London, which future residents may be affiliated to can be easily reached by underground options from Wembley Park (approximately 800m away) , or by rail from Wembley Stadium Station (approximately 1.2km away).
238. Fifth Way is predominantly industrial and car dominated, though this character is gradually changing as a result of new developments to the north and west of the site. Existing footway infrastructure provides convenient and safe pedestrian movement in the local area, and is generally capable of accommodating high concentrations of pedestrian movement, owing largely to the permeability of pedestrian infrastructure provided to serve Wembley Stadium and other recently built development within the area. A new



- 239. pedestrian crossing along Fifth Way to be provided as part of the proposed development will also facilitate safe pedestrian movement between the two parts of the site, this is discussed further below.
- 240. The site benefits from excellent access to cycling infrastructure, with a number of designated on-street cycle routes recommended for cyclists within close proximity to the site including those located on South Way and Olympic Way. London Cycle Network Route 45 (between Harrow and Battersea) can also be accessed via the A404 Harrow Road, approximately 1.5km from the site.
- 241. The nearest existing car club (operated by ZipCar) is located c.650m away, along Engineers Way, and is easily accessible for future residents.

*Parking and access*

- 242. London Plan policy T6 strongly supports a move towards more sustainable travel choices, and expects car free development (in which only designated Blue Badge parking is provided) to be the starting point in accessible locations such as this, and Local Plan policy BT2 also requires student housing development to be car free.
- 243. The development is proposed to be car-free, save for 2no. disabled parking spaces within the southern site that are intended to serve both student and commercial uses, which the Council’s Transport Officer consider is an acceptable level and this would comply with the relevant parking standards. Both spaces are proposed to be provided with electric vehicle charging provision, in line with London Plan policy T6, which shall be secured by condition. These spaces would be accessed via a proposed vehicular access from Fifth Way, with bollards proposed within the site to manage vehicle access to them. It should be noted that these 2no. spaces have been re-located from their previous location within inset laybys on either side of Fifth Way, so as to accommodate TfL’s requirement for a new bus stop and bus cage along the site frontage. Although students would not be eligible for on-street parking permits, as they would not be permanent residents, a condition/planning obligation is recommended to ensure that students are notified of this. The GLA consider the number of disabled parking spaces to be insufficient, though as set out in the TA, it is considered the site’s accessibility for occupants of the development with and without mobility impairments would likely mean that the vast majority of residents will be able to travel by sustainable modes of transport, reducing the likelihood of disabled parking spaces being required. Noting this level of disabled parking provision is not in line with London Plan standards, it is comparable with other recently consented PBSA development in Wembley.
- 244. Parking allowances for the light-industrial and café uses are required to comply with London Plan standards, which would allow up to one space per 600m<sup>2</sup> for the workspace and one space per 75m<sup>2</sup> for the café use in this Opportunity Area. This gives a combined allowance of three spaces. Nevertheless, with no allocated off-street parking proposed, save for 2no. disabled parking spaces maximum standards are complied with and the Council’s Transport Officer raises no objection in respect of parking provision.

*Cycle parking*

- 245. London Plan Policy T5 requires the provision of 0.75 cycle parking spaces per bedspace for the student accommodation, in addition to one short-term space per 40 bedrooms. The proposal is to provide 581 long-stay spaces and a minimum 28 short-stay spaces, therefore meeting the numerical requirements of London Plan policy T5. The cycle parking mix is as follows;

Cycle Parking	Long Stay			Short Stay	Total
	Stacker	Sheffield	Accessible	Visitor	
Student	528	12	30	20	590
Industrial	8	2	0	3	13
Café		1		5	6
<b>Total</b>	<b>581</b>			<b>28</b>	<b>609</b>

(Table 1.6)

- 246. Residents of the student accommodation within the northern parcel of the site will access the site via the entrance core fronting Fifth Way, and will subsequently utilise a cycle lift within the core lobby to access the long-stay basement cycle parking. Short-stay residential cycle parking will be provided within

the landscaping and public realm which fronts Fifth Way. Short-stay commercial cycle parking will be provided within the landscaping and public realm which fronts Fifth Way.

247. Residents of the student accommodation within the southern parcel of the site will access the long-stay cycle stores via the student entrance lobbies contained at Cores B/C and D/E, all of which are located at ground-level. Short-stay commercial cycle parking will be provided within the landscaping and public realm which fronts Fifth Way
248. Transport Officers confirm that proposed cycle parking provision for students meets standards, with an appropriate number of accessible spaces included. For the commercial units, a store for at least eight long-stay spaces is required for the industrial floorspace and this has been located within the basement. Whilst a store for a bicycle is required for the café and an area within the café has been indicated
249. In terms of short-stay parking, a minimum of 27 spaces are required in total (19 students, 5 café and 3 industrial floorspace). A total of 14 'Sheffield' stands have been indicated around the site, which meets the overall standard. However, just two stands (4 spaces) are shown for the northern part of the site, whereas the quantity of student flats and the workspace on this part of the site would require at least 11 short-stay spaces. It is recommended this be address via planning condition.

#### Access

250. Pedestrian access to the development will principally be from Fifth Way, but alternatively via continuation of the existing east-west routes through the neighbouring developments to the west of the site, or via the existing private service road off First Way (over which it has been submitted the site enjoys a right of access). Though the latter is expected to be very much a secondary access. An open permeable boundary (in places) along the sites western edge will allow for enhanced east-west connectivity and pedestrian movement through to the site.
251. It is important that this site provides good connectivity with the neighbouring developments, particularly those to the west, which is in line with the aspirations of site allocation BCSA9. To further facilitate this, a north-south permissive path through the site should be secured as part of the s106 agreement, which the applicant is agreeable to.
252. For the northern site, a central north-south pedestrian route is incorporated into the design, with a flight of steps down to the adjoining former Euro Car Parts development site. This is also welcomed in terms of improving permeability and connectivity. This should also be secured as a permissive path in any s106 agreement, to link to the permissive path through the Euro Car Parts site linking Fourth Way and Watkin Road.
253. To aid safe pedestrian accessibility between the two sites, as well as to the new bus stop on Fifth Way, a new pedestrian (zebra) crossing is proposed to the eastern side of the site. This has been amended to sit clear of the proposed new bus stop, which has meant that the standard length of eight zig-zag markings is not able to be provided on the westbound exit from the crossing. This has been considered in the Stage 1 Road Safety Audit, which flagged a concern in respect of reduced visibility from the crossing if two buses are parked in the bus cage at the same time. Given that TfL consider a 25m long bus cage to be essential, then the only alternative would be to omit the pedestrian crossing altogether, which would it is considered present far more safety issues for pedestrians crossing the road than the slightly reduced visibility splay on the exit from the crossing. Furthermore, only three bus routes service the proposed new bus stop, which given their frequency, means it is only likely to be an infrequent occurrence for two buses to stop at the same time.
254. The new pedestrian crossing is welcomed, this will improve pedestrian infrastructure in the locality, improve pedestrian safety, and shall be secured through the S278 agreement.
255. A continuous footway on both sides of Fifth Way of 3.0m width will be dedicated as public highway through means of a S38 agreement between the developer and the Council.
256. Vehicle access to the northern parcel of the site will be achieved via an existing crossover off Fifth Way. This vehicular access will be marginally reduced in width and used solely for provision of access to the dedicated commercial service yard and it will serve a shared-surface access road, which runs along the eastern perimeter of building G, leading to the service yard in the north-east corner. All servicing activity associated with the student accommodation and café will be accommodated via a proposed inset layby on the northern side of Fifth Way. The new pedestrian crossing will provide a safe

point of crossing for such servicing activity.

257. Waste and emergency access to the southern parcel is proposed via an un-adopted privately owned service road that is accessed from First Way. Secondary pedestrian and cycle access to the site would also be gained via this service road. A number of the objections received object to the development utilising this private service road for access purposes (both during construction and then when in operation). Third parties who have an interest (legal or otherwise) in this service road have contested that the applicant has no legal right to use this road for access purposes. To address this the applicant provided details that seek to demonstrate the application site enjoys historic legal rights of access over this service road. It has been submitted the right of access enjoyed by the applicant is along the route leading from the south of the site to First Way, and copies of the title plan and register have been provided to evidence this. Though this access right was established historically the benefit of this passes to successors in title, which it is stated is why it continues to benefit the site and continues to be shown on register of title. It has also been evidenced that this historic Deed is also registered on the freehold title to that part of the access right route.
258. Private access rights are not typically material planning considerations, however in this case they give rise to matters that amount to material planning considerations (i.e. access). In consideration of the evidence provided by the applicant it is not clear what other form of evidence they could reasonably be expected to provide to demonstrate they have a right of access across the private road in question.
259. It has been recommended that improvements to this private service road be secured, however this cannot be secured through this application. The land (section of road) in question is outside of the red line boundary and is not within the applicant's ownership. There would need to be an agreement with neighbouring land owners / interested parties pertaining to this service road carry out any improvement works to it. However, it is not considered necessary to make the development acceptable in planning terms, that this private access road is improved. It is not the principal means of access serving the development. There is the potential for this access to be improved in the future, should adjoining sites to the east within the same site allocation, come forward for redevelopment and include this service road within their site.

#### *New bus stop and bus cage*

260. During the period of this application, a consultation exercise has been undertaken by TfL on the re-routing of bus services in the area, following the conversion of Fourth Way and Fifth Way to two-way operation. As a result there will be changes to routes 92, 206 and 440. To accommodate these routeing changes, TfL requires a new westbound bus stop along Fifth Way. The presence of a continuous dropped kerb fronting the Metro Trading Centre to the east and the presence of a high grass embankment to the west of the site limit the possible locations for the new bus stop, meaning that the only viable option is along the western half of this site.
261. The bus re-routeing proposals are supported by the Council's Transport Officer and will help to improve public transport access to this 'car-free' development to assist travel by students. It was therefore considered vital that the development layout accommodates this bus stop.
262. The revised proposals now incorporate a bus stop with a 25m long cage for two buses, along with a bus flag and shelter, to the western side of the southern site frontage. These are generally acceptable, although the width of the adopted footway at the back of the shelter should be increased further from 0.9m to 2m through the required Section 38 agreement.
263. Provision of the bus stop has necessitated the reconfiguration of previous on-street servicing and disabled parking proposals, as mentioned above, with a loading bay shown only on the northern side of the street and disabled parking relocated off-street.
264. TfL has confirmed the revised layout to be broadly acceptable, noting that some slight tweaks to the location of the bus stop and bus flag may be required, but this can be agreed at detailed design stage.

#### *Deliveries and Servicing*

265. The servicing strategy has been amended during the consideration of the application, largely in response to TfL's requirement for a new bus stop and bus cage, as referred to above. As a result inset loading bays have been consolidated to one, located on the northern side of Fifth Way. This bay has

been widened to facilitate a 10m rigid truck manoeuvre in and out. This bay is to accommodate servicing and deliveries associated with the proposed student accommodation and café uses only, as committed to in the submitted Delivery and Servicing Management Plan (DSMP). Estimated servicing vehicle trip generation indicates the loading bay has sufficient capacity to meet the student accommodation and café servicing needs. As noted above, the new pedestrian crossing will help facilitate safe and convenient access across Fifth Way, for deliveries.

266. All vehicle servicing generated by the light industrial floorspace, and refuse trips for the student accommodation (northern parcel only) will be restricted to the dedicated servicing yard located in the north-east corner of the northern parcel, accessed directly from Fifth Way. This will efficiently separate any servicing activity associated with the light industrial floorspace and pedestrians, reducing likelihood of any conflict.
267. The proposals seek to deliver the maximum re-provision of industrial uses as part of the redevelopment and the dedicated servicing yard is essential to achieve this. The yard will be used by future tenants of the 1,232sqm industrial floorspace, with the number of commercial occupiers not known at this stage. Servicing standards as set out in Appendix 5 of the Local Plan would typically require servicing by a full-size articulated lorry for units over 1,000sqm, which the site would be unable to accommodate, and it has been demonstrated that tracking for a 10m long vehicle would significantly reduce the quantum of industrial floorspace.
268. The Council's Transport Officer has noted the service yard is very limited in size and tracking has been provided for miniature refuse vehicles (6.6m in length). To address the limitations on servicing, the applicant states in their submitted DSMP that they propose to make it a condition of the lease that only vehicles with a maximum length of 6.7m and maximum width of 2.2m would be allowed to enter the service yard. This is further referenced within the submitted Operational Waste Management Strategy (OWMS). To ensure this commitment is carried through this restriction should be captured in the s106 agreement. It is also important that deliveries are scheduled so that no more than two vehicles need to access the service yard at any one time, this booking system will need to be reflected in a final DSMP, which shall be secured by condition.
269. The number of proposed delivery trips per day for the industrial floorspace is eight two-way trips, so with effective management through a DSMP, the access width would be fine, with small vans able to pass one another along the driveway (although larger vans would need to wait for other vehicles to leave before entering the site). Vehicle entrance to the service yard has not been identified as a highway safety concern in the submitted Stage 1 Road Safety Audit.
270. Measures are committed to in the submitted DSMP to prevent unauthorised vehicles from utilising the service yard, including vehicle height and length restrictions being written into any premises lease or work contract. Occupiers of the commercial space will be expected to strictly comply with these vehicle restrictions, and in the event they do not then the Council could enforce any breach of condition and/or planning obligation. Time restrictions will also be applied to users of the service yard, to help with the efficient use of this space, and this will be enforced and managed by on-site concierge / management. A 5mph speed limit will be enforced within the yard and service road to reduce potential for pedestrian conflict.
271. Access to the servicing yard can be controlled via demountable bollards positioned at an agreed point along the yard access road a sufficient distance from Fifth Way so that a vehicle can wait clear of the highway and of the public realm area fronting Fifth Way. Raising and lowering of these bollards when required would be the responsibility of the on-site management team. This detail can be confirmed as part of the final DSMP, secured by condition.
272. Owing to the small-scale nature of the industrial units, the size of vehicles that are envisaged to regularly service these are likely to be smaller than the maximum vehicle dimensions (likely 3.5t Panel Vans or similar), which the service yard can accommodate.
273. It should be noted also, the proposed development will also result in the displacement of the site's former use as a waste transfer facility, which will lead to the subsequent removal of the associated HGV movements from the local network. This would therefore represent a betterment.
274. Following further review Brent's Transport Officer has raised no further queries in relation to the deliveries and servicing strategy, subject to the condition that a final DSMP is submitted for approval. TfL welcomes the additional detail that has been provided, and would wish to see the on-site commitment

measures (as referred to above) secured through a DSMP condition, which shall also include a commitment to avoid deliveries during peak hours, in order to comply with London Plan policy T7.

#### *Emergency vehicle access*

275. The emergency vehicular access in the north west corner of the southern portion of the site has been reduced in width to cater for the 25.0m bus cage along the frontage. Swept path analysis provided with the TA Addendum (Technical Note 7681/04) illustrates that this access is not compromised. This access will be used solely by users of the 2no. disabled parking spaces and emergency vehicles, thus its usage will be minimal and will not impact on the operation of the bus stop. Access arrangements have been designed so that fire appliances enter the site from the south (via the existing private service road) and exit onto Fifth Way, removing the requirement for any fire appliance to turn on site. The correct use of this access will be secured through a Delivery and Servicing Plan condition. Fire appliance access to the northern parcel is easily achieved along the site frontage, where an inset loading bay is proposed off Fifth Way.

#### *Construction Logistics*

276. The applicant has submitted an updated *outline* Construction Logistics Plan (OCLP), drafted in line with TfL's guidance. The plan sets out the basis of site access and operation throughout the duration of the construction period, and this document shall be used as a reference point for a detailed CLP that will need to be developed at a later date.

277. Prior to the commencement of any works, the site will be registered with the Considerate Constructors Scheme, with a commitment to the Code of Considerate Practice. Proof of registration shall be submitted to the Council, which can be incorporated into a detailed CLP.

278. The OCLP details construction hours of operation (Mon-Fri 08:00 to 18:00 and Sat 08:00 to 13:00), commits to no works on Sundays or bank holidays (without prior consent), and that construction deliveries will only be permitted between the hours of 09:30 & 15:30 Mon to Fri. Please note that deliveries must also not be scheduled on Wembley Stadium event days within four hours of an event. The expected duration of the construction period is predicted to be c.38 months, though this is subject to change.

279. Expected vehicle routing details of construction vehicles travelling from the wider area are provided. For construction vehicles travelling from the south and north of the site, Fifth Way can be used. For construction vehicles requiring access to the southern parcel of the site these will be expected to travel via First Way, then utilise the private service road off First Way to enter the site at its southern most end. It is noted that some existing nearby businesses operating from the private service road, as well as nearby owners have submitted representations raising objection to the use of this private service road both from construction vehicles but also in the operational phase. These objections are on the basis the applicant has no legal right to access this private road, and that the use of this road during construction will be detrimental to the operation of existing businesses who rely on it for access. Additionally, that heavy construction vehicles passing over this will undermine the integrity of the road. As referred to previously, it is considered the applicant has provided details that reasonably demonstrate the application site enjoys access rights over this service road, notwithstanding that this is disputed by interested third parties. With any development of this scale there will be disruption in the locality during construction, however, this would disruption be temporary in nature and the impacts will be minimised and mitigated through implementation of a detailed CLP, which will be a live document subject to review. Engagement with surrounding business will be a feature written in to the CLP that the contractor will need to adhere to with a view to minimising disruption during construction. During the operation phase of the development the private service road would be used infrequently for refuse collection, or in the case of an emergency, accordingly any impacts would be significantly reduced.

280. The developer and appointed contractor will be expected to engage with the owners of the private service road and the businesses along it as part of the preparation of the detailed CLP, and final details of construction vehicle access arrangements which will be secured through this condition.

281. The OCLP indicates that construction vehicles are able to access and egress the site in a forward gear with a carriage drive type arrangement for the northern site and the southern site being accessed via the private service road off First Way and egressing from Fifth Way. This arrangement would negate the need for the closure of any footpaths or significant traffic management disruptions, which again is welcomed by the Council's Transport Officer. Some finer details have yet to be finalised, but this should

form the basis of a detailed CLP, to be secured by condition.

282. There are also commitments made in the OCLP to the following; the use of hoardings to secure the site, gating of accesses, accommodating deliveries and unloading off the carriageway, use of traffic marshalls / banksmen, wheel washing, booking slot for deliveries, collaboration with other development sites in the area (where feasible), implementation of a staff travel plan, measures to reduce noise and vibration, dust suppression, waste management and consideration has been given to potential impacts on nearby bus stops which will need to be addressed with TfL (if required).
283. Owing to the fact that full details regarding the demolition and construction methodology are not available at this stage, it is not possible to provide a detailed breakdown of vehicle movements by type and phase. Representative estimates of construction-related vehicle movements have been derived from a comparable student accommodation development (in London Borough of Tower Hamlets), and these estimates have been proportionally adjusted to take account of the size of the proposed development. It is estimated that site set up and demolition phase would generate 10 vehicle movements per day; foundation, basement, excavation and piling 16 per day; substructure 47 movements per day; superstructure 10 movements per day; cladding 10 movements per day and fit-out, testing and commissioning 59 per day.
284. There are no objections on Transport grounds to the OCLP, and a detailed CLP would be secured through a pre-commencement condition once a contractor has been appointed. The construction details are in line with London Plan policy T7. The detailed CLP should detail the full measures that would be implemented to minimise the impact on the surrounding transport network.

#### *Refuse*

285. The submitted OWMS estimates the level of waste expected to be generated, in addition to proposing a waste management strategy for the operational phase of the proposed development. Refuse trips will be conducted by private waste collection firms, with bi-weekly collection trips expected to serve the student accommodation.
286. The waste management strategy for the southern parcel proposes to accommodate storage within the basement, with refuse chutes included in the design to enable student residents to dispose of waste directly from the upper floors to these storage zones. A basement service corridor provides a route for servicing, including refuse movement.
287. The basement storage zones have been designed to accommodate the waste in a segregated and organised manner, this will make it easier for on-site management teams to collect the waste and store it in ground floor holding zones ready for collection vehicles. The proposal includes a managed system for corralling refuse containers into a centralised location, which will make it more convenient for refuse collection vehicles to access the waste. Another benefit of this arrangement is that by storing the refuse at basement level, pedestrian areas at ground are kept clear of service vehicles and refuse bins, improving the overall safety of the site as well as the amenity of it, plus ground floor space is freed up for more useful purposes.
288. Refuse pick up points are located at the northern roadside of Fifth Way and the southern most hard standing point of the site (close to building A), and there will be a managed system for moving of the refuse storage containers to the designated pickup locations.
289. Refuse collections for the southern parcel will be undertaken via a dedicated entrance accessed from an existing private servicing off First Way, which will be solely used for refuse and emergency vehicles. There is sufficient space for refuse vehicles to manoeuvre, turn and leave in forward gear, as confirmed by swept path analysis of 10m long refuse vehicles. Retractable bollards across the shared surface road within the site, adjacent to Core A, will prevent authorised access to the rest of the site.
290. Refuse collections for both the residential and industrial elements in the northern portion of the site will be undertaken by utilising the existing crossover off Fifth Way, with the refuse vehicle reversing to and stopping within an appropriate distance of the refuse lift that provides convenient access to the refuse store(s) located on the lower ground floor of buildings F and G.
291. With regard to refuse storage capacity, Brent's standards are a combined 120l per bedroom for refuse and recycling, giving a combined requirement for 91,080l (equivalent to 83 Eurobins). The southern holding area shows 48 Eurobins, whilst the northern holding area shows 35 Eurobins, thus providing

suitable site capacity.

292. The applicant has committed to the approval and implementation of a Waste Management Plan as part of the s106 agreement, including commitment to fund and arrange independent collections from the site. Collections for the private units must be entirely privately funded and arranged. Details of this will need to be set out in the final DSP to ensure there is consistency.

#### *Active Travel Zone, and Healthy Streets Assessment*

293. An Active Travel Zone assessment (ATZ), including a night-time ATZ assessment, which is part of TfL's Healthy Streets Assessment, has been submitted as part of the TA, in order to assess the quality of pedestrian and cycle links from the development site to points of interests, such as schools, shops and health centres, and assess how future users of the site will be able to make key journeys from the site to support car-free lifestyles.
294. For the purposes of assessment ATZ destinations have been consolidated into seven key routes and the assessment identifies potential improvements to pedestrian and cyclist accessibility, which includes routes through the west of the site along First Way.
295. The study also does provide some suggestions for improvements within the immediate vicinity, although many of these are proposed to be addressed with the implementation of already committed developments.
296. One further route that has now been addressed is Brent River Park and recommendations have been made to improve this link. A financial contribution of £50,000 from the scheme, for Healthy Streets improvements, which should be related to the scale of the development, is sought, and would need to be secured via the S106 Agreement. The applicant is agreeable to this contribution.

#### *Travel Plan*

297. To help to manage travel to and from the site by modes other than the car, the applicant has submitted workplace and residential Travel Plans (TP). The car free nature of the proposed development means vehicular trips would be naturally constrained in any event. The TP includes targets to increase cycling and walking trips over the course of five years (mostly at the expense of public transport trips). Progress towards these targets and the overall effectiveness of the TP will be monitored by a TP co-ordinator over the course of five years.
298. Transport officers consider the TP's to be acceptable, and their implementation can be secured by planning condition or obligation.

#### *Trip Generation and impact of proposed development*

299. The TA uses a combination of the TRICS database and 2011 Census Data to predict the potential multi-modal trip generation of the proposed development. As the development is proposed to be car-free, the majority of these trips would be walking, cycling or via public transport. It is predicted the greatest impact on travel modes as a result of the student accommodation is expected to be on the bus network (route 92 specifically), and for the commercial element this is expected to be on the London Underground (Metropolitan line eastbound from Wembley Park specifically). Despite this, the predicted increase on the Underground is considered likely to be well within the typical daily variation in peak hour passenger numbers and therefore would represent an imperceptible increase.
300. TfL has cited a potential underestimation of the impact that the proposed development is having on the surrounding transport network, namely the modal split applied and how it has been adjusted. It is understood to be the case that the approach to trip generation for the student accommodation was agreed by the Applicant with TfL as part of the pre-application process. TfL has confirmed that a contribution of £208,000 towards bus services should be secured within the S106 agreement to account for the increase in bus trips generated by the proposed development. This has been accepted by the Applicant and is reflected in the draft s106 head of terms.
301. TfL have noted the site's location within an area of high growth, where there is significant cumulative growth and seek contributions from all development in such areas to deliver improvements to the bus network to alleviate capacity issues, in line with London Plan policy T4. The contributions sought are proportionate to the development and based on the impact the development will be having on the

transport network. The TA Addendum submitted by the applicant indicates that the proposed development will have a significant impact on buses, generating a total of 31 and 32 bus trips during the AM and PM peak respectively. Based on the trip generation provided, a site specific contribution of £208,000 has been requested (calculated in line with the approach that has been used in other areas of Brent) to mitigate the development impacts, and this figure has been agreed between the applicant and TfL. This contribution would be secured through the s106 agreement.

302. Noting the car free nature of the proposed development it is not anticipated that this development will have an adverse impact on the surrounding strategic highway network in terms of trip generation.

#### *Student move-in / move-out arrangements*

303. It is reasonable to assume that there will be vehicular trips to and from the student accommodation at the start and end of term, when students either move into or out of their accommodation.

304. Prior to move in, welcome packs will be distributed electronically to all students. To manage the demand on administration and reception facilities, a time slot system for students will be included within the welcome packs. In the event that students and parents choose to ignore their particular time slot, site management will reserve the right to refuse access until the site can accept them. A managed system is proposed whereby students are allocated a time-slot (typically 30 minutes) to load / unload their associated vehicles from spaces allocated in the loading bay along Fifth Way. It is envisaged that a system of this nature will be regulated and managed by the site management company. Similar arrangements are employed at the neighbouring student accommodation (former Kelaty House, First Way).

305. The draft Student Management Plan (dated October 2024) submitted in support of the application sets out further details of how it is intended arrangements for this, and the vehicle movements associated would be managed so as to minimise potential highways disruption. Arrangements for student move-in/move-out periods, which is typically 2 weeks at the beginning of September for intake, will need to be confirmed as part of a final Student Management Plan. This shall be approved prior to occupation. Additionally, a detailed Delivery and Servicing Plan will be secured by condition, which should also address this point as part of the overall site wide Plan. Lastly, it is important to note that with move-in/move-out arrangements, these activities occur infrequently, so any impacts will be short and temporary in nature.

#### *Fifth Way highway works*

306. As referred above, the proposed westbound bus stop has been incorporated along the southern site frontage following extensive discussion with Brent Transport Officers and TfL. The amended design incorporates a loading bay (northern side of Fifth Way), new bus stop and pedestrian crossing and this arrangement has been subject to a Stage 1 Road Safety Audit.

307. A Section 38/278 agreement would need to be entered into under the Highways Act 1980 to secure highway works along the Fifth Way frontage of the site to include;

- Construction of a zebra crossing at the eastern end of the site;
- Construction of an 11m long loading bay with entry and exit splayed kerbs within the footway fronting the northern side of the site;
- Alterations to any westbound bus stop at the western end of the site to provide a 25m long bus cage, a bus shelter and a bus stop flag;
- Widening of the footways fronting the northern and southern sides of the site to retain a minimum footway width of 3m;
- Construction of a footway crossover at the eastern end of the northern side to facilitate access to the proposed service yard;
- Removal of all existing crossovers to the site (that are to be redundant) and repaving of the footways fronting the site, together with
- All associated adjustments to lining, sighting, lighting and drainage and any resultant changes to Traffic Regulation Orders and any ancillary or accommodation works or works to statutory undertakers' equipment arising through the above works, all in general accordance with drawing 7681/210C



## *Conclusion*

308. A car-free development is acceptable in this location and adequate cycle parking provision would be made, together with appropriate arrangements for deliveries and servicing to be undertaken without affecting the flow of traffic on the local highway network, and other managed arrangements for within the site itself in order to minimise movement within the site at the expense of the new public realm and amenity areas. The site layout also facilitates new bus infrastructure, as required by TfL, and improved east-west and south-north connectivity and movement for pedestrians and cyclists. Subject to the conditions and planning obligations recommended, including those sought by TfL, as discussed above, and any financial contributions requested being secured through the s106 agreement, the proposal is considered to be acceptable in transport terms.

## **Employment, Skills & Training**

309. London Plan policy E11 states that development proposals should support employment, skills development, apprenticeships, and other education and training opportunities in both the construction and end-use phases, including through Section 106 obligations where appropriate. Brent Local Plan policy BE1 also supports such opportunities being provided through new developments. Brent's Planning Obligations SPD also seeks to maximise employment and skills opportunities for the boroughs residents.

310. As required by policy, the development will secure an Employment and Training Plan for the provision of training, skills and employment initiatives for residents of the Borough relating to the construction phase and operational phase of the Development. This plan, along with associated support fees will be secured as one of the s106 obligations, and will be a benefit of the proposals.

## **Equalities**

311. 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).

## **Environmental Impact Assessment**

312. At pre-application stage the applicants submitted a formal request to the Council for an Environmental Impact Assessment Scoping Opinion. On 30 June 2022, the local planning authority published its Scoping Opinion, which confirmed the proposed development is not considered to be EIA development.

## **Conclusion**

313. Following the above discussion, officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to conditions and completion of Section 106 Agreement.

314. The proposed development would make efficient use of the land, a brownfield site, in a sustainable location, this is in line with national, regional and local policy and is an appropriate form of mixed-use development within Wembley Growth Area, consistent with the overarching aims of site allocation policy BCSA9. Loss of the existing safeguarded waste use has been justified and the maximum re-provision of industrial floorspace is included.

315. The provision of student accommodation positively contributes to meeting the identified strategic London wide need for this type of accommodation. It will also contribute towards housing targets within the borough. No less than 50% of the student accommodation will be secured as affordable accommodation, by s106 agreement.

316. The site is identified as an appropriate location in the borough where tall buildings can be located, and the proposed scale and massing of the buildings would relate well to the site's edge of tall building zone location, as well as appropriately responding to the established and emerging context, where tall buildings already feature in a number of locations. No harm has been identified to designated heritage assets. As the report acknowledges, owing to the shape of the site, its particular constraints and the dense urban pattern of development in the locality, both established and emerging, there is expected

to be some adverse effects on daylight and sunlight conditions to some existing residential properties (mostly nearby student accommodation), as well as to other site's coming potentially coming forward in the future in the immediate vicinity. As the report acknowledges these adverse effects would be noticeable in some cases, but commensurate with development of this form which seeks to make efficient use of the land within this high density urban environment, and such effects which are to be expected. These effects as well as other planning harm identified must be balanced against the overall planning benefits of the proposal.

317. Post development, a measurable net gain in biodiversity and urban greening factor will be achieved and the development will facilitate improved east-west connectivity, new permissive routes and new public realm, which will all be beneficial. Economic benefits will result directly through the industrial floorspace being delivered and also through indirect benefits that would be felt locally from the development (both during construction and operation). Employment, skills and training commitments secured in the s106 agreement would be a benefit locally.
318. As a car free development this will help ensure the development is sustainable, and it promotes non-car modes of travel. New bus and pedestrian infrastructure in the locality will be a benefit.
319. The energy strategy demonstrates a 32% reduction in regulated carbon emissions will be achieved, though this does represent a shortfall against the 35% reduction target, this, combined with the carbon offset contribution would help the policy target to achieve net zero. This combined with the wider sustainability strategy, including the SUDS strategy and improved run off rates will be a benefit.
320. Overall, and on balance, the impacts associated with the proposed development would it is considered be clearly outweighed by the overall planning benefits that would follow, including those identified above.



**DRAFT NOTICE**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

**DECISION NOTICE – APPROVAL**

Application No: 23/1426

To: Miss Higgitt  
Savills  
33 Margaret Street  
London  
W1G 0JD

I refer to your application dated **17/04/2023** proposing the following:

Demolition of existing buildings and structures and erection of up to seven buildings ranging in height from 5 to 15 storeys to provide purpose built student accommodation (Use Class Sui Generis), light industrial (Use Class E(g)(iii)) and cafe (Use Class E(a)) floorspace, car and cycle parking, amenity space (internal & external), new public realm, landscaping, alterations to vehicular access, highway works and other associated works. **(REVISED plans and supporting technical information received)**

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

at **Glynns Skip Hire, Fifth Way, Wembley, HA9 0JD**

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: 05/11/2024

Signature:

**David Glover**  
Head of Planning and Development Services

**Notes**

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework (2023)  
London Plan (2021)  
Brent Local Plan (2019-2041)  
West London Waste Plan (2015)

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

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

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

**Existing:**

1557-BUJ-ZZ-ZZ-DR-A-0001 - Existing Site Plan  
1557-BUJ-ZZ-ZZ-DR-A-0004 - Site Demolition Plan  
1557-BUJ-ZZ-ZZ-DR-A-0000 - Site Location Plan – Rev A

**Proposed:**

1557-BUJ-ZZ-ZZ-DR-A-0002 - Proposed Site Plan – Rev G  
1557-BUJ-ZZ-ZZ-DR-A-0003 - Site Block Plan – Rev D  
1557-BUJ-ZZ-ZZ-DR-A-0005 - Proposed Area Plan – Rev C  
1557-BUJ-ZZ-ZZ-DR-A-0050 - Illustrative Site Plan and Section – Rev A  
1557-BUJ-ZZ-00-DR-A-0100 - South Block Ground-Basement Floor Plans – Rev H  
1557-BUJ-ZZ-01-DR-A-0101 - South Block First-Third Floor Plans – Rev D  
1557-BUJ-ZZ-04-DR-A-0102 - South Block Fourth-Sixth Floor Plans – Rev D  
1557-BUJ-ZZ-07-DR-A-0103 - South Block Seventh-Ninth Floor Plans – Rev C  
1557-BUJ-ZZ-10-DR-A-0104 - South Block Tenth-Twelfth Floor Plans – Rev C  
1557-BUJ-ZZ-13-DR-A-0105 - South Block Thirteenth Floor and Roof Plans – Rev C  
1557-BUJ-ZZ-00-DR-A-0120 - North Block Lower Ground, Ground and Mezzanine Floor Plans – Rev I  
1557-BUJ-ZZ-01-DR-A-0121 - North Block First-Eight Floor Plans – Rev E  
1557-BUJ-ZZ-10-DR-A-0122 - North Block Ninth-Eleventh Floor Plans – Rev C  
1557-BUJ-ZZ-13-DR-A-0123 - North Block Twelfth-Fifteenth Floor Plans – Rev C  
1557-BUJ-ZZ-ZZ-DR-A-0200 - Proposed South Block East/West Elevations - Rev A  
1557-BUJ-ZZ-ZZ-DR-A-0201 - Proposed South Block North/South Elevations – Rev A

1557-BUJ-ZZ-ZZ-DR-A-0202 - Proposed North Block East/South Elevations – Rev A

1557-BUJ-ZZ-ZZ-DR-A-0203 - Proposed North Block North/West Elevations – Rev A

1557-BUJ-ZZ-ZZ-DR-A-0230 - 3D View 1 – Rev A

1557-BUJ-ZZ-ZZ-DR-A-0231 - 3D View 2 – Rev A

1557-BUJ-ZZ-ZZ-DR-A-0300 - Site Sections A-D – Rev A

1557-BUJ-ZZ-ZZ-DR-A-0301 - Site Sections F-G – Rev A

1557-BUJ-ZZ-ZZ-DR-A-0302 - Sections North Block – Rev B

**Supporting documents:**

Landscape Strategy - PLA 0039 SD 1002 R07

Illustrative Landscape Plan - PLA 0039 SD 102 R02

Design & Access Statement (April 2023) and Addendum (February 2024)

Technical Note - 7681/01 (Flood Risk & Sustainable Drainage)

Flood Risk Assessment and Drainage Strategy issue 5 (January 2024), prepared by Cole Easdon,

Arboricultural Report, including AIA and Tree Survey, prepared by GRS Arboricultural Consultant Ltd (dated February 2024)

Noise and Vibration Impact Assessment (April 2023)

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

- 3 The student accommodation hereby approved shall not be occupied other than by Students for a period of not less than 38 weeks in any year unless otherwise agreed in writing by the Local Planning Authority. For the purpose of this condition, Students are defined as any person enrolled on a full time UK accredited and based further education course at a recognised higher education institution for not less than 80 % of the course time unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the accommodation meets an identified need and contributes towards a balanced community.

- 4 The development hereby approved shall contain 759 student bedspaces, as detailed in the drawings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

- 5 The development hereby approved shall be built so that no fewer than 10% of the student bed rooms / bed spaces are provided as accessible rooms. These rooms shall be maintained as accessible for wheelchair users for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development achieves an inclusive design.

- 6 The development hereby approved shall be built so that no less than 1,232 sqm of industrial floorspace Class E(g) (iii), and no greater than 100 sqm of Class E(b) floorspace is provided, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure maximum re-provision of industrial floorspace is provided and to limit the quantum of Class E(b) floorspace outside of a town centre.

- 7 The two disabled parking spaces located adjacent to buildings D and E shall be provided prior to occupation and provided with electric vehicle charging infrastructure from the outset. This

charging infrastructure shall be permanently maintained thereafter for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

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

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

Reason: To protect local amenity and air quality in accordance with Brent Policy BSUI2 and London Plan policy SI 1.

- 9 The development hereby approved shall be carried out fully in accordance with the approved Arboricultural Report, including AIA and Tree Survey, prepared by GRS Arboricultural Consultant Ltd (dated February 2024), unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure adequate consideration for trees, in accordance with Brent Policy BGI2.

- 10 The development hereby approved shall be carried out fully in accordance with the Ecological Impact Assessment, including Biodiversity Net Gain Assessment, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the ecological and biodiversity value of the site, having regard to Local Plan policies DMP1, BGI1, BGI2 and London Plan policy G6.

- 11 The development hereby approved shall be carried out fully in accordance with the approved Flood Risk Assessment and Drainage Strategy, issue 5 (January 2024), prepared by Cole Easdon, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate arrangements for drainage of the site, in accordance with London Plan Policy SI13 and Brent Local Plan Policies BSUI3 and BSUI4.

- 12 The cycle storage, refuse storage and all internal and external areas for communal use by students shall be installed in accordance with the approved plans (or as otherwise agreed in writing by the Local Planning Authority) prior to occupation of each block hereby approved and thereafter retained and maintained for the life of the development and not used other than for purposes ancillary to the occupation of the building hereby approved.

Reason: To encourage sustainable forms of transportation in the interest of highway flow and safety and to ensure an acceptable form of development.

- 13 All internal and external communal amenity spaces located on the ground floor of the development hereby approved shall be made available to all students, regardless of the type of their accommodation, or the building they reside in.

Reason: In the interests of proper planning and to ensure an equitable distribution of amenity space for future residents.

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

Reason: In order to ensure a sustainable development by minimising water consumption in compliance with London Plan Policy SI 5 and Brent Policy BSUI4.

- 15 No less than 50% of the area of the glazing on the ground floor of the building facades shall be kept free from anything that would obscure views through the glazing, including but not limited to applied lettering and screens, posters, and screens set behind the glazing, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory standard of development that maintains natural surveillance across the site.

- 16 The doors of buildings F and G at ground floor level shall be designed so that they do not open outwards.

Reason: In the interests of the free and safe flow of pedestrians and highway safety.

- 17 The development hereby approved shall contain 1, 332 sqm of commercial floorspace which shall not be used other than for purposes within Class E(G)(iii), no less than 1, 232 sqm, and Class E(b), no greater than 100 sqm, unless otherwise agreed in writing by the Local Planning Authority, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification).

Reason: In the interests of proper planning and to ensure the adequate provision of employment floorspace and industrial capacity within the borough, and to ensure that the Class E (b) quantum is at a level that is considered to be acceptable for the site and its locality in accordance with London Plan and Brent Local Plan policies.

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

- how construction would be carefully co-ordinated with the construction operations of other development projects in the area, and key stakeholders, including the stadium, and shall ensure that no construction deliveries take place between four hours prior to the start of an event, to four hours after the end of an event ;
- a pre-commencement photographic condition survey of the roads, footways and verges immediately adjacent to the site (including private service road to the south);
- proposed engagement strategy with nearby businesses and measures to be implemented to minimise disruption on these during the construction phase;
- how the majority of construction vehicles would be routed to the site and how impacts on the private service road, off First Way, will be minimised;
- how construction vehicles would be managed so as to prevent any undue obstruction to Fifth Way and associated bus routes:
- how vulnerable road users will be protected during the construction phase;
- how site access for vehicles will be managed during the construction phase;
- the construction programme, forecast construction trip generation (daily) and mitigation proposed;
- the site set up and access arrangements and vehicle booking systems (to avoid peak hours and stadium events)
- construction phasing and details of times when the use of a crane(s) would be required;

- parking of vehicles of site operatives and visitors;
- storage of plant and materials used during the construction period;
- wheel washing facilities and a scheme of road cleaning along construction routes;
- a Construction Management Plan written in accordance with the 'London Best Practice Guidance: The control of dust and emission from construction and demolition';
- any temporary lighting;
- protection of the carriageway and any footway users at all times during construction;
- erection of hoardings, security fencing and scaffolding;
- size and siting of any temporary buildings;
- banksmen / traffic marshal arrangements;
- contact details of personnel responsible for the construction works

The development shall thereafter be constructed fully in accordance with the approved Construction Logistics Plan, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development is constructed in an acceptable manner and to accord with London Plan Policy T7.

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

- 19 Prior to the commencement of development (other than demolition, site clearance and enabling works) further details of a Window Obscure Glazing Strategy shall be submitted to and approved in writing by the Local Planning Authority to identify and confirm which windows within the development shall be obscurely glazed and/or high-level opening only.

Thereafter the development shall be implemented fully in accordance with the approved Strategy and maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise potential effects on nearby sites and in the interests of future residential amenity.

- 20 Prior to the commencement of above ground works (other than demolition, site clearance and laying and enabling works), detailed plans showing and confirming the arrangement of cycle parking / storage within the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

The submitted details shall set out the following minimum cycle parking/storage provision to be achieved:

- (i) 609 cycle parking spaces to be provided overall, including number of short-stay cycle parking spaces surrounding the perimeter of the building(s);
- (ii) A suitably sized lift(s) to allow cycle access to the basement cycle stores;
- (iii) Minimum of 5% accessible cycle spaces;
- (iv) Details of end of journey facilities (showers, lockers and changing facilities) for staff travelling by bike;

The cycle parking details shall be compliant with London Plan standards (Including London Cycling Design Standards).

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

Reason: To ensure that the development is fit for purpose and adequately provides for and encourages uptake of cycling among building users, in accordance with London Plan Policy T5.

- 21 Prior to the commencement of above ground works (other than demolition, site clearance and



enabling works), revised plans shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the external doors to the cycle stores are to be widened to at least 1.2m and automated to enable access by adaptable cycles, and that the lift cages to access the bike stores in Blocks C, F & G are to measure at least 1.2m x 2.3m. Thereafter the development shall be carried out in accordance with the approved details and retained as approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is fit for purpose and adequately provides for and encourages uptake of cycling among building users, in accordance with London Plan Policy T5.

- 22 Prior to the commencement of development (other than demolition, site clearance and enabling works) a final Acoustic Glazing Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall confirm the recommended mitigation measures, as set out in the submitted Noise and Vibration Impact Assessment (April 2023), and any others considered necessary, will be implemented to minimise noise impacts.

The development shall be carried out in accordance with the approved Strategy, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the comfort of future residential occupiers.

- 23 (a) Prior to the commencement of the development hereby approved (including demolition, site clearance and enabling works) a detailed Construction Method Statement shall be submitted to and agreed in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise, vibration, air quality and other environmental impacts of the development, whilst it is being constructed.

This shall include details of the appointment of a Construction Liaison Officer to take primary responsibility for day-to-day contact on construction / environmental related matters for the borough, other external bodies as well as the general public.

(b) In addition, measures to control emissions during the demolition, site clearance, enabling works and construction phase(s) should be written into an Air Quality and Dust Management Plan (AQDMP), or form part of a Construction Environmental Management Plan (CEMP), in line with the requirements of the 'Control of Dust and Emissions during Construction and Demolition SPG'. The AQDMP (or CEMP) should also be submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be constructed in accordance with the approved Construction Method Statement, and AQDMP (or CEMP), together with the measures and monitoring protocols implemented throughout the demolition, site clearance, site enabling works and construction phase(s), unless otherwise agreed in writing by the Local Planning Authority.

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

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

- 24 Prior to the commencement of the development hereby approved (including demolition, site clearance and enabling works) details of the security measures to be incorporated into the development shall be submitted to and approved in writing by the Local Planning Authority, to demonstrate that reasonable endeavours have been used to achieved Secured by Design accreditation, to silver, in order to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design.

The development shall be implemented in accordance with the approved security details prior to first occupation and maintained for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development maintains and enhances community safety in accordance with Policy DMP1 of the Local Plan.

- 25 Prior to the commencement of development hereby approved (other than demolition, site clearance and enabling works), details of how the development is designed to allow future connection to a district heating network should one become available, shall be submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be completed in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

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

- 26 Prior to the commencement of development (other than demolition, site clearance and enabling works) a final Overheating Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall confirm the recommended mitigation measures, as set out in the submitted Overheating Assessment (part of the Energy Strategy, April 2024) and any others considered necessary, will be implemented to minimise overheating risk.

The development shall be carried out fully in accordance with the approved Strategy, unless otherwise agreed in writing by the local planning authority.

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

- 27 Prior to commencement of development above ground, details for the provision of a communal television system / satellite dish shall be submitted to the Local Planning Authority for approval in writing. The development shall only be undertaken in accordance with the approved details thereafter, which shall be retained for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To mitigate the possibility of numerous satellite dishes being installed on the development hereby approved in the interests of the visual appearance of the development, in particular, and the locality in general.

- 28 Within three months of the commencement of above ground works full details of the proposed Marketing Strategy for the Class E(g) (iii) element, which shall be applicable for lettings to be secured within the first three years post completion (or for first lets should they occur later than this time), shall be submitted to and approved in writing by the Local Planning Authority. Details provided should cover, but not be limited to:

- a. the minimum level of fit out proposed. If the level of fit out proposed would require significant financial outlay prior to occupiers moving in, this should be reflected in incentives such as rent free periods and / or lower rent levels to ensure that the space is commercially viable to prospective occupants (and this should be confirmed by a professional agent),
- b. how the premises will be marketed exclusively for E(g)(iii) Class use,
- c. the pricing strategy proposed,
- d. identification of potential operators or occupiers and how and when they will be targeted,
- e. an indicative timetable for different stages of the marketing process,
- f. the length of the anticipated void period once completed and a strategy for how this will be managed, and
- g. any incentives to be offered to attract initial occupiers, such as a rent free or reduced rent period and/or flexible lease terms, such as shorter lease durations and/or favourable options to renew or extend.

The marketing of the Class E(G) (iii) element shall be carried out in full accordance with the

approved Strategy thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of securing adequate re-provision of industrial floorspace, in accordance with Brent Local Plan policy BE2.

- 29 Prior to the installation of any external lighting, details of such lighting shall be submitted to and approved in writing by the Local Planning Authority. This shall include, but is not limited to, details of the lighting fixtures, luminance levels within and adjoining the site, as well as any ecological sensitivity measures that form a part of the lighting strategy, and a lux plan indicating any light spill. Details of future maintenance arrangements shall also be provided. The lighting shall not be installed other than in accordance with the approved strategy, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of safety and the amenities of the area, including residential amenity.

- 30 Prior to the commencement of development (other than demolition, site clearance and enabling works) a scheme of sound insulation measures shall be submitted to the Local Planning Authority for approval. The insulation of the separating floor(s) between the industrial / commercial use(s) and the student accommodation above shall be designed to meet the standards of Building Regulations Approved Document E '*Resistance to the passage of sound*'. The approved measures shall thereafter be implemented in full.

Reason: To obtain required sound insulation and prevent noise nuisance in the interest of the amenity of future occupants.

- 31 In the event that one or more of the industrial / commercial uses hereby approved are occupied by a business / operator that makes use of odour control and / or extract ventilation systems, details of such equipment, including all details of any external or internal ducting and measures to minimise noise and vibration impacts when in use shall be submitted to the Local Planning Authority for approval in writing.

The approved equipment shall thereafter be operated at all times and maintained in accordance with the manufacturer's instructions.

Reason: in the interest of neighbour amenity and to ensure an acceptable appearance of the development is maintained in the interest of visual amenity.

- 32 Prior to commencement of development hereby approved (excluding demolition, site clearance and the laying of foundations), detailed plans shall be submitted to and approved in writing by the Local Planning Authority demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development (each of the buildings). The development shall be carried out in accordance with these plans and maintained as such in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

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

- 33 Prior to commencement of development above ground for each building hereby approved, details of materials for all external work to the respective building(s), including samples / sample boards to be made available on site for inspection, shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include but not be limited to:

- a. Building envelope materials (including bricks and cladding)
- b. Windows, doors, glazing systems including colour samples; and
- c. Balconies, balustrades and screens

The work shall be carried out in accordance with the approved details thereafter, unless otherwise agreed in writing by the Local Planning Authority.

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

- 34 No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken fully in accordance with the terms of the approved Statement, unless otherwise agreed in writing by the Local Planning Authority.

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

- 35 Prior to first occupation of the student accommodation hereby approved, an updated (final) Student Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The updated plan shall include but is not limited to;

- details of the student accommodation management provider appointed to manage the student accommodation;
- details of a dedicated community liaison contact for the development, and procedures for reporting of noise/nuisance complaints associated with the approved use;
- details of how students would be encouraged and facilitated to recycle waste where practical to do so;
- details of how access to communal student spaces including external areas, refuse and cycle storage areas will be managed and how these areas will be maintained;
- details of access control measures to ensure safety of students and other users of the building;
- details of management arrangements for student move in / out procedures so as to minimise impact on the highway network, any unauthorised use of the service yard to the north-east of building G and to and prevent congestion during these periods;
- details of on-site staff presence 24/7;
- details of how deliveries will be managed;
- emergency contact details and procedures to be employed during an emergency event;
- CCTV provision;

As well as any other information considered relevant to the management of the student accommodation.

The approved Student Management Plan shall be implemented for the lifetime of the development from first occupation of the student accommodation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is appropriately managed to minimise potential detrimental impacts on surrounding properties.

- 36 Prior to installation of any of the drainage / SuDs systems hereby approved, a Whole-life Management and Maintenance Plan for the drainage / SuDS system shall be submitted to and approved in writing by the Local Planning Authority.

This Plan shall set out how and when to maintain the full drainage system (e.g. a maintenance schedule for each drainage / SUDS component), with details of who is responsible for carrying out the maintenance. The approved Plan shall subsequently be implemented in accordance with the approved details for the lifetime of the development, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure adequate management and maintenance arrangements for drainage of the site, in accordance with London Plan Policy SI13 and Brent Local Plan Policies BSUI3 and BSUI4.

- 37 Within six months from practical completion of the non-domestic floorspace hereby approved, a revised BREEAM Assessment and Post Construction Certificate, demonstrating compliance with the BREEAM Certification Process for non-domestic buildings and the achievement of a BREEAM 'Excellent' rating as a minimum, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the non-domestic floorspace is constructed in accordance with sustainable design and construction principles, in accordance with Brent Local Plan Policy BSUI1.

- 38 Prior to occupation further details of the PV strategy to demonstrate that the PV array has been maximised, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the PV array shall be installed and maintained in accordance with the approved Strategy for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

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

- 39 Prior to occupation an updated BRUKL assessment shall be submitted to and approved in writing by the Local Planning Authority which shall demonstrate how the developments cooling demand has been further reduced, with the intention to be lower than the notional building.

Reason: In the interests of sustainable development.

- 40 Prior to the occupation of the development, the post-construction tab of the GLA's Whole Life-Cycle Carbon Assessment template should be completed in line with the GLA's Whole Life-Cycle Carbon Assessment Guidance. Together with any supporting information, it should be submitted to, and approved by the Local Planning Authority in writing.

Reason: In the interests of sustainable development and to maximise on-site carbon dioxide savings Whole Life-Cycle Carbon assessment informative Once the GLA's Whole Life-Cycle Carbon Assessment is approved by the LPA, the Applicant should provide this Assessment together with any supporting information to the GLA at: [ZeroCarbonPlanning@london.gov.uk](mailto:ZeroCarbonPlanning@london.gov.uk).

- 41 Prior to the occupation of the development, a post-construction monitoring report should be completed in line with the GLA's Circular Economy Statement Guidance. The report should be submitted to and approved by the Local Planning Authority in writing.

Reason: In order to maximise the re-use of materials and in the interests of sustainable waste management.' [order of reason reversed to emphasise CE over waste] Post-construction monitoring report informative Once the Post-Construction Monitoring report is approved by the LPA, the Applicant should provide the approved post-construction monitoring report and any supporting information to the GLA at [circulareconomystatements@london.gov.uk](mailto:circulareconomystatements@london.gov.uk)

- 42 Prior to commencement of relevant landscape works for the development hereby approved a detailed landscaping scheme and implementation programme shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme and implementation programme shall be completed in full, either:-

(a) prior to use or occupation of the relevant buildings, in respect of all hard landscaping elements and boundary treatments;

(b) during the first available planting season following completion of the relevant buildings hereby approved, in respect of all soft landscaping elements, unless alternative timings are agreed.

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

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

- i. Proposed materials for all hard surfaces and the permeable qualities (including colour finishes);
- ii. Species, sizes, locations and densities for all trees (and tree pits where relevant), shrubs, planting and a detailed implementation programme;
- iii. Materials and size of all raised planters and trellises;
- iv. All external furniture, benches, tiered seating and informal seating (including location and type of cycle parking stands in landscaped / public realm areas);
- v. All biodiversity enhancement measures;
- vi. Existing and proposed functional services above and below ground in relation to proposed landscaping (e.g. drainage, power, communications, shared ducting provision);
- vii. Details to demonstrate compliance with the proposed Urban Greening Factor score of 0.40, as shown indicatively on drg number PLA 0039 SD 102 RO2;
- viii. A detailed Landscape Management and Maintenance Plan setting out details of the proposed arrangements for maintenance of the landscaping, including management responsibilities in perpetuity;
- ix. Any external CCTV installations
- x. All raised edges, including locations, in order to protect planted / landscaped areas from vehicle damage;
- xi. Proposed retractable bollards;
- xii. All boundary treatments, including fencing, gates, retaining structures and other means of enclosure (including the above ground external amenity levels), indicating materials, position and heights, and details to confirm the extent of the western site boundary (for the southern site) that is to remain open and permeable. The open and permeable sections of the western site boundary (for the southern site) shall be maintained in accordance with the approved details for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority;
- xiii. Soil depth and composition of green biodiverse roof areas, and details of their future maintenance.

If within 5 years of the installation of a green roof, any planting forming part of the green roof shall die, be removed, or become seriously damaged or diseased, then this planting shall be replaced in the next planting season with planting of a similar size and species, unless otherwise agreed in writing with the Local Planning Authority.

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

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

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

The plant shall thereafter be installed and maintained in accordance with the approved details.

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

- 44 Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full. A verification report shall be provided to the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

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

- 45 Prior to first occupation or use of the development hereby approved, a detailed Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority. This Plan shall set out measures to ensure that all delivery and servicing activities associated with students moving into and out of the development can be safely accommodated without adversely affecting conditions on the highway network, or pedestrian safety in the area, and commit to a concierge for all student accommodation deliveries..

Details of how access for delivery vehicles to the service yard to the north-east of building G are to be safely accommodated and managed on site shall also be provided. This shall include details of an advanced delivery booking system and measures to prevent unauthorised vehicle access to this yard, including vehicles with a maximum length of 6.7m and maximum width of 2.2m to be allowed to enter the service yard and a maximum of two vehicles at any one time to enter the yard.

Furthermore, the Plan shall also set out measures to demonstrate how vehicle access to the southern most end of the (southern) site will be controlled / restricted, to ensure vehicle access is only permitted for certain delivery and servicing activities. As well as further details of the retractable bollards to be used on site and how these will be effectively managed.

All delivery and servicing activity associated with the development hereby approved shall thereafter be carried out, and the development operated in accordance with the approved Plan, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that all delivery and servicing activities can be safely accommodated without adversely affecting conditions on the highway network or pedestrian safety, in accordance with London Plan Policy T7 and Brent Local Plan Policy BT3.

## INFORMATIVES

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

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

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

**4** - If the development is carried out it will be necessary for a crossing to be formed over the public highway by the Council as Highway Authority. This will be done at the applicant's expense in accordance with Section 184 of the Highways Act 1980. Application for such works should be made to the Council's Highways Team.

The grant of planning permission, whether by the Local Planning Authority or on appeal, does not indicate that consent will be given under the Highways Act.

**5** - Prior consent may be required under the Town and Country Planning (Control of Advertisements) Regulations 1990 for the erection of any

- (a) illuminated fascia signs
- (b) projecting box signs
- (c) advertising signs
- (d) hoardings

**6** - Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building(s) are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.

**7** - The following highways licences may be required: crane licence, hoarding licence, on-street parking suspensions. The applicant must check and follow the processes and apply to the Highway Authority.

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

**9** - Secure by Design advice is that standard BS 5489-1:2020 is to be achieved for external lighting.

**10** - There are public sewers crossing or close to your development. If you're planning significant work near Thames Water sewers, it's important that you minimize the risk of damage. You will need to check that your development doesn't limit repair or maintenance activities, or inhibit the services Thames Water provide in any other way. The applicant is advised to read the following guide working near or diverting Thames Water pipes.

[https://urldefense.com/v3/\\_\\_https://www.thameswater.co.uk/developers/larger-scaleddevelopments/planning-our-development/working-near-our-pipes\\_\\_;!!CVb4j\\_0G!T6NC5eyXTZ5yLsj4ltd7w-AcYfFUMfICqbzki4-huYcdolZHm3cLPtZwbOILcKdliWrJhapQ9p0uYvC8oxJ3aQOnI84IbLU\\$](https://urldefense.com/v3/__https://www.thameswater.co.uk/developers/larger-scaleddevelopments/planning-our-development/working-near-our-pipes__;!!CVb4j_0G!T6NC5eyXTZ5yLsj4ltd7w-AcYfFUMfICqbzki4-huYcdolZHm3cLPtZwbOILcKdliWrJhapQ9p0uYvC8oxJ3aQOnI84IbLU$)

**11** - As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions.

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk) . Application forms should be completed on line via

[https://urldefense.com/v3/\\_\\_http://www.thameswater.co.uk\\_\\_;!!CVb4j\\_0G!T6NC5eyXTZ5yLsj4ltd7w-AcYfFUMfICqbzki4-huYcdolZHm3cLPtZwbOILcKdliWrJhapQ9p0uYvC8oxJ3aQOny-bzpwC\\$](https://urldefense.com/v3/__http://www.thameswater.co.uk__;!!CVb4j_0G!T6NC5eyXTZ5yLsj4ltd7w-AcYfFUMfICqbzki4-huYcdolZHm3cLPtZwbOILcKdliWrJhapQ9p0uYvC8oxJ3aQOny-bzpwC$) . Please refer to the Wholesale; Business customers; Groundwater discharges section.



## COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

13 November, 2024  
05  
23/3250

## SITE INFORMATION

RECEIVED	10 October, 2023
WARD	Wembley Hill
PLANNING AREA	Brent Connects Wembley
LOCATION	1-11 Elm Road and 10-12 St Johns Road, Wembley, HA9
PROPOSAL	Demolition of existing hotel building and community centre and erection of a part 6, part 8 and part 10 storey 318 room aparthotel plus basement accommodation with associated ancillary facilities, community floorspace (Use Class F1/F2), servicing, landscaping and cycle and refuse storage
PLAN NO'S	See condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u><a href="#">When viewing this on an Electronic Device</a></u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_166545">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_166545</a></p> <p><b><u><a href="#">When viewing this as an Hard Copy</a></u></b></p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"> <li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li> <li>2. Select Planning and conduct a search tying "23/3250" (i.e. Case Reference) into the search Box</li> <li>3. Click on "View Documents" tab</li> </ol>

## RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to the application's referral to the Mayor of London (stage 2 referral) and the prior completion of a legal agreement to secure the following planning obligations:

1. Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance.
2. Notification of material start 28 days prior to commencement.
3. Financial Contribution of £16,000 towards the removal of two off site street trees and the planting of four off-site street trees and their maintenance within the vicinity of the site.
4. Training and employment of Brent residents - Prior to a material start:
  - a. To inform Brent Works in writing of the projected number of construction jobs and training opportunities and provide a copy of the Schedule of Works;
  - b. To prepare and submit for the Council's approval an Employment Training Plan for the provision of training, skills and employment initiatives for residents of the Borough relating to the construction phase and operational phase of the development with a financial contribution towards any shortfalls in targets as set out within Brent's Planning Obligations SPD;
  - c. Financial contribution of £80,750 to Brent Works for job brokerage services.
5. Submission and approval in writing of a Travel Plan based upon the submitted framework within 6 months of the Hotel opening.
6. S38/278 highways works under the Highways Act 1980 to provide:
  - Amendments to the crossovers to the development including widening of the existing crossover to serve the proposed loading bay, removal of the existing redundant crossover from St. John's Road to the hotel and reinstatement to footway with full-height kerbs and associated amendments to the on-street parking bays.

AND

- Highway improvement works at the junction of Elm Road/St. John's Road in line with the proposals shown on drawing 3676-LBA-XX-00-DR-L-200002/P9 contained within the s106 Agreement for the development at 6 St. John's Road (LPA Ref: 21/4155) OR a financial contribution of £50,000 towards highway improvements in the vicinity of the site in the event that these works have already been delivered or are programmed to be delivered by the developer of 6 St. John's Road.
7. Energy assessment
    - d. Detailed design stage energy assessment. Initial carbon offset payment to be paid prior to material start if zero-carbon target not achieved on site (Estimated to be £59,921.25).
    - e. Post-construction energy assessment. Final carbon offset payment upon completion of development if zero-carbon target not achieved on site (Estimated to be £59,921.25).
    - f. 'Be seen' energy performance monitoring and reporting
  8. Financial Contribution of £117,000 towards bus service enhancements
  9. Implementation of recommendations in the submitted Television and Radio Reception Impact and underwriting of all mitigation required in addressing any interference.

10. Indexation of contributions in line with inflation from the date of committee resolution.

11. 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 attach informatives in relation to the following matters:

#### Conditions

##### Compliance

1. Three year rule
2. Approved drawings and documents
3. Maximum number of hotel rooms
4. Hotel and community use restrictions
5. Obscured glazed windows
6. Maintenance access
7. Provision of accessible hotel rooms
8. Hotel occupancy restriction (90 days)
9. Non Road Mobile Machinery
10. Tree protection measures
11. Compliance with Ecological Appraisal recommendations
12. Compliance with Drainage Strategy recommendations
13. Compliance with Noise report recommendations
14. Compliance with Odour Report recommendations
15. Provision of cycle parking prior to use commencing

##### Pre-Commencement

16. Construction Management Plan
17. Construction Method Statement
18. Construction Environment Management Plan

##### During Construction

19. Land Contamination Investigation, remediation and verification
20. External materials
21. Digital connectivity
22. District heating network connection
23. Landscaping scheme

##### Pre-Occupation

24. External lighting strategy
25. Community Use Agreement
26. Accessibility Management Plan (hotel use)
27. Delivery Servicing Plan
28. Coach Management Plan
29. Whole-Life Carbon
30. Circular Economy
31. Plant Noise

##### Post-Completion

32. BREEAM certification


Informatives as listed in the Committee Report.

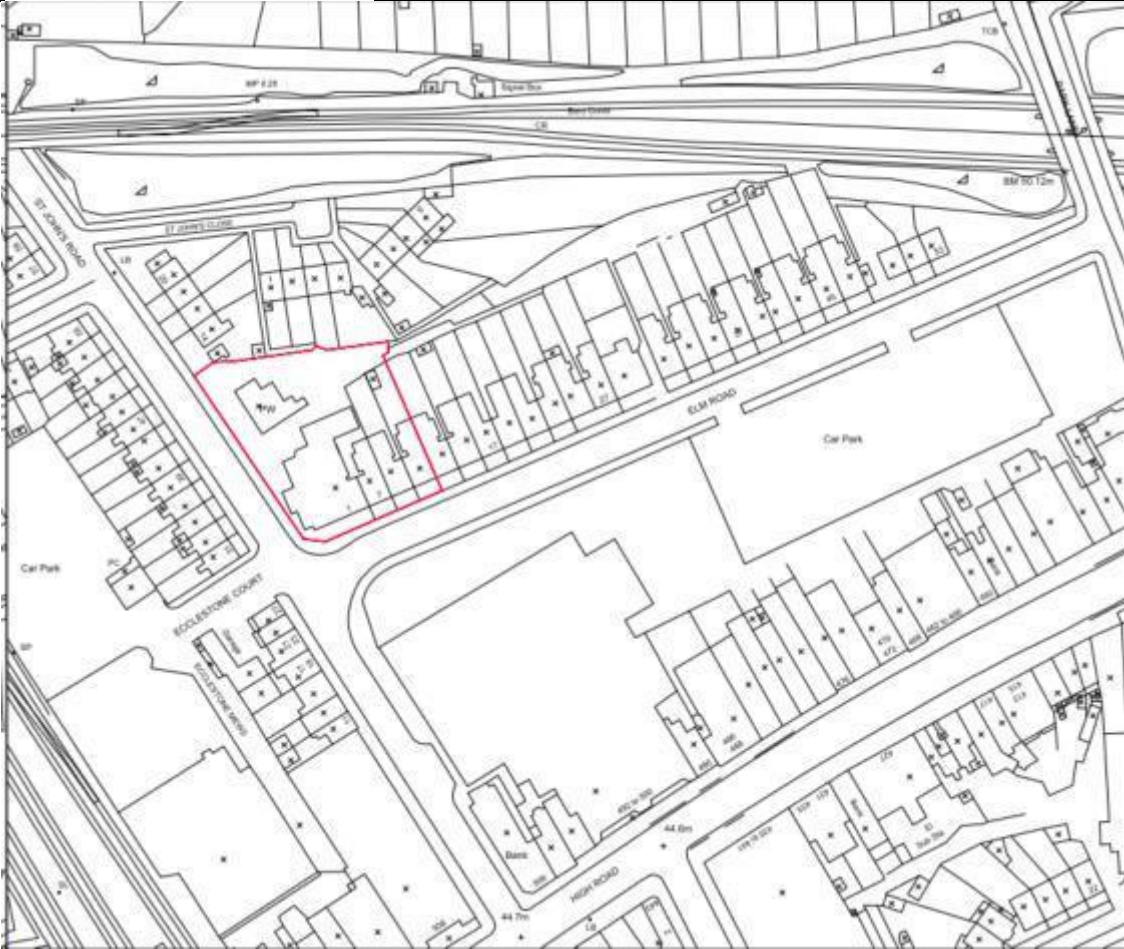
That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied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

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

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

**SITE MAP**

	<b>Planning Committee Map</b> Address: 1-11 Elm Road and 10-12 St Johns Road, Wembley, HA9 Map copyright and database rights 2011 Ordnance Survey 100025260
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This map is indicative only.

## SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. 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:** 308 neighbours were consulted as part of the proposal. In response, objection comments were received from 14 separate individuals. One individual support comment and a petition containing letters of support from 33 different individuals were also received. The comments are detailed within the consultation section below.

**Principle of redevelopment of the site:** Proposed uses are supported in principle and considered to be in accordance with strategic and local policies relating hotel uses, and re-provision of flexible community space. The regeneration of the site and the contribution that this would make in terms of the streetscene and to employment and other economic benefits associated with the hotel is supported.

**Design, layout and height:** The proposed building would exceed 30m in height and whilst not located within a tall building zone, is considered to be appropriate for this site within the emerging context of the Elm Road Site Allocation (Policy BSWSA10) and the transitional character of the taller buildings delivered and approved along the High Road. The height and scale proposed would larger than the existing context however the impact of this is considered to be successfully mitigated by the proposed approach to materiality and detailing. Ground floor uses and public realm enhancements would help to further activate this part of Elm Road/St. John's Road in accordance with the site aspirations. The hotel accommodation is sufficiently high quality and would meet the requirements of the future users.

**Neighbouring amenity:** As the report below acknowledges, there would be some impacts to neighbouring residential properties in terms of loss of light and outlook, BRE daylight and sunlight and overshadowing assessments have taken into account a number of nearby sensitive receptors. The proposal would have a higher level of impact on some windows and gardens of some properties than others. However, the level of impact is not considered to be unduly detrimental given the urban nature of the site and that a number of the affected properties are also within the wider site allocation. The overall impact of the development is considered acceptable, particularly in view of the wider benefits of the scheme in terms of the Council's strategic objectives.

**Highways and transportation:** The scheme would provide suitable cycle parking provision and would be car free in line with policy. It would encourage sustainable travel patterns within the high PTAL area. A number of highway works and public realm improvements would be secured as summarised within the Section 106 Heads of Terms above and detailed within the remarks section below.

**Landscape, ecology, biodiversity and flooding/drainage:** 13 new street trees are proposed as part of the development (on and off site) and the UGF score would be 0.41. The development would also achieve an overall net gain in biodiversity. Additionally, whilst flood risk on site is low, mitigation measures are proposed to ensure surface water run-off is reduced and suitably managed.

**Environmental impact, sustainability and energy:** The measures outlined by the applicant achieve the required improvement on carbon savings within London Plan policy. Subject to appropriate conditions, the scheme would not have any detrimental impacts in terms of air quality, land contamination, noise and dust from construction, and noise disturbance to existing/future residential occupiers.

### Site Designations

Relevant site designations:
Air Quality Focus Area
Air Quality Management Area
Elm Road Site Allocation (Policy BSWSA10)
Horsenden Hill Protected View
Wembley Growth Area

Nearby:  
 Adjoining the Wembley Town Centre  
 20m North-West of the Cecil Avenue Tall Building Zone  
 Approx. 37m South of SNIC Grade I Chiltern Line and Wildlife Corridor

**Land Use Details**

<b>Site area (ha):</b>	0.16ha
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<b>Non-residential details:</b>			
	<b>Use Description</b>	<b>Use Class</b>	<b>Floorspace (m<sup>2</sup>) (Gross Internal Area)</b>
<b>Existing</b>	Hotel (1-11 Elm Road)	C1	1,215m <sup>2</sup>
	Church (10-12 St. John's Road)	F1	145m <sup>2</sup>
<b>Proposed</b>	Hotel	C1	10,090m <sup>2</sup>
	Flexible Community Space	F1/F2	220m <sup>2</sup>
<b>Total Proposed</b>			10,310m <sup>2</sup>

**Parking**

	Car Parking Spaces (General)	Car Parking Spaces (Disabled)	% EVCP	Bicycle Spaces	
				Short stay	Long stay
<b>Existing</b>	Informal	N/A	N/A	N/A	N/A
<b>Proposed</b>	0	0	N/A	10	17

**Environmental performance**

	<b>Policy target</b>	<b>Proposed</b>
<b>Energy</b>		
Percentage of on-site carbon savings beyond Part L of Building Regulations (2021)	35%	37.23%
Percentage of on-site carbon savings achieved through energy efficiency measures	Non-residential - 15%	23.27%
Off-site reduction (%) and/or carbon offset contribution	Shortfall to net-zero	£119,842.50
Unregulated carbon emissions	Major developments should calculate and minimise unregulated carbon emissions	Information submitted
<b>Sustainability</b>		
BREEAM score	Excellent	Excellent

Urban Greening Factor (UGF)	0.3	0.41
Biodiversity Net Gain (BNG)	Positive	0.35 units (Positive)

## PROPOSAL IN DETAIL

The proposal seeks full planning permission for the comprehensive redevelopment of the site to provide a part 6, part 8, part 10 storey building, comprising 318 apart-hotel rooms (Use Class C1) and 220 sqm of Flexible Community Space (Use Classes F1/F2).

The scheme would also include ancillary cycle parking, back of house facilities and refuse stores.

### Summary of amendments since submission

Amended and additional plans and documents were received during the course of the application, these include the following key changes:

- Off-site servicing area incorporated to the north-west of the site. Associated re-configuration of the flexible F1/F2 space and café/reception space;
- Replacement planting of the existing two street trees along Elm Road and removal of the corner public highway street tree proposed; and,

Maintenance access doors added for the rear courtyard light well and doors added at second/seventh floor levels for visitor access to the west facing balconies.

## EXISTING

The application site is located on the corner of St. John's Road and Elm Road. It contains two buildings; the Euro Hotel fronting onto Elm Road, and the Spritualist Church, fronting onto St. John's Road. The existing hotel site benefits from a planning permission to be redeveloped into a modern purpose-built hotel building (approved in 2018 – LPA ref: 18/1592).

To the north and east of the site are a row of two storey terraced houses. Two-storey residential properties along St. John's Close are also located to the rear of the site. To the west is St. John's Road, separating the site from further residential properties and to the south is Elm Road, separating the site from a two-storey red brick building containing a Jobcentre retail unit. The Jobcentre site has an extant planning permission for the redevelopment of the site to contain a part 5, part 18 storey building comprising 79 new homes (LPA ref: 21/4155).

The site is located within the Wembley Growth Area. It is situated just beyond the north-west of the Wembley Town Centre boundary and approximately 20m north-west of a Tall Building Zone. The site also forms part of a wider Site Allocation BSWSA10 in the Brent Local Plan allocated (beyond the town centre boundary) for mixed use residential led development, a hotel and supporting community facilities.

The site does not fall within a conservation area and there are no listed buildings within the site's curtilage or within the immediate locality. The site is within an Air Quality Focus Area.

## RELEVANT SITE HISTORY

### Relevant Planning History

**21/4131:** Certificate of lawfulness for existing implementation of Full Planning Permission reference 18/1592 dated 17 October, 2018, for Demolition of existing hotel buildings and erection of a part 3, part 4 and part 5 storey 226 bed aparthotel plus basement accommodation comprising guestrooms and ancillary facilities within a 5-storey basement (situated below the part-basement lower ground floor), together with soft and hard landscaping, servicing, cycle storage and refuse and recycling facilities, subject to a Deed of Agreement dated 15 October 2018 under Section 106 of the Town and Country Planning Act 1990, as amended.

**Certificate Granted on 31/12/2021.**

**21/2245:** Non material amendment to allow: Introduction of Phasing plan condition

- Phase 1: Digging of trench up to 2 metres
- Phase 2: All other works

of Full Planning Permission reference 18/1592 dated 17 October, 2018, for Demolition of existing hotel buildings and erection of a part 3, part 4 and part 5 storey 226 bed aparthotel plus basement accommodation

comprising guestrooms and ancillary facilities within a 5-storey basement (situated below the part-basement lower ground floor), together with soft and hard landscaping, servicing, cycle storage and refuse and recycling facilities, subject to a Deed of Agreement dated 15 October 2018 under Section 106 of the Town and Country Planning Act 1990, as amended. **Permission Granted on 16/07/2021.**

**18/1592:** Demolition of existing hotel buildings and erection of a part 3, part 4 and part 5 storey 226 bed aparthotel plus basement accommodation comprising guestrooms and ancillary facilities within a 5-storey basement (situated below the part-basement lower ground floor), together with soft and hard landscaping, servicing, cycle storage and refuse and recycling facilities, subject to a Deed of Agreement dated 15 October 2018 under Section 106 of the Town and Country Planning Act 1990, as amended. – **Granted, 17/10/2018.**

**CONSULTATIONS**

**Public Consultation**

A total of 308 neighbouring properties were consulted by letter on the proposal on the 27<sup>th</sup> November 2023 for a 21 day period.

The application was also advertised by two site notices displayed on 13<sup>th</sup> December 2023 and in the local press on 30<sup>th</sup> November 2023.

In response to the consultation, comments of objection were received from 14 individual residents. These are as summarised below.

A petition containing letters of support from 33 individuals was also received. The letters outline that the proposed development is attractive and thoughtful and responds to the changing character of Brent town centre. It is noted that this would offer positive outcomes for both businesses and residents, bringing more trade opportunities to the local area and new employment opportunities.

One individual comment of support was received stating that the additional bedrooms would meet a defined gap in the market to support demand, and the proposed mix of bedroom types would assist guests with a variety of options.

<b>Objection</b>	<b>Officer Response</b>
<b>Design</b>	
Proposal would fail to be consistent with the existing architecture which is low rise, terraced homes.	Please refer to the 'Design, Character and Impact on the Street Scene' section of the below report.
The development does not fall within a Tall Building Zone and height restrictions should be observed.	Please refer to the 'Design, Character and Impact on the Street Scene' section of the below report.
<b>Land Use</b>	
There is an over-intensification of hotel uses within the locality	Please refer to the 'Principle of Development' section of the below report.
There is no public benefits to the proposal	There are a number of benefits including the redevelopment of an under used site, improvements to the street scene and the economic benefits (including construction and operational jobs).
This is a residential area where commercial uses should not be permitted.	Please refer to the 'Principle of Development' section of the below report.
<b>Highway Impact</b>	
Insufficient parking for the proposed hotel resulting in detrimental levels of overspill parking onto the surrounding road network and car parks. The plans show that two resident parking bays would be removed and there is already a shortage of spaces.	Please refer to the 'Transport and Highway Considerations' section of the below report.



Construction works will impact on neighbouring residents/businesses due to construction traffic routes and noise and dust pollution.	Whilst there would be some disruption to local residents during the construction period, a construction management plan and construction logistics plans would be conditioned to any grant of planning permission to minimise the impact of the construction works on local residents.
The traffic situation at the junction of Elm Road and St. John's Road is already bad with cars and commercial vehicles parked on both sides of the roads.	Planning permission was recently granted for the redevelopment of the site at No. 6 St. John's Road. As part of the s106 Legal Agreement attached to this consent, the developer is required to enter into a s38/278 Legal Agreement with Brent Highways for significant highways improvements to this junction. Should the subject application be granted planning permission, it would also be subject to a s106 Legal Agreement which would secure a financial contribution of £50,000 to highways improvements within the area or would require the developer to enter into a s38/278 agreement to provide the above improvements to this junction if the 6 St. John's Road consent does not come forward.
The transport plan submitted refers throughout to the aparthotel being a car free hotel but doesn't contemplate the fact that most travellers to the aparthotel would arrive by taxi which would significantly increase the number of cars in what is an already congested area.	Please refer to the 'Transport and Highway Considerations' section of the below report.
Hotel coaches would take up 3 or 4 parking spaces and would only need 1 permit per day to stay.	Please refer to the 'Transport and Highway Considerations' section of the below report.
Heavy goods vehicles making regular deliveries would further disrupt the highway.	Please refer to the 'Transport and Highway Considerations' section of the below report.
<b>Impact on neighbouring properties</b>	
Adversely impact on neighbouring residential properties through loss of light and sunlight, loss of outlook and increased overlooking/loss of privacy	Please refer to the 'Impact on Neighbouring Residential Amenity' section of the below report.
The Daylight Sunlight Report incorrectly states that 10-14 Elm Road is situated south of the application site. It is south-east and therefore during summer in the afternoon, the building would be in the shadow of the block.	These properties are south of the application site. With regard to sunlight, BRE Guidance states that all main living rooms of dwellings, and conservatories should be checked if they have a window facing within 90 degrees of due south. The windows on these properties facing the application site are not within 90 degrees of due south and are therefore not material for assessment. Based upon this, the level of sunlight received by these properties would be acceptable.
<b>Other Matters</b>	
Increased anti-social behaviour and fly-tipping	Please refer to the 'Public Realm' subsection of the below report.
Concerns over poor air pollution	The application has been accompanied by an air quality impact assessment that concluded that the occupiers of the development would not be exposed to harmful levels of pollutants. Furthermore, the scheme has been designed to be air quality positive in terms of building and transport emissions. Conditions are also recommended in relation to a

	construction management plan to cover matters such as dust from the construction works and for a condition to be secured on non-mobile construction machinery.
Increased noise disturbance and light disturbance at night. This includes servicing to the proposed café.	In terms of noise disturbance, please refer to the 'Environmental Health Considerations' section of the below report. Details of external light would be conditioned to any forthcoming consent.
Proposal would impact on utilities	Please refer to the Flood Risk and Drainage' section of the below report. Impact on other utilities such as electrical cables would not be considered under the remit of the planning system.
The hotel group owns a number of properties along Elm Road and St. John's Road. Due diligence should therefore be taken on the responses received.	The Council has a statutory duty to consider all comments, whether they are in support of the proposal or objection.
There would be major TV disruption for anyone who uses freeview and has a freeview aerial on their roof, as any house north of the proposed development will have their aerials pointing in exactly that direction. TV channels (especially HD) would be limited, or worse still, freeview may not work at all.	Please refer to the 'Impacts of Microclimate and Reception of TV and Radio Services' section of the below report.
The existing hotel has taken away from the garden space at No. 4 St. John's Close.	Boundary disputes are not a material planning consideration.

### **Statutory/External Consultees**

#### **Greater London Authority:**

Land Use Principles: The principle of redeveloping the site to provide a 318-room aparthotel and community facility within Wembley Opportunity Area is supported in principle.

Urban Design: The proposed height, massing and density is generally supported from an urban design perspective; however, further refinement is recommended in townscape terms.

GLA Officers noted the difference in scale compared to the existing terraced houses and encouraged the applicant to work with Brent Council to explore potential alternative transition opportunities. These comments were noted by Brent who consider the transition to be appropriate within the context of the existing and emerging context. This is discussed in more detail below.

**Transport for London** – No objection following amendments to the site's servicing arrangements. Financial contribution towards bus service enhancements and conditions requested. These are discussed below.

**Metropolitan Police:** Designing out Crime – Objection received in relation to operational security measures. This is discussed below.

#### **Internal Consultation**

Environmental Health – no objections subject to conditions being secured in relation to a construction method statement, non-road mobile machinery, and land contamination.

Environmental Health Noise Team: No objections subject to conditions being secured in relation to plant noise and the mitigation measures being secured in relation to internal noise levels.

Local Lead Flood Authority - No objections raised.

## 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 Local Plan 2019-2041

Key policies include:

### London Plan 2021

GG2: Making the best use of land  
GG5: Growing a good economy  
SD1: Opportunity areas  
D3: Optimising site capacity through the design-led approach  
D4: Delivering good design  
D5: Inclusive design  
D9: Tall buildings  
D12b: Fire Safety  
D14: Noise  
S1: Developing London's social infrastructure  
E8: Sector growth opportunities and clusters  
E10: Visitor Infrastructure  
E11: Skills and opportunities for all  
G5: Urban Greening  
G6: Biodiversity and access to nature  
G7: Trees and woodlands  
SI1: Improving Air Quality  
SI2: Minimising greenhouse gas emissions  
SI3: Energy Infrastructure  
SI4: Managing heat risk  
SI5: Water Infrastructure  
SI6: Digital connectivity infrastructure  
SI7: Reducing waste and supporting the circular economy  
SI13: Sustainable Drainage  
T1: Strategic approach to transport  
T2: Healthy Streets  
T4: Assessing and mitigating transport impacts  
T5: Cycling  
T6: Car Parking  
T6.4: Hotel and leisure use parking  
T7: Deliveries, servicing and construction  
T9: Funding transport infrastructure through planning

### Brent Local Plan 2019-2041

DMP1: Development Management General Policy  
BP1: Central  
BCGA1: Wembley Growth Area  
BSWSA10: Elm Road  
BD1: Leading the Way in Good Urban Design  
BD2: Tall Buildings  
BD3: Basement Development  
BSI1: Social Infrastructure and community facilities  
BE1: Economic Growth and Employment Opportunities for All  
BE9: Visitor Accommodation and attractions  
BHC2: National Stadium Wembley  
BGI1: Green and Blue Infrastructure  
BGI2: Trees and Woodlands  
BSUI1: Creating a resilient and efficient Brent  
BSUI2: Air Quality

BSUI3: Managing flood risk  
 BSUI4: On Site Water Management and Surface Water Attenuation  
 BT1: Sustainable Travel Choice  
 BT2: Parking and Car Free Development  
 BT3: Freight and Servicing

Other Material Considerations

The following are also relevant material considerations:

- National Planning Policy Framework
- National Planning Practice Guidance
  
- Council's Supplementary Planning Document 1 "Brent's Design Guide" 2018
- Council's S106: Supplementary Planning Document 2022
- Council's Sustainable Environment & Development – SPD – 2023
- Mayor of London's 'Be Seen' energy monitoring guidance 2021
- Mayor of London's Air Quality Positive LPG 2023

## DETAILED CONSIDERATIONS

### Background

1. The application site benefits from a planning permission (LPA Ref: 18/1592) at the site for the demolition of the existing hotel buildings on site and the erection of a part 3, part 4 and part 5 storey 226 bed aparthotel plus basement accommodation comprising guestrooms and ancillary facilities within a 5-storey basement (situated below the part-basement lower ground floor), together with soft and hard landscaping, servicing, cycle storage and refuse and recycling facilities.
2. A Certificate of lawfulness for the existing implementation of the planning permission was granted on 31/12/2021 (LPA Ref: 21/4131). As such, the above consent is extant, and forms a material planning consideration within the assessment of the subject application.
3. The key differences between the extant consent and the subject application are set out below:

	18/1592	23/3250
Site Size	~0.12 ha	~0.18 ha  The additional plot size includes the Spiritualist Church site to the north-west of the previous application site.
Building Height	15.6m – Part 3, 4 and 5 storeys above ground, 5 basement levels.	37.6m – Part 6, 8 and 10 storeys above ground, 1 basement level.
Number of Rooms	226	318

### Principle of Development

4. The application site comprises a set of five Edwardian terraced houses that have long been repurposed for use as a hotel containing 61 bedrooms and associated car parking space. The existing hotel is situated just outside of the designated Wembley Town Centre boundary, with the buildings just across

the road (on the south side of Elm Road) being within the boundary of the town centre. In addition, a two-storey building at 10-12 St Johns Road is also part of the site which comprises a Spiritualist Church. The site is within the Wembley Growth Area.

5. The proposal is for redevelopment of the site to provide 318 apart-hotel units over 10 storeys (37 metres) with steps to the side reaching 8 and 6 storeys. The building would also incorporate basement accommodation, community floorspace, and associated facilities.

#### Apart-Hotel

6. Policy E10 of the London Plan 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. In outer London, serviced accommodation should be promoted in town centres and within Opportunity Areas (in accordance with the sequential test as set out in Policy SD7 Town centres: development principles and Development Plan Documents) where they are well-connected by public transport, particularly to central London.
7. The proposal seeks the redevelopment of the site, to provide a 318 room apart-hotel. Apart-hotels are defined within the London Plan as self-contained accommodation (within Use Class C1), providing for short-term occupancy, with a concierge and room service.
8. In support of Policy E10, Brent's Local Plan at paragraph 6.4.58 identifies that 'The GLA has forecast future demand for serviced accommodation by borough, identifying a requirement for 2,622 net additional serviced accommodation rooms in Brent over the period 2015-40.' Policy BE9 (Visitor Accommodation and attractions) of Brent Local Plan highlights that future hotel provisions would be encouraged in the two major town centre sites (Wembley and Kilburn).
9. The application site is located just north of the Wembley Town Centre boundary, however is located within the Wembley Growth Area, an Opportunity Area which is identified within Local Plan Policy BCGA1 to continue to drive the economic regeneration of Brent, generating new jobs across a range of sectors including hotels. It is also located within the Elm Road Site Allocation (Local Plan Policy BSWSA10) which is for mixed used residential-led development with an indicative capacity of 400 residential units, a hotel, and supporting community facilities, along with other mixed used town centre uses. The provision of a hotel within this site allocation is in consideration of the extant consent. The application site has an excellent public transport accessibility level (PTAL 6).
10. In light of the above policy context, the provision of a hotel use in this location is considered to strengthen London's visitor economy in line with Policy E10 and would generate an increase of employment on this site, providing an offer of alternative accommodation. The principle of a hotel use has also been established by the existing use of the site and the extant consent. Whilst this use would be intensified by the subject proposal, this from a land use perspective is not considered to prejudice the future development of the area in line with the objectives of Site Allocation Policy BSWSA10.
11. As per the requirements of Policy BE9, the length of stay would be limited to a maximum of 90 days per occupant, and a planning condition would secure that residencies at the hotel accommodation of 90 days or more are to be prevented, to ensure that the use of the hotel accommodation would meet the needs identified within the London Plan and Brent Local Plan for visitor accommodation.
12. The rooms proposed comprise of small and large standard rooms (14.6sqm and 17.6sqm respectively) and standard and non-standard accessible rooms (24.7sqm and 32.2sqm respectively). The London plan requires that 10% of the new bedrooms should be wheelchair-accessible and the proposal is confirmed to include 32 new rooms which would accord with this part of the policy. This aspect would be secured via condition.
13. Applications for hotel development are also required to be accompanied by an Accessibility Management Plan (AMP) to demonstrate that the management and operation of accessible rooms is considered from the outset of the design and that accessibility and inclusion are monitored and maintained throughout the life of the development. An AMP has been submitted within the Design and Access Statement, which includes details relating to compliance with accessibility standards, provision of equipment, evacuation procedures and staff training. However, this confirms that, 'post-planning, an updated Accessibility Management Plan will be drafted to demonstrate the operator's commitment to the provision of a truly inclusive and accessible facility. This will be monitored and reviewed on a quarterly basis.' A condition

would be attached requiring the submission of an updated Accessibility Management Plan for approval at an appropriate future time and ongoing compliance with the approved AMP including monitoring and review procedures.

#### Loss of the Existing Church and Replacement Community Use

14. Site Allocation Policy BSWSA10 identifies the existing Spiritualist Church and states that any future development of this must take care to provide accessible replacement community facilities. This is reinforced by Policy BSI1 of the Local Plan which requires existing social infrastructure and community facilities to be protected and retained unless a replacement facility that would better meet the needs of the existing users is provided.
15. The redevelopment of the site would involve the loss of the existing Spiritualist Church. A schedule of areas submitted with the application indicates that the existing church building has a total GIA of 145sqm. The application proposes the reprovision of 220sqm of flexible F1/F2 community space over ground and basement floor level, indicating that the social infrastructure space would be fully re-provided. Use Class F within the Town and Country Planning (Use Classes) Order 1987 (as amended) is defined as for Local Community and Learning purposes and encompasses a range of uses including places for public worship or religious instruction. The ground floor element of the F1/F2 space would be double height, allowing for a more legible entrance space to serve the needs of the wider community.
16. A community use agreement would be secured by condition to maximise use and ensure wider community benefits, including specifying that hiring costs should be at reasonable rates. The application is therefore considered to be acceptable in principle.

#### **Design, Character and Impact on the Street Scene**

17. The NPPF emphasises that good design involves responding to local character and history and reflecting the identity of local surroundings and materials, while not discouraging appropriate innovation. Policy D3 of London Plan highlights the need for all development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site.
18. Policy DMP1 requires the scale, type and design of development to complement the locality. This is reinforced in policy BD1 which seeks for new development to be of the highest architectural and urban design quality. Innovative contemporary design will be supported where it respects and complements historic character but is also fit for the future. In delivering high quality design, development proposals will be expected to show how they positively address all the relevant criteria within London Plan design policies and the Brent Design Guide SPD1.
19. The site is not within or close to a conservation area and does not contain listed buildings. The proposal would result in the loss of the existing church and hotel building for which there is no notable architectural merit for their retention. Their demolition is therefore not considered to be contrary to planning policy, providing a high-quality design solution is being provided in replacement.

#### Bulk, Height and Massing

20. Policy BD2 defines a tall building that is one that is more than 30m in height above ground level. Tall buildings are directed to tall building zones in the policies map. The policy goes on to say that in intensification corridors and town centres outside conservation areas and areas of distinctive residential character developments of a general building height of 15 metres above ground level could be acceptable, with opportunities to go higher at strategic points in town centres. In all cases the tall buildings must be shown to be positive additions to the skyline that would enhance the overall character of the area. They should be of exceptional design quality, consistent with London Plan Policy requirements in showing how they positively address their visual, functional, environmental and cumulative impacts.
21. The central portion of the proposed building located on the corner of Elm Road and St. John's Road would contain 10 storeys to a maximum height of 37.6m. To the north and east along St. John's Road and Elm Road respectively, the building would be stepped to contain 8 and 6 storeys, with respective heights of 30.1m and 24.2m. A part 1, part 6 storey element would project to the rear in proximity to the site's northern boundary. Each portion of the building would contain a double height ground floor.

22. The site at present is within an area of transition, with urban, town centre uses to its south, south-east and south-west and predominantly low-density residential uses to its north, east and west as existing. This character accords with the site's setting being located just beyond the northern edge of the town centre boundary, and within the Elm Road site allocation (BSWSA10). The aspiration for the site allocation (bounded by the West Coast Mainline to the west, the Chiltern Mainline to the north, the northern side of Elm Road and High Road to the south and the western side of St Johns Road to the east) is to be developed for residential led, mid-rise development of 5-6 storeys in height. The allocation sits mostly beyond the boundaries of Wembley town centre and tall building zones and its brief anticipates a denser, urban character being established over time. The extant consent of the Euro Hotel redevelopment (ref: 18/1592) represents the first redevelopment proposal to come forward within the boundaries of this site allocation at a part 3, 4 and 5 storey height. Ultimately, the site allocation envisions the surrounding context of the subject site becoming more urban over time, and a re-characterisation of the subject site as becoming less peripheral to the town centre setting.
23. At 37.6m, the proposed building would be defined as a tall building. It would not be located within a tall building zone and represents a departure from the envisaged building heights within such a location. However, a number of locational factors are considered to result in this height being suitable within the existing/emerging context of the application site.
24. Firstly, in terms of the existing context, it is noted that there are a number of tall buildings that have been consented and delivered within the vicinity of the site, including King Edward Court, Uncle Wembley, The Assembly, Wembley Central Square and Wembley Link. The existing buildings which fall in the wider setting of the proposed development reach a variety of heights which are generally taller than the proposed building, these being King Edward Court (11 storeys), Uncle Wembley (26 storeys) and Wembley Link (18 storeys) to the east and Wembley Central Square (14 storeys) and The Assembly (18 storeys) to the south. These buildings are located within a tall building zone and are generally in areas of prominence on major thoroughfares, whereas this site sits at the confluence of two more minor roads, being slightly removed from the principal High Road setting. However, the proposed development would be similar in height to the King Edward Court development to the opposite end of Elm Road, and would act as a visual bookend to this. Another factor to note is that both St Johns Road and Elm Road notably slope downwards from the south and east respectively, resulting in a lower base height for the building than tall buildings immediately adjoining the High Road, further reducing the visual prominence of the proposal within the existing context. Elm Road also widens out significantly at its western end, with the distance between the proposed Elm Road frontage and the frontage opposite being more than 30 metres, resulting in a generous, open setting for a larger building in this corner location. By contrast, the majority of Elm Road has a frontage-to-frontage distance of less than 20 metres.
25. In terms of the emerging context, the site as noted above is located within the Elm Road site allocation (BSWSA10) which expects a general mid-rise building height of 5-6 storeys. Whilst the proposed development would be taller than this at a maximum of 10 storeys, the massing of the building would transition to the north and east down to a height of 6 storeys, thereby integrating with the emerging character. As noted above, the open character of the corner is noted as being a suitable location to support the additional height at 10 storeys in design terms. The site to the opposite side of Elm Road (No. 6 St. John's Road) also benefits from an extant planning consent for an 18-storey building with a maximum height of approximately 62m (LPA ref: 21/4155). Whilst this site is on the edge of the tall building zone, the proposed development would be significantly lower in height, thereby acting as an appropriate transition to the emerging character where such a building height is considered acceptable.
26. Beyond the locational factors that justify the height of the building, there are factors relating to the merits of the building's design that also justify this. The scheme has been revised through design review with Brent's principal urban designer at pre-application stage. Through this process, the stepped approach to the building's massing, with the main bulk of the building being located on the corner of the plot where the setting is most open is considered to constitute a successful use of land. Furthermore, the stepped appearance along both site frontages would transition seamlessly to a general character of 5-6 storeys, which is expected to emerge in this area. On balance, this approach is welcomed. Further refinement has also been made to the building façade, softening its appearance through a minimalist palette of materials which are appropriately placed to help articulate the difference in massing across the building. Furthermore, the building would have a clear base, middle, top and crown, where whilst taller than its surroundings, would appear comfortable in its setting.
27. Drawing together the above considerations, it is clear that the proposal would define a landmark building within the context of the Elm Road site allocation area, although would clearly read as a subservient addition in the context of the wider cluster of tall buildings along Wembley High Road. Furthermore,

when considering the emerging character of the area, it would also appear as an appropriate transition to both the expected character of development within the Elm Road site allocation, and the emerging character within the edge of the tall building zone. The proposal is considered to add variety to the skyline, in accordance with policy D9 of London Plan, particularly in longer views from the surrounding area towards Wembley. Whilst the immediately neighbouring buildings remain low-rise at present, and the proposal is set back from the High Road, and the planning policy context allows for mid-rise development, which weighs into officers' judgement. Whilst the development is acknowledged as being tall in its immediate surroundings, and that it is not located within a tall building zone, when considered on its own merits, the building has a positive urban design and appearance in its wider setting, with visual harm having been limited through a well composed approach to bulk, massing and façade design.

28. The London Plan places emphasis on site capacity being optimised through a design-led approach and this is set out in full in policy D3, through a qualitative approach that seeks to confirm suitable development density through the achievement of a proposal that is demonstrably of a high-quality and which is well designed. It is considered that the scheme achieves the aims of D3. On the basis of the discussion of the building's appearance within its context as discussed, it is also considered that the proposal achieves the aims of D9(c).

#### Townscape and Visual Impact Assessment

29. The application has also been accompanied by a Townscape and Visual Impact Assessment which has aided in informing Officer conclusions above. 8 indicative views have been provided which consider both the existing built environment context, and the emerging context of the area (specifically the extant consent at No. 6 St. John's Road.
30. View 1: Junction of the High Road with St. John's Road (west pavement), looking north-west towards the application site. This view is considered to be of a low-medium value, experienced by shoppers, road users and commuters. The increased bulk, scale and massing would be noticeable from this view. However, due to the sloped nature of St. John's Road, the overall building height would not appear out of context when viewed alongside the buildings located on the corners of St. John's Road and the High Road. Furthermore, the use of brick would help to soften the appearance, given the existing materiality within the area. When considering the extant consent at No. 6 St. John's Road, views of the proposal would be largely marred, and any impact would be negligible as part of the emerging character.
31. View 2: Elm Road (south pavement), looking west towards the application site. This view is considered to be of low value, as it has some amenity value for residents but is without any special visual interest. The proposed building would be highly visible within this view, set above the existing low-rise context of the residential buildings along Elm Road. The height would, however, be similar in this context to the existing development at King Edward Court. Furthermore, the proposed use of different brick shades would tie the development into the existing appearance of the residential properties.
32. View 3: A4089 bridge over the railway (west pavement), looking south-west towards the application site. This view is considered to be of low value as it is without any special interest and would be experienced by road users and commuters. The proposed building would be set above the existing tree line, introducing an additional scale to this section of the view. However, this is a transitional view, experienced by those walking towards the town centre, and would be read in context with the existing height and massing seen along the High Road. The height is located in an area where the viewer would expect to see height, reflected in the site allocation policy designations. This would be further understood when considering the outline of the extant consent at No. 6 St. John's Road.
33. View 4: St. John's Road (west pavement), looking south-east towards the application site. This view is experienced by road users and local residents and is considered of low value as it has some amenity value for residents but is without any special visual interest. The proposed building would introduce an uplift in scale and massing when compared to the existing view. However, it would be seen within the context of the taller buildings set along the High Road and is reflective of the emerging character as set out in more detail above. Furthermore, the view demonstrates how the double height ground floor colonnaded entrance would appear in the street, creating a strong building line and a greater level of street activation. The two storey colonnades also help to relate the base of the building to the existing terraced housing in this area.
34. View 5: St. John's Road (west pavement), looking south-east towards the application site. This view is experienced by road users and local residents and is considered of low value as it has some amenity value for residents but is without any special visual interest. The proposed building would add an



additional sense of scale and massing to the eastern side of St. John's Road. However, this would be of a similar impact to the Wembley Central Square building which sits on the other side of the road. Furthermore, when considering the approved scale within the extant consent at No. 6 St. John's Road, the building would act as an appropriate visual transition to the taller emerging character along the High Road.

35. View 6: King Edward VII Park (east), looking south towards the application site. King Edward VII Park is a locally listed park (non-designated heritage asset). The view is considered of medium value as it is an area of open green space experienced by those using the park. The proposed development would sit behind the existing tree line to the south of the park, thereby limiting views of the building. Whilst there would be glimpses of the proposal through breaks in tree foliage, this would not be dissimilar to views of other existing buildings, which are closer in siting to the park. The proposal would also be set at a lower height to these. As such, the impact would be negligible, and it is considered that there would be no harm on the significance of the heritage asset due to distance and/or intervening development in the setting of the assets.
36. View 7: King Edward VII Park (north-west corner), looking south-east towards the application site. The view is considered of medium value as it is an area of open green space experienced by those using the park. The proposed development would be visible in its upper parts from this location which does not benefit from significant tree cover. However, the extent of building visible would be limited, and would sit within the context of the existing mid-rise character in this location. Due to the distance and intervening development, it is considered that there would be no harm on the significance of the heritage asset.
37. View 8: High Road, looking east towards the application site. The view is considered to be of low value as it is a general townscape view which is experienced as a transient view as the user moves along the road. The proposed building would sit behind an existing line of trees, and views would be marred. When seen in glimpses through the trees, the building would be seen as an appropriate transition to the High Road character, with particular regard to the Uncle Wembley development.
38. The assessment has demonstrated that there would be minimal impacts on views of medium value within the surrounding area. Whilst the building would be more noticeable in more short distant views within the immediate locale, it would be seen within the context of other existing and emerging buildings within the closely located town centre and tall buildings zone.
39. The submitted TVIA is considered to be robust and demonstrates that the proposal would be seen within the context of other tall buildings along the High Road, and it is therefore considered there would be no significant harm to the locality.

#### Impact on Protected Views

40. The application site lies within the Wembley Stadium Protected view: Horsenden Hill. Local Plan policy BHC2 states that development must not be to the detriment of the protected views of the National Stadium Wembley. An indicative view from this viewpoint was requested and received during the course of the application. The development would sit within the context of the high-rise buildings along Wembley High Road, and would not impact upon views of the Wembley Arch.

#### Architecture and Materiality

41. SPD1 states that the use of durable and attractive materials is essential in order to create development that is appealing, robust and sustainable and fits in with local character. Developments should also have a clear base, middle, and top.
42. As noted above, the surrounding area is generally comprised of traditional residential properties and high-rise buildings along the High Road. Externally, the façade composition would reflect the historic urban grain defined by the existing terraced houses along St John's Road and Elm Road, and integrates this into a clearly legible base, middle and top to the building, with a crown on the corner tower. The facade composition follows the typical architectural hierarchy and rhythm where larger groups of windows and colonnades are at the base. This allows for a strong sense of active frontage which is a key design consideration of Policy BSWSA10. The use of reconstituted stone finish provides a high quality and distinctive active frontage along the ground floor that would complement the buff brickwork above. The double height stone colonnades at the junction of St. John's Road and Elm Road would create a strong corner streetscape presence and addresses its prominent corner location. The transition blocks respond to the rhythm of the terrace houses with prominent stone lintels and white bands.

43. The mid-section has an organisation of regular gridded openings to create a legible streetscape and the upper floors transition to a colonnaded crown for a distinctive roofscape and reduces the sense of mass at the top. The long massing of the wing blocks has been further broken down which is considered to respond to the clear pattern of the block widths fronting Elm Road and St. Johns Road.
44. The use of buff bricks is an appropriate choice on the hotel along the junction of St. Johns Road and Elm Road. A strong repetition of windows in a contemporary manner further accentuates and reflects the local character.
45. A condition would require samples of the materials to be reviewed and approved by officers, to ensure that a high-quality development would be delivered. Details of indicative technical sections illustrating how specific elements of the façade are to be constructed, including typical windows, typical parapets, typical balconies and soffits would also be required.

#### Layout and Quality of Accommodation

46. The proposed aparthotel would provide 318 rooms overall with various ancillary rooms and functions. Access to the reception area would be via a set of revolving doors fronting on to Elm Road, with access to the building's lift core in close proximity. Each lift core would facilitate disabled access. The main entrance area is considered to be well read, located on the corner of the development and, by virtue of its double heighted ceiling, would provide a strong sense of arrival to visitors. There would also be three smaller entrance points along St. John's Road, which would provide access to the Flexible F1/F2 space and the back of house area. From the main reception/café area, wheelchair friendly access would be provided to the 17 ground floor rooms. Aside from the proposed lifts, four stair cores would be provided across the building layout, with a smaller staircase serving the basement level of the F1/F2 space. There would also be a wheelchair accessible lift, and it is considered that the proposed lightwells would provide a good level of daylight to this space.
47. Otherwise, access to the basement level would be provided by each of the three lifts proposed, and three of the four staircases proposed. The access points are considered to be within convenient locations for suitable access to all parts of the building. A corridor system at basement level would provide access to 18 further rooms, as well as some more back of house facilities, the cycle store and the plant/services.
48. Access to the landscaped lightwell would be via rooms 05 and 14a, which the applicant has confirmed would be for maintenance purposes only.
49. An area prioritised for servicing would be located to the northern end of the building and would be linked via an internal door and corridor to the linen store and café, whilst also adjoining a relocated refuse store on the ground floor, so is conveniently located in relation to the parts of the building that would require servicing.
50. The building's first floor would feature a similar footprint to the ground floor, although would be cut off to the south-western corner to allow for a double-heighted entrance at ground level. Access would be provided to 29 further rooms, with a Linen room also provided to allow for ease of servicing.
51. At second to sixth floors, the footprint would remain similar, providing access to 38 further rooms and an associated Linen room. The additional rooms would be located to the south-western corner. At second floor level, rooms 01-09 would benefit from sliding doors each with access to a private balcony area.
52. At seventh and eighth floor levels, the building would begin to taper in at its northern and eastern portions, providing a reduced footprint with access to 24 rooms. Rooms 01-06 on the seventh floor would benefit from sliding doors with external access to a private balcony. Three areas prioritised for a green roof would be incorporated, with appropriate access provided from the corridor for maintenance purposes. At ninth and tenth floor level, the building would taper in towards the central corner of the building further, providing access to 6 rooms. Further space for green roofs would be included as well as the building's roof plant.
53. A key feature of the internal layout is a central light well, which is approximately 20m x 14m in size, which allows light into the basement level rooms.
54. Each room would be double occupancy. The largest of the rooms would be the non-standard accessible

rooms which are shown to accommodate for disabled users through the provision of turning circles present in both the room and the accessible en-suite facility. The smaller more generic sized rooms identified as small standard rooms would measure approximately 14.6sqm and would have a small kitchenette and en-suite toilet and shower.

55. Every room proposed would have windows to allow for daylight, natural ventilation, and outlook from the front or rear, however, there are six rooms where the sole window would be conditioned to be obscure glazed, given the potential concerns regarding outlook onto the residential neighbouring gardens. There are also three rooms proposed within the basement which would have a very limited outlook onto the lightwell wall set approximately 2.6m away. Nevertheless, the arrangement of these rooms would continue to allow for a suitable level of daylight and within the context of the hotel offering of 318 rooms, is a very minor shortfall (2.8%). Furthermore, outlook provision is not a requirement for apart-hotel rooms. It should be noted that no windows are proposed to the northwest elevations which would rely on outlook over the site allocation (BSWSA10) or neighbouring properties along St. John's Road which is welcomed. Officers also note the significant improvement in terms of outlook provision from the extant consent which comprises a 5-storey basement and recent approval at 163-165 Edgware Road for an apart-hotel building, public house and co-working space (LPA Ref: 23/3365) which required 13 of the 152 rooms (8.5%) approved to feature obscure glazed windows.
56. It is also noted that there would be three windows at ground floor level which would directly face the Elm Road footpath. However, these would be setback from the edge of the footpath by approximately 4.83m and would be separated by a well-considered landscaping approach which would aid in retaining privacy.
57. Each room would have a double bed, with storage, a shower and toilet en-suite and a kitchenette facility. Inclusive access has been confirmed as integral to the design of the hotel. It has been confirmed that 10% (16) of the hotel rooms would be accessible in accordance with London Plan policy E10.
58. Overall, the proposed layout is considered to be acceptable with regard to the quality of the hotel accommodation that is proposed. It should be noted that this has been evaluated on the basis that the proposal would provide visitor accommodation for short term stays in line with the policies discussed above. The quality of accommodation would be considered to be poor if the development was used for the provision of longer-stay accommodation and the condition referred to within paragraph 11 (limiting stays to a maximum of 90 days) is also important to ensure that the quality of the hotel accommodation is acceptable.

#### Public Realm Works

59. Site Allocation Policy BSWSA10 states that the hotel development should positively address the street and should be designed in line with principles set out in planning application 18/4063.
60. Within the extant consent noted above, a financial contribution of £10,000 was secured for the planting of seven trees along the pavement outside of the application site. No trees were proposed along the site frontage within the application site however two freestanding planters were proposed around each lightwell.
61. Within the subject application, the proposed development would continue to be well set back from the site boundary in order to engender street-based activity. Within the red line boundary, nine trees are proposed along the site frontage. It is also proposed to plant two trees along St. John's Road and to replace the two existing street trees along Elm Road, providing a net gain of eleven new trees. A financial contribution of £16,000 would be secured via s106 agreement for the planting of the trees within the Brent public highway. A number of rain gardens are also proposed along the site frontage which are a positive move in terms of placemaking. Overall, the proposed public realm works are considered to be in accordance with the site aspirations.
62. It is noted that some comments have been received from residents with concerns over anti-social behaviour. The Metropolitan Police: Designing out Crime department were also consulted on the application who raised concerns with regard to the overhangs and undercrofts on the site frontage allowing for groups and individuals to loiter. However, these areas would be double height, allowing for a greater level of natural surveillance from areas along Elm Road, St. John's Road and Eccleston Place. They would also be generally open in character and would be overlooked by the building's active frontages. As noted above, the overall frontage design is considered to be a positive move with regard to placemaking and Officers do not share these concerns raised. Details of CCTV locations would also be secured within the landscaping condition attached.

63. Security rated recommendations (doors, windows, etc.) have also been passed on to the applicant however are not material to the determination of this planning application.

## **Impact on Neighbouring Residential Amenity**

### Separation Distance and Privacy

64. Any development is required to maintain adequate levels of privacy and amenity for existing residential properties, in line with the guidance set out in SPD1. SPD1 recommends that directly facing habitable room windows will normally require a minimum separation distance of 18m, except where the existing character of the area varies from this. A distance of 9m should be kept between gardens and habitable rooms or balconies.
65. The eastern wing of the development proposed would be set directly adjacent to the joint boundary with No. 13 Elm Road, which is in character with the existing arrangement. Furthermore, no directly facing windows are proposed within 9m of this flank, and the neighbouring property does not contain any flank windows due to its existing terraced nature. As such, there would be no unduly detrimental impact upon the privacy of this property.
66. The northern wing of the development proposed would be set directly adjacent to the joint boundary with No. 14 St. John's Road. However, no directly facing windows are proposed within 9m of the boundary. As such, there would be no unduly detrimental impact upon the privacy of this property.
67. The northern wing of the development proposed would be sited within 9m of the rear garden of No. 1 St. John's Close. However, this portion of the building would contain no directly facing windows. The application also proposes a projection to the rear of the northern wing, which would be within 9m of each of the gardens along Nos. 1-4 St. John's Close. At ground floor level, there would be four facing windows which would be within 9m of the rear garden boundaries. However, by nature of their ground floor location, any sense of overlooking would be mitigated by the existing boundary treatment. A landscaping condition would also be included requiring details of boundary treatment to be retained/proposed. At first to sixth floor level, there would be six north-west facing windows which would be within 9m of the above noted rear gardens. A condition requiring these windows to be obscure glazed would be included with any consent to ensure this does not result in overlooking. Otherwise, the remaining windows have been designed to be inset from the main building facades to ensure appropriate separation levels are achieved.
68. It is also noted that there are a number of green roofs within 9m of adjoining neighbouring boundaries. However, these would be accessible for maintenance only and as such, there would be no rise to overlooking, given the infrequent access to this green roof.

### Outlook and Sense of Enclosure

69. The building envelope of the proposed development should be set below a line of 30 degrees from the nearest rear habitable room window of adjoining existing property, measured from height of two metres above floor level. Where proposed development adjoins private amenity / garden areas then the height of new development should normally be set below a line of 45 degrees at the garden edge, measured from a height of two metres. SPD1 further highlights the 1:2 rule for two storey extensions for commercial developments next to residential as well as between residential developments applies.
70. The eastern wing of the development proposed would project beyond the rear wall of No. 13 Elm Road by approximately 0.85m and would therefore need to be set away from the midpoint of the nearest habitable window by 1.7m. The rear of the outrigger benefits from a ground floor bay window which is noted to be the nearest window, and likely to serve a habitable space. Based on the drawings provided, the development would be set approximately 2m from the midpoint of the bay window and complies with the 1:2 rule in this regard. Otherwise, it is noted that due to the six-storey height on this wing, the development would fail to comply with the 45-degree rule when taken from the rear garden of No. 13. However, in terms of outlook, the building would only project alongside the garden by 0.85m, and the garden would continue to benefit from strong levels of outlook to its rear and flank. The minor divergence is therefore considered acceptable in this instance.
71. The western wing of the development would project approximately 5.45m beyond the rear building line of No. 14 St. John's Road and would be set approximately 12.6m away from the flank wall at its deepest

portion. The application complies with the 1:2 rule in this regard. Planning permission was granted in 2022 for the conversion of this property into two self-contained flats, including the subdivision of the external amenity space on site (LPA Ref: 22/1723). Both the existing and proposed layouts approved under this application demonstrate that the flank windows contained on the neighbouring property do not serve any habitable rooms and therefore the 30-degree measurement is not required. Furthermore, the eastern portion of the site comprises communal amenity space, and therefore does not require testing in accordance with the 45-degree guidance which relates to private gardens. Nevertheless, given the six-storey height on this wing, the development would be in breach of the 45-degree rule (approximately 17.5m above the 45 degree line) when taken from the private amenity space serving the ground floor flat to the rear.

72. The northern wing of the development would also project alongside approximately half of the rear boundary at No. 1 St. John's Close. The six-storey rear projection would project alongside the gardens of Nos. 2-3 St. John's Close. A section drawing was provided during the course of the application which demonstrates that the development would be in breach of both the 30 and 45 degree angles when measured from these properties (approximately 13.6m above the 30 degree line and 18.71m above the 45 degree line).
73. Whilst the divergence from guidance is noted with regard to Nos. 1-3 St. John's Close and No. 14 St. John's Road, some breaches of guidance would be expected in an urban, edge of town centre location within a growth area and site allocation (which identifies an expected character of 5-6 storeys in height). In this instance, the proposed development would not prejudice potential development on neighbouring sites in line with the objectives of the site allocation policy for residential-led development. This is also reinforced by the omission of flank facing windows on the northern elevations of the proposed building. Noting the public benefits of the scheme, which include the improvement of the public realm, the divergence in guidance is considered to be acceptable in this instance. The four properties for which SPD1 guidelines are breached, as well as all other properties, have been examined for precise daylight and sunlight impact and this harm is considered in the context of the impact discussed above. This is discussed later in the report.

#### Daylight and Sunlight

74. Where buildings would be within a 25-degree line of existing windows, the Building Research Establishment considers that levels of light to these windows could be adversely affected and recommends further analysis of the impacts. A more detailed assessment of daylight and sunlight impacts based on the BRE's Site Layout Planning for Daylight and Sunlight (BRE209) 2022 guidance is required where the 25-degree test is not met. This guidance supersedes the 2011 version, however the advice in relation to assessing the impact on neighbouring properties remains consistent with the earlier version.
75. In support of the application a Daylight and Sunlight Report has been submitted, which assesses the effect of the proposed development on surrounding properties as well as within the proposal itself (discussed above).
76. In terms of impacts on daylight and sunlight to neighbouring properties, BRE Guidelines recommend two measures for daylight. Firstly, the Vertical Sky Component (VSC) assesses the proportion of visible sky and is measured from the centre of the main window. If this exceeds 27% or is at least 0.8 times its former value, residents are unlikely to notice a difference in the level of daylight. In addition, existing daylight may be affected if levels of No-Sky Line (NSL) within rooms are reduced to less than 0.80 times their former values.
77. In respect of direct sunlight and overshadowing, the 2022 BRE guidance recommends that a space should receive a minimum of 1.5 hours of direct sunlight on a selected date between 1st of February and 21st of March with cloudless conditions. It is suggested that 21st March (equinox) be used for the assessment.
78. To assess impacts on sunlight to existing south facing windows and amenity spaces, assessment of Annual Probable Sunlight Hours (APSH) is recommended. Adverse impacts occur when the affected window receives less than 25% of total APSH including less than 5% in winter months and that the amount of sunlight, following the proposed development, is reduced by more than 4%, to less than 0.80 times its former value.
79. The BRE guide defines criteria by which to assess the impact of a proposed development on open

spaces using the sunlight amenity test. This test quantifies the area of each space that receives at least two hours of sunlight on the 21st of March, in both the existing and the proposed situations. The 21st of March is chosen as it represents the mid-point of the sun's position throughout the year (equinox). The guidance suggests that, for a space to appear adequately sunlit throughout the year, at least 50% of its area should receive two or more hours of sunlight on the 21st of March. If the space fails to meet the above, then the area receiving at least 2 hours of sunlight should not be reduced to less than 0.80 times its former area.

80. However, the BRE also recognise that different criteria may be used in dense urban areas where the expectation of light and outlook would normally be lower than in suburban or rural areas, and the NPPF also supports a flexible approach to applying standards in order to make efficient use of sites. Where existing buildings have windows close to the site boundaries, the BRE suggests that a new building of similar height and proportions could be assumed in order to derive 'mirror image' target values for VSC. Where the proposed development would affect other newly consented developments, the impact on the Average Daylight Factor (ADF) achieved for those developments can also be used as an alternative means of assessing the impact of the proposed development.
81. Officers are satisfied that the report successfully identifies all neighbouring properties which could be affected by the proposed development, which are summarised as follows:
82. The assessment has considered all the closest neighbouring residential properties with windows overlooking the proposed development which are:

14 St. John's Road  
1-4 St. John's Close  
13-17 (odd) Elm Road  
27 St. John's Road  
31-55 (odd) St. John's Road  
10-14 Elm Road/492-498 High Road

#### *14 St. John's Road*

83. This property is located to the north of the site and has been extended in the last 2-3 years. The site facing windows in the new flank elevation of the property serve bathrooms and a W.C which is confirmed within the approved drawings for 22/1723. As such, they are not material for assessment.
84. Otherwise, all of the front and rear facing windows meet the VSC and NSL targets, ensuring that the habitable spaces would continue to have adequate levels of daylight amenity and would not be noticeably affected by the proposal.
85. In relation to sunlight, the effects on the windows to the front of the property which are south-west facing fully accord with BRE APSP guidance. As the windows to the rear of the property are not orientated within 90 degrees of south, they are not material for assessment.
86. Overall, the proposal is not considered to have a noticeable impact upon the daylight and sunlight of the property.

#### *1-4 St. John's Close*

87. These terraced houses are located to the north of the application site, with rear gardens facing the proposed development. 33 windows and 10 rooms were identified as being potentially affected and were tested for daylight impact.
88. Of the 33 windows tested, only 2 rooflights contained within the ground floor rear extension of No. 4 St. John's Close would meet the VSC targets, with larger reductions generally experienced at ground floor level. Of the 10 rooms measured, only 2 would meet NSL targets.
89. 9 windows were identified for assessment at the rear of No. 1 St. John's Close. Of these, 5 are located below a non-original canopy feature to the rear, which restricts existing VSC scores to between 0.3 and 12.7. Therefore, whilst the resultant reductions to these windows would be greater than the 20% guideline, the reductions are accentuated by the existing low values. As such, it is difficult to avoid such an impact, due to the presence of the existing canopy. Otherwise, the remaining windows would experience VSC reductions ranging from 47.7% to 66.7%, with retained VSC levels ranging from 10.9%

to 15.8%. Furthermore, NSL reductions would range from 41.4% to 88.1%.

90. 9 windows were identified for assessment at the rear of No. 2 St. John's Close with VSC reductions ranging between 37.2% and 81.2%. In terms of retained levels, the central pane of the upper floor bay window would retain a 16.6% VSC. NSL reductions would range from 13.2% to 61.8%.
91. 7 windows were identified for assessment at the rear of No. 3 St. John's Close with VSC reductions ranging from 29.8% to 68.1%. It is noted that the ground floor of the property benefits from a 2.5m deep single storey rear extension as approved under planning application 02/2624. Whilst the retained values ranging from 9.6% to 13.8% at ground floor level are relatively low, Officers note that the level of such impact is worsened by the erection of this extension within a relatively shallow garden, and as a result of the impact of the deeper, neighbouring extension at No. 4. Otherwise, the central pane of the upper floor bay window would retain a VSC value of 18.9%. NSL reductions would be 33.1% and 34.2%.
92. 7 windows were identified for assessment at the rear of No. 4 St. John's Close including two rooflights on the property's 6m ground floor rear extension (LPA ref: 15/1768). Both ground floor rear windows would experience reductions of 53.2% and 52% with resultant levels 14.1% and 16.1% respectively. Whilst this is a shortfall against guidance, both rooflights would retain VSC values of 74.5% and 75.4% which significantly exceeds targets. At first floor level VSC reductions would range from 24.2% to 65.4% with the central pane of the bay window retaining a value of 20.4%. In terms of NSL, the ground floor kitchen within the rear extension would retain a value of 0.8x its former whilst the upper floor room would experience a minor shortfall in reduction of 24.2%.
93. Whilst there would be noticeable impacts to these properties (particularly Nos. 1-3 St. John's Close) it is noted that the affected properties are dwellinghouses that would only experience impact to their rear-facing windows and rooms and would continue to benefit from unaffected outlook to the front. Furthermore, as with the properties to the west, these properties are all within the BSWSA10: Elm Road site allocation and an aspiration for redevelopment of this area is set out within policy. Whilst the impact to these properties as existing is a material planning consideration, the designation sets an expectation of intensification for this area, and as such, with the degree of compliance with BRE guidance typically being much lower where built densities are higher. The impacts to these properties must be weighed against the regeneration benefits of the scheme, and a flexible approach should be applied in judging the impact as prescribed in the NPPF. This judgement is discussed below.

#### *13-17 (odd) Elm Road*

94. These properties comprise terraced houses to the east of the application site.
95. Of the 16 windows assessed, 13 of these would meet VSC targets (81%). Where targets are not met, these windows form the site-facing pane of the ground floor bay windows at each property measured, with the remainder of the bay window meeting targets. The minor shortfall in targets is therefore acceptable in this instance. Furthermore, all windows meet NSL targets. The habitable spaces would therefore continue to benefit from adequate levels of daylight amenity and would not be noticeably affected by the proposal.
96. In relation to sunlight, the rear facing windows are not orientated within 90 degrees of due south and are therefore not material for assessment.
97. Overall, the proposal is not considered to have a noticeable impact upon the daylight and sunlight of these properties.

#### *10-14 Elm Road / 492-498 High Road*

98. This property is located to the south of the site and contains residential accommodation at upper levels.
99. Of the 47 windows assessed, 46 of these would have a VSC value of 0.8x the former value. Whilst one window would have a 21.3% reduction, it would retain a VSC value of 30.1%, which meets guidance. Furthermore, all windows meet NSL targets. The habitable spaces would therefore continue to benefit from adequate levels of daylight amenity and would not be noticeably affected by the proposal.
100. In terms of sunlight, none of the facing windows are within 90 degree of due south and are therefore not material for assessment.

101. Overall, the proposal is not considered to have a noticeable impact upon the daylight and sunlight of the residential accommodation contained within this building.

*27 St. John's Road*

102. This property, which contains residential accommodation above a shop, is located to the south-west of the site.

103. The property contains one window on the front façade and no windows on the flank. The front window would have a VSC reduction of 29.7%, with a retained value of 24%. Whilst these values fail to comply with guidance, the minor shortfalls are considered to be acceptable within this urban location and site allocation which expects an emerging, mid-rise character.

104. In terms of sunlight, the window is not within 90 degree of due south and is therefore not material for assessment.

*31-55 (odd) St. John's Road*

105. These properties comprise terraced houses to the west of the application site.

106. Of the 91 windows tested, 58 would fail to meet VSC targets (64%). However, 8 of the windows to which the VSC impact is likely to be noticeable are secondary bay-window panes to habitable rooms and it is also noted that W2/121 of No. 39 is obscure glazed and appears to serve a bathroom. As a result, 49 windows (54%) would likely be impacted to a noticeable extent, where that impact is to a primary habitable room window of a dwelling. Of these remaining windows, 24 are side panes serving the front bay window of these windows which, due to their size and orientation at a right angle away from the central pane, have existing low VSC levels and are unlikely to receive noticeable impacts. As such, it is considered that 25 windows (27%) would likely be impacted to a noticeable extent, with these generally forming the front bay-window panes and first floor bedroom windows on the properties between 31-47 Elm Road. The central pane of the bay windows for these properties would retain values ranging from 11.8% to 25% whilst the single bedroom windows would retain values ranging from 10.9% to 23.2%, containing an adverse to minor adverse impact. In terms of NSL, 18 of the 39 rooms tested meet BRE guidelines, with greater impacts experienced by Nos. 31-43 St. John's Road (losses between 27.7% and 65%). It is however noted that one of these rooms at No. 39 appears to serve a bathroom.

107. In terms of sunlight, none of the facing windows are within 90 degree of due south and are therefore not material for assessment.

108. Whilst there are some instances of noticeable impact to these properties, it is noted that the affected properties are dwellinghouses that would only experience impact to their street-fronting windows and rooms and would continue to benefit from unaffected outlook to the rear. Furthermore, as with the properties to the north, these properties are all within the BSWSA10: Elm Road site allocation and an aspiration for redevelopment of this area is set out within policy. Whilst the impact to these properties as existing is a material planning consideration, the designation sets an expectation of intensification for this area, and as such, with the degree of compliance with BRE guidance typically being much lower where built densities are higher. The impacts to these properties must be weighed against the regeneration benefits of the scheme, and a flexible approach should be applied in judging the impact as prescribed in the NPPF. This judgement is discussed below.

*6 St. John's Road (Consented Development - LPA ref: 21/4155)*

109. Of the 242 windows tested, 22 windows would experience a VSC reduction of more than 0.8x their former value or under a total value of 27%. However, the windows that would experience reductions of more than 0.8x their former value are those located in recessed locations or under balconies. The lowest level residential windows in the main site facing elevation would also all retain VSC values in excess of the default BRE target of 27% after development. This neighbouring consent would therefore retain very good access to daylight should the subject development be built.

110. In terms of NSL, reduction to all except 2 bedrooms fully accord with default BRE guidance. Both of these bedrooms are recessed behind balconies, restricting their access to daylight.

111. In terms of sunlight, none of the facing windows are within 90 degree of due south and are therefore not material for assessment.



## *Overshadowing to Outdoor Amenity Spaces*

112. The application has considered the impact of development on the outdoor amenity spaces to the north and east of the site. The relevant amenity spaces which are closest and which would warrant overshadowing testing is the rear gardens of 1-6 St. John's Close and 13-21 Elm Road. An addendum Daylight Sunlight Assessment was also requested and received during the course of the application to test the impact of overshadowing on the rear gardens of 14-16 St. John's Road. It is noted that the garden to the rear of No. 16 St. John's Road has been subdivided to provide a private amenity space for the ground floor flat, and a communal amenity space for the remaining residents.
113. The BRE overshadowing assessment is passed where at least 50% of the garden area would retain exposure to at least 2 hours of direct sunlight on 21st March.
114. Of the 14 gardens measured, 4 would meet BRE guidelines (19-21 Elm Road and 5-6 St. John's Close). Of the remaining gardens, No. 4 St. John's Road would receive at least 2 hours of sunlight on the 21st of March to 49% of its garden and this minor shortfall is negligible.
115. For the remaining gardens, the 2-hour sun on ground test was also modelled on 21st June, which Officers note is when these spaces are more likely to be used given the urban context. On this day, only the communal amenity space to the flank of No. 14 St. John's Road would fail to receive at least 2 hours of direct sunlight to 50% of its area (40%). The remaining gardens would perform strongly, ranging from 68% to 100%.
116. Whilst there are some instances of noticeable impact to these gardens on the 21st March, it is noted that the gardens would perform strongly within the summer months, and this is considered acceptable within the urban, edge of town centre context. Whilst the impact to these properties as existing is a material planning consideration, the designation does set an expectation of intensification for this area, and as such, with the degree of compliance with BRE guidance typically being much lower where built densities are higher. The impacts to these properties must be weighed against the regeneration benefits of the scheme, and a flexible approach should be applied in judging the impact as prescribed in the NPPF. This judgement is discussed below.

## *Summary*

117. Overall, while there are a number of windows and gardens which do not achieve BRE guidelines, the scheme provides a generally high compliance with BRE guidance as a whole, and these results are considered to be acceptable given the context of the proposal that is located close on the edge of a town centre and tall building zone, within a growth area, and within a site allocation policy which expects a development character of 5-6 storeys. It is also worth setting out that the NPPF highlights a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site.
118. The properties that are mainly affected currently afford outlook over the existing low scale existing buildings on site. The overall benefits of the development which seeks to optimise the use of this underused brownfield site, including the delivery of new community use space would outweigh the limited harm identified above.

## **Transport and Highway Considerations**

### Car Parking

119. Car parking allowances in Brent are set out in Appendix 4 of the Local Plan. This allows only disabled and operational parking to be provided for hotels with good access to public transport services, whilst any parking for the community hall would need to be justified through the Transport Assessment. The absence of any proposed parking for the development therefore accords with standards, whilst disabled Blue Badge holders would be able to use nearby on- and off-street parking bays in the area. The adjoining roads are noted as being not heavily parked at night.
120. The operation of a Controlled Parking Zone (CPZ) in the area would deter car-borne staff and visitors from parking in nearby residential streets and encourage them to use nearby public off-street car parks in the area instead, such as St. John's Road, Elm Road or Wembley Central car parks. The excellent access to public transport services would again also help to minimise car trips to the site. As

such, the proposed absence of car parking provision is acceptable.

### Coaches and Taxis

121. The parking standards for hotels also require a coach parking space for every 75 bedrooms, giving a requirement for four spaces for this extended hotel. However, the proposed use is an apart-hotel, which includes larger rooms with cooking facilities intended to attract longer-stay customers such as families or long-stay business trips. The applicant states that such visitors are therefore less likely to be arriving in large groups by coach and that any group bookings that are received (i.e. above 20 guests) would be advised that the hotel cannot accept coach parties.
122. There is little data on the TRICS national database on apart-hotels, but a review of other apart-hotels in London by Brent's Transport officers does suggest that there is very little, if any, demand for coach parking for such businesses.
123. As such, it would be acceptable for the coach parking requirements to be relaxed, as long as strict planning conditions are applied to the consent to limit its use to an apart-hotel only (and not a general hotel) and to prohibit the booking of coach parties at the hotel.
124. Taxis can also be expected to set down and collect visitors, but no off-street area is proposed for this. The applicant has stated that this may take place within the off-street servicing area when no deliveries are expected however it is acknowledged that taxis would unlikely use this area in practice. Nevertheless, the application would require the reinstatement of the redundant vehicle crossovers along St. John's Road, and the resultant kerbside space freed up for extra parking bays would provide space for the safe pick up and drop off of customers.

### Bicycle Parking

125. Policy T5 of the London Plan dictates that seven short-stay bicycle parking spaces for guests and sixteen long-stay spaces would be required for the apart-hotel element of the proposal. In addition, two long-stay and two short-stay spaces are required for the F1/F2 space.
126. Four bicycle stands (eight spaces) are proposed along the Elm Road frontage and in close proximity to the main entrance, which is noted to provide a good level of natural surveillance. A further stand (two spaces) has also been proposed in front of the F1/F2 space, and the overall provision therefore satisfies the short-term requirement.
127. A basement store with sufficient space for 17 bikes on two-tier stands, Sheffield stands, and a large bicycle stand is also proposed. Whilst this would be one space short of the long stay requirements, the mix in provision and additional short stay space is considered to overcome this minor shortfall. These spaces would also be accessed via a suitably sized lift.

### Servicing

128. Servicing by 8m rigid vehicles is required for the aparthotel under the standards set out in Appendix 5 of the Local Plan. Amendments were sought and accepted during the course of the application to allow for servicing provision on-site, in accordance with Policy T7 of the London Plan. The incorporation of an enclosed loading bay (4m x 11.5m) with a 4.1m headroom accessed via a widened 7m wide crossover from St. John's Road (also serving an electricity substation) is welcomed and in accordance with the objectives of Policy T7.
129. The loading bay would be linked via an internal door and corridor to the linen store and café, whilst also adjoining the relocated refuse store on the ground floor, so is conveniently located in relation to the parts of the building that require servicing.
130. To accommodate the swept paths of delivery vehicles, it is proposed to relocate the two on-street parking bays along the St. John's Road frontage further southwards, which is acceptable. Given that the existing crossover to the hotel would also become redundant, there would be scope to provide an additional on-street parking bay or two and these matters would be secured via condition.
131. A Delivery & Servicing Management Plan (DSP) has been submitted with the application to help to manage future deliveries. In terms of delivery vehicle frequency, the plan states that eight weekly deliveries are currently received each week by transit vans for the existing 65-bed hotel, plus six

collections of refuse. It is suggested that that the proposed aparthotel would generate a similar number of deliveries to the previously consented 226-bed scheme. Otherwise, delivery vehicle movements would be pre-planned with 20-minute delivery slots. A full DSP would be secured prior to first use of the building via condition to contain detail on the measures that would be implemented to ensure that delivery and servicing is carried out in accordance with the Mayor's Vision Zero principles.

### Trip Generation

132. Policy T4 of the London Plan states that development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity. Where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified.
133. A revised Transport Assessment was submitted during the course of the application which considers the multi-modal trip generation of the 318 rooms proposed. The predicted trips have been based upon survey data of the nearby Best Western Hotel on Wembley High Road which, whilst not an apart-hotel, is highly representative in terms of location (PTAL 6 and within 400m of the application site). The Best Western hotel also has very little on-site parking, so is suitably comparable with this car-free proposal. This approach was also accepted in the assessment of the extant consent which was for 226 aparthotel rooms.
134. Applying the results to the proposed 318 room aparthotel, the assessment suggests that the development would generate 20 two-way vehicle movements in the morning peak hour (8-9am) and 57 two-way vehicle movements in the evening peak hour (5-6pm). Daily two-way vehicle movements have been estimated at 582 which is not of a significant level to have any significant impact on local highways. Furthermore, in practice, it is noted that the car free development would likely generate a slightly lower level of vehicular traffic, with most vehicle trips comprising disabled guests driving to the hotel. This is because the sample study of the Best Western Wembley Hotel provides some dedicated on-site car parking.
135. In terms of modal share, car driver/passenger trips would account for 13% of trips and taxi journeys for 8%. For other modes, approximately 66% of trips would be by public transport and 11% by foot. For the public transport trips, this would equate to 43 trips by rail/Underground in the morning peak hour (8-9am) and 120 trips in the evening peak hour (5-6pm). This would amount to an average of one extra passenger per rail/Underground service through Wembley Central, Wembley Park and Alperton/Sudbury Town, which is not considered significant enough to have any noticeable impact on capacity.
136. The estimated number of journeys by bus (5 in the morning peak hour and 15 in the evening peak hour) would be insignificant. However, noting the car-free nature of the scheme, Transport for London have re-distributed the extra vehicle trips predicted into sustainable and active modes. Based upon these, it is estimated that the development proposed would generate a total of 9 journeys by bus in the morning peak hour and 18 journeys by bus in the evening peak hour. The proportion of associated impact upon bus service provision would therefore be notable, and a bus service enhancement contribution figure of £117,000 would be secured via s106 as part of any consent.

### Travel Plan

137. A "Framework" Travel Plan has been submitted for the hotel, This sets out a range of measures to be implemented by a Travel Plan Co-ordinator for both staff and guests (travel information on noticeboards, website etc., marketing and promotion, promotion of car sharing, Car Clubs etc.), with the aim of increasing the modal share by walking and cycling by 5% over five years and reducing the proportion driving by 10% over the same period. Based on the figures laid out within the Transport Assessment, it is suggested that the targets are to reduce the proportion of journeys to and from the site by car/van drivers to no more than 3% of trips by the third year of the Travel Plan and 2% by the fifth year.
138. The measures in the Action Plan could also be improved, notably through the provision of interest-free season ticket and bicycle purchase loans for staff and the provision of bicycles for rent for long-stay guests. Otherwise, progress towards meeting these targets will be monitored on a biennial basis over five years using fully funded i-TRACE/TRICS compliant surveys, with a review of progress towards the targets undertaken following each survey to identify any need for additional measures.

139. A final Travel Plan will need to be approved before the development is occupied and this would be secured via s106 Agreement.

### Healthy Streets

140. Policy T2 of the London Plan states that development proposals should demonstrate how they will deliver improvements that support the ten Healthy Streets Indicators in line with TfL guidance, reduce the dominance of vehicles on London's streets whether stationary or moving and be permeable by foot and cycle and connect to local walking and cycling networks as well as public transport.
141. In line with Policy T2, an Active Travel Zone Assessment ('ATZ') has been undertaken and submitted as part of the Healthy Streets Assessment within the Transport Assessment. This includes a study on five routes from the site to nearby destinations, including High Road, Wembley Health Centre and Wembley Stadium, which are appropriate in scope. Further detail was sought during the course of the application to provide more commentary on potential improvements to each route as well as an hours of darkness/night time ATZ study also being undertaken. The suggested improvements include lighting, footway improvements, and better cycle infrastructure on each route, and in accordance with Policy T2.
142. One set of improvements that is referred to relates to the junction of St. John's Road, Elm Road and Ecclestone Court. In this case, a nearby mixed-use development at 6 St. John's Road (ref: 21/4155) has previously identified a pedestrian safety scheme involving the construction of a raised junction table and widened. Whilst this development benefits from planning permission, this has not yet come forward. Given that these improvements front the site, they are also required to make this development acceptable. As such, the construction of these works would also be secured through any planning consent for this hotel, to ensure the works are still constructed if the development at 6 St. John's Road does not progress. In the event that the works have already been commissioned in association with 6 St. John's Road before a material start is made to this development, then a financial contribution of £50,000 would be sought, either as a contribution towards those works or towards other active travel improvements in the vicinity of the site instead.

### Construction Management

143. A Construction Management Plan has been submitted with the application. This anticipates the construction works taking 130 weeks to complete, with working hours to comply with standard practice of 8am-6pm on weekdays and 8am-1pm on Saturdays. Deliveries are proposed to be pre-booked within 45-minute delivery slots. They would be confined to 9am-5pm on weekdays to avoid peak hours, which would limit the number of deliveries to 39 per week. Deliveries would also not be booked within four hours of an event at Wembley Stadium, which is welcomed.
144. In terms of routeing, all vehicles would travel to and from the site from the North Circular Road via Harrow Road, Park Lane and Elm Road, before departing via St. John's Road and High Road, which is welcomed. For the initial works, loading would be undertaken off-street to the rear of the site, but for the final construction stage, deliveries would be made kerbside from Elm Road. This would require the suspension of parking bays and probable closure of the footway, so applications for this would need to be made to Brent's Highways Service. An informative is recommended to this effect.
145. Otherwise, banksmen would be employed on site to maintain safety and wheel-washing equipment would be provided to ensure mud is not carried onto the highway. Up to 15 staff are anticipated to be present on site at any time and with no parking to be provided, they would be expected to travel by public transport.
146. Overall, the Construction Management Plan is of a good standard, but would require final review and approval once a main contractor is appointed. Such details would therefore be secured via condition.

### Basement

147. The development proposes a basement close to the highway boundary. An informative is recommended advising the applicant that they would require approval in principle (AIP) for the retaining structures around the site perimeter from the Local Highway Authority (i.e. Brent's Highways & Infrastructure Service) prior to the commencement of works. A time period of 8-12 weeks should be

allowed to obtain approval and further information can be provided upon request.

## **Environmental Health Considerations**

### Air Quality

148. London Plan SI1 seeks to tackle poor air quality and ensure development proposals do not lead to further deterioration of existing poor air quality. Policy BSUI2 of Brent's Local Plan requires all major developments within Growth Areas and Air Quality Focus Areas to be Air Quality Positive and elsewhere Air Quality Neutral.
149. The application is a major development in an Air Quality Focus Area and is therefore required to be Air Quality Positive. An Air Quality Assessment was submitted with the application which is of a sufficient technical quality to demonstrate that the development would be Air Quality Neutral for both building and transport emissions. An assessment of the potential impacts during the construction phase has been carried and shows that releases of dust and particulate matter are likely to occur during site activities. The risk of dust soiling impacts at neighbouring properties has been assessed as medium, with the risk to human health assessed as potentially low. Through good site practice and the implementation of suitable mitigation measures, the impact of dust and particulate matter releases may be effectively mitigated and the resultant impacts are considered to be negligible. Traffic generated by the proposed development is expected to be very limited and would not significantly affect local air quality, however detailed dispersion modelling of the local road network has been undertaken to assess whether the site is suitable for the aparthotel use, as proposed. The modelling indicates that both long and short term air quality standards are within the targets for commercial spaces as set by the Air Quality Standards Regulations 2010. The protection measures identified would be secured through a construction management plan which includes a dust management plan.
150. An Air Quality Positive Matrix was also requested and received during the course of the application. The information submitted demonstrates that the design and layout of the development has been considered to improve the dispersion of air pollution. The development would also be car free and would use of all electrical HVAC and DHW systems via heat pump systems. The information has been reviewed by Brent's Environmental Health Service who recommend no further conditions.
151. Overall, the site is considered suitable for use and there would be a positive impact on air quality. The proposed development therefore complies with the relevant local plan and London Plan requirements subject to conditions to secure mitigation measures set out above.

### Land Contamination

152. The application has been accompanied by a Preliminary Risk Assessment which concludes that an intrusive site investigation is required. As such further information will be requested via condition to ensure safe development and secure occupancy of the site in the form of a site investigation setting out remediation options and a verification report to confirm that such remediation works have been carried out.

### Noise

153. London Plan Policy D14 states that where it is not possible to achieve separation of noise-sensitive development and noise sources without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through applying good acoustic design principles. Proposals should manage noise by promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.
154. The applicant has submitted an RBA Acoustics External Building Fabric Assessment dated 02/08/2023. This assessment does recommend mitigation measures to ensure that internal noise levels within the hotel bedrooms can be achieved. A plant noise assessment is also included within the noise assessment to meet LB Brent guidance. Conditions securing the above would be included with any consent.

### Construction Management

155. The application has been accompanied by a Construction Management Plan which does have controls to minimise noise and dust from the site during construction. However, it is also recommended

that on-site plant and machinery must comply with the London Non-Road Mobile Machinery (NRMM) Low Emission Zone standards for Opportunity Areas and this would be secured through condition.

## **Urban Greening, Biodiversity and Ecology**

### Urban Greening and Biodiversity

156. London Plan Policy G1 states proposals should incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network and London Plan Policy G4 supports the creation of areas of publicly accessible open space. Policy G5 requires major development proposals to contribute to the greening of London by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. The Major recommends a target Urban Greening Factor (UGF) of 0.3 for predominately commercial development. Local Plan Policy BGI1 supports meeting the UGF with emphasis on solutions to support biodiversity.
157. The applicant has calculated the Urban Greening Factor (UGF) score of the proposed development as 0.41, which exceeds the target set by Policy G5 of the London Plan.
158. The proposed development presents a well-considered approach to integrating green infrastructure and urban greening across the development which is supported. This includes the incorporation of roof top greening and rain gardens which support multifunctionality, in accordance with Policy G1. The management and maintenance of the areas will be subject to condition to ensure the spaces develop and thrive. Within the extant consent, some concerns were raised as to the successful cultivation of the lightwell courtyard trees, given its subterranean location. Since the approval of the extant consent, the adoption of the new London Plan requires a UGF score of 0.3. The UGF calculation provided with the subject application was based upon an earlier iteration of the scheme, which only accounted for six trees within the lightwell courtyard, and three trees along the site frontage. Even at this stage, the UGF target of 0.3 was exceeded. Since then, six further trees have been introduced to the site frontage, and the final UGF score, to be secured via condition, would achieve the policy target of 0.3. The scheme would be subject to a landscape management plan via condition and would further benefit from the planting of four new trees along the public highway.
159. London Plan Guidance on Fire Safety restricts the use of combustible materials in the external walls of a building, limiting the use of green walls. The proposed urban greening has been reviewed against this guidance and it is noted that no green walls are proposed, but rather two areas of climbers on the outside walls of the basement, which would not be connected to the building. The application is therefore acceptable in this regard and these matters would be secured via condition.
160. London Plan Policy G6 along with Brent Local Plan Policy BGI1 with set out that development proposal should aim to secure net biodiversity gain.
161. The application site is comprised entirely of sealed surface and buildings, and therefore the baseline biodiversity value for the site is calculated to be 0.00 biodiversity units. The landscaping improvements proposed would provide 0.35 biodiversity units and the application is therefore in accordance with the above policy context. Post-development, the site would be of benefit to a range of species which are discussed below and would be an improvement on the pre-development scenario. Detail relating to the proposed ecological compensation and enhancement actions in relation to habitat creation and management should be provided within an Ecological Management Plan (EMP) for the site which would be secured through planning condition.

### Ecology

162. The existing landscaping ecology on site is relatively poor, with the majority of the land covered with hard landscaping and buildings. Nevertheless, the application has been accompanied by a Preliminary Ecological Appraisal, dated August 2023, which identifies value for a number of notable and protected species and habitats, including roosting bats and nesting birds. A single presence/likely absence survey for bats is recommended on two buildings, with a survey for nesting birds not considered necessary. Mitigation and compensation actions to minimise the disturbance of bats and birds are recommended, which include biodiverse living roofs to provide foraging opportunities, and bird and bat boxes. Any mitigation and enhancements for the site would be secured via the submission and approval of an Ecological Management Plan.

163. The application site is also located near to the Chiltern Line between River Brent and Sudbury Hill Harrow Site of Importance for Nature Conservation ('SINC'), identified as being of Borough Importance. In accordance with Policy G6 of the London Plan and BG11 of the Local Plan, the development should avoid impacts to the SINC. If avoidance of impacts is not possible, the application should set out how the mitigation hierarchy has been followed to minimise development impacts.
164. The Preliminary Ecological Appraisal states that there is the potential for construction impacts, including dust, vibration and noise pollution on the SINC. A Construction Environment Management Plan ('CEMP') which sets out how such impacts would be avoided and mitigated would therefore be required by condition.

### Trees

165. Policy BG12 of the Local Plan stipulates that development with either existing trees on site or adjoining that could affect trees will require the submission of a BS5837 or equivalent tree survey detailing all tree(s) that are on, or adjoining the development site. In the case of major development to make provision for the planting and retention of trees on site. Where retention is agreed to not be possible, developers shall provide new trees to achieve equivalent canopy cover or a financial contribution for off-site tree planting of equivalent canopy cover will be sought. Replacement canopy cover will be measured as total canopy area of new trees at time of planting being equal to canopy area of existing mature trees proposed for removal.
166. Within the extant consent for this site, all 11 on-site trees were identified for removal. In place, 4 trees were proposed within the central courtyard woodland location and a financial contribution of £10,000 secured for the planting of 7 trees in front of the hotel on the public highway, totalling 11 new trees. Since the determination of this planning application, all of the previously existing on-site trees have been removed, and the site is entirely comprised of sealed surface and developed land.
167. The subject planning application incorporates the additional parcel of land to the north, containing the existing Spiritualist Church. The Arboricultural Report submitted with the application notes that the site is entirely clear of trees, and this was confirmed upon Officer site visit. Whilst historic imagery demonstrates that this additional area previously benefitted from tree coverage, these were not statutorily protected by a Tree Protection Order or by Conservation Area regulations. The proposal would include the planting of eighteen trees within the application site, with nine of these being along the frontage, providing significant landscape value. The proposed approach to tree planting is strong, and it is considered that this would be an improvement from the extant consent. As noted above, a financial contribution would also be secured for the replanting of the two street trees along Elm Road, and the planting of two further street trees along St. John's Road.
168. With regard to the impact of development on off-site trees, the area includes one Hornbeam (T3) and a street tree growing on Elm Road and a group of off-site Sycamore (G1) which have been assessed as category B in the Arboricultural Survey submitted. A Zelcova and Italian Alder (T1 and T2) are also growing in the street and have been assessed as category C trees. It was agreed during the course of the application for the removal of the T2 and T3, and a financial contribution provided for the planting and maintenance of two new trees in this area. This is discussed in more detail below. Otherwise, T1 would be protected by trunk hoarding during construction.
169. The proposed basement woodland/lightwell construction would require excavation within 16.2% of the RPA of the group of Sycamore trees (G1). The Tree Protection Plan submitted provides details of sensitive excavation within the RPA of this group, including cutting back cleanly any roots that are encountered. The above ground pruning would be carried out where the trees overhang the site, reducing the demand on the rooting system for water by the reduction of the canopy, reducing the impact of the excavation within the RPA.
170. The recommendations set out within the Tree Protection Plan submitted would be secured via condition, and a Hard and Soft Landscaping plan would be required to have maintenance of any onsite landscaping for a further 5 years.

### Public Realm Landscaping

171. As noted earlier in the report, a £16,000 financial contribution would be secured for the planting of 2 new street trees along St. Johns Road and the replacement of the two existing trees outside of the Elm Road Frontage. Within the original submission, it was proposed to retain these trees and to plant a

tree on the corner of the Elm Road and St. John's Road. Brent's Landscape and Tree Officers noted the existing Elm Road trees to be large specimens which would easily spread to the windows of the new development, even with the pruning proposed. Furthermore, the T2 Alder is of poor health, with a large cavity in the bend of the trunk. This creates a weakness in the tree which could fail in the future. As such, their replacement was agreed. Furthermore, the corner street tree was removed due to highway visibility concerns.

## **Flood Risk and Drainage**

### Flood Risk

172. Policy BSUI3 of the Brent Local Plan highlights that proposals requiring a Flood Risk Assessment must demonstrate that the development will be resistant and resilient to all relevant sources of flooding including surface water. The application is accompanied by a Flood Risk Assessment. It sets out that the site lies entirely within Flood Zone 1 and would be at 'Very Low' or 'Low' risk of flooding from fluvial, tidal, sewer, infrastructure (reservoir) and ground water sources.

173. A number of flood resilience measures are proposed given the risk of surface water flooding (discussed below). The flood risk assessment has been reviewed by the LLFA who has confirmed that are satisfied with the finding of the report and the mitigation measures. Such details are recommended to be conditioned to any forthcoming consent.

### Sustainable Drainage

174. Policy SI13 of the London Plan sets out that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features, in line with the drainage hierarchy. Policy BSUI4 of the Brent Local Plan relates to on-site water management and surface water attenuation. It requires major developments to:

- a) use appropriate sustainable drainage measures to control the rate and volume of surface water run-off;
- b) ensure where feasible separation of surface and foul water systems
- c) make reasonable provision for the safe storage and passage of flood water in excessive events; and
- d) demonstrate adequate arrangements for the management and maintenance of the measures used.

175. A drainage strategy has been submitted with the application and revised in order to ensure compliance with Policy SI13. This follows the SUDs hierarchy and therefore employs the most suitable and practicable SuDS techniques to improve surface water run off rates from the site, which as existing discharges at a rate of 69.17 l/s for the 100 year event. The proposed discharge rate would be 2 l/s for the 100-year event plus 40% climate change. Although this is higher than the Qbar greenfield runoff rate of 0.4 l/s, given the site constrains and the betterment from existing conditions, this is supported and deemed to meet both the Local and National Policy.

176. The drainage strategy proposes to provide the required attenuation within a combination of blue roofs, permeable paving and below ground attenuation tanks, which is supported. A surface water pump is also proposed in the basement, where discharge is not possible by gravity. Therefore, pumping would be minimised as far as is practicable. Brent's Local Lead Flood Authority were also consulted on the application and raised no objections.

177. Thames Water were consulted on the planning application however a response was not received. Within the extant consent, Thames Water raised no objection with regard to surface water network infrastructure capacity or foul water sewage network capacity. This was also the case for the extant consent at No. 6 St John's Road (LPA Ref: 21/4155) which comprises a part 5, part 18 storey mixed use building containing 79 residential units and 166sqm commercial floorspace. As the extant consent on site involved a basement construction, an informative was added recommending the applicant to provide details on what measures would be undertaken to minimise groundwater discharges into the public sewer as part of the Groundwater Risk Management Permit to be applied for. Informatives were also requested to undertake appropriate measures for works within 15m of Thames Water underground assets and the installation of a positively pumped device to avoid the risk of backflow at a later date. The extent of basement has been reduced under the subject application and given the nature of development applied for, the same informatives would be added to the subject application.



## Energy and Sustainability

178. All major developments are required to achieve zero carbon standards including a 35% reduction on the Building Regulations Part L Target Emission Rates achieved on-site, in accordance with the energy hierarchy set out in 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. Ongoing monitoring and reporting of energy performance is also required under the 'Be Seen' part of this policy, and a whole lifecycle carbon assessment is required for applications referable to the Mayor. London Plan Policy S7 also requires a circular economy statement..
179. Planning applications for major development are required to be supported by a Sustainability Statement in accordance with Policy BSUI1, demonstrating at the design stage how sustainable design and construction measures would mitigate and adapt to climate change over the lifetime of the development, including limiting water use to 105 litres per person per day. Major commercial floorspace is required to achieve a BREEAM Excellent rating and this also needs to be appropriately evidenced.
180. An overheating assessment is also required, to assess and mitigate the risk of high temperatures in residential units in accordance with London Plan Policy SI4, and Policy SI7 also requires a circular economy statement for applications referable to the Mayor.
181. The application has been accompanied by an Energy & Sustainability Statement which sets out details of how regulated carbon emissions would be reduced by 16.99% through energy efficiency ('Be Lean' measures) and by a further 20.25% by generating renewable energy on-site ('Be Green' measures). Measures proposed include heat pump technology and photovoltaic panels. The total reduction in emissions would be 37.23%, which meets and marginally exceeds the 35% policy target. The contribution to Brent's carbon offsetting fund is estimated at this stage to be £119,842.50 and would be secured through the s106 agreement together with updated energy assessments at detailed design and post-construction stages. The risk of overheating has also been assessed, and the report identifies that, subject to orientation and shading impacts, some of the hotel rooms would not comply with the industry standards. However, this is not an unexpected outcome for hotel in a high-rise location and the services strategy would be informed accordingly.
182. The proposal does not include any connection to a district heat network ('Be Clean' measures), as there is not an available network within the local area. However, the development would be expected to ensure that there is potential for future and this future connection would be secured by condition.
183. The Energy and Sustainability Statement also sets out how a BREEAM Excellent rating would be achieved for the development. As with all assessments at this stage, the assessment is predictive as it incorporates assumptions about how the detailed design, construction and operation stages would perform against BREEAM criteria, which cannot be confirmed at this stage. However, the targeted minimum score of 71.72% meets the 70% threshold for an Excellent rating, and this minimum rating is considered to be achievable on the basis of the information provided. Further evidence of the achievement of this rating would be required prior to occupation of the building.

## Whole Life-Cycle Carbon and Circular Economy

184. A Whole Life-Cycle Carbon and Circular Economy Statement have been provided with the application. This includes a review of the existing buildings and their refurbishment potential. The existing building structure comprises of a row of five Edwardian terrace houses with various roof layouts and extensions. Due to their age, they are noted to be poorly insulated brick/block construction and have inflexible internal layouts which are not appropriate for retention/refurbishment and would have very little scope for upward extension in any practical manner. This would not make for efficient use of land within this edge of town centre location. As such, although the retention and refurbishment of existing buildings can be beneficial in terms of whole lifecycle carbon emissions, it is considered that this is unlikely to be the most sustainable solution in this case.
185. The Whole Life-Cycle Carbon assessment presents a quantitative analysis of the operational carbon emissions associated with the existing buildings and with the proposed building (the latter is based on the emissions predicted in the energy strategy discussed above), and the embodied carbon emissions associated with the manufacture, transport and construction activities required to create the new building. Emissions associated with maintenance, repair, replacement and demolition are also

considered. This process allows for the choice of materials and construction methods to be reviewed in the light of the potential to reduce the associated carbon emissions. This document has been reviewed by the GLA and subsequently revised to reflect their comments. A further assessment would be required post-construction, and this would be secured by condition.

186. A circular economy statement was also submitted, and subsequently revised in response to comments from the GLA. This covers issues including reuse of materials arising from demolition and remediation works, minimising demand for materials and enabling their reuse, managing waste on site and encouraging waste recycling, storage space and collection systems to support recycling and reuse. Further information is required on the reuse of materials during construction and the management of operational waste and these details would be sought prior to any decision.

## **Impacts of Microclimate and Reception of TV and Radio Services**

### Wind Microclimate

187. A Wind Microclimate Study was submitted and subsequently revised during the course of the application. This uses the Lawson Comfort Criteria, which is the industry standard defining how an average pedestrian would react to different wind levels. Wind speeds are categorised as being suitable for either sitting, standing, strolling or walking, or as uncomfortable for most activities. Developments should aim to provide at least strolling conditions along pedestrian thoroughfares, standing conditions at main entrances, drop off areas, taxi ranks and bus stops, sitting conditions at outdoor seating areas in the summer, and standing conditions in large public amenity spaces in the summer, with sitting conditions at designated seating locations. Finally, sitting or standing conditions should be achieved in summer on balconies and private amenity spaces - providing sitting conditions in summer would generally ensure that standing conditions could be maintained in winter. Strong wind thresholds requiring mitigation measures are also defined.
188. The assessment includes the consented No. 6 St. John's Road development (LPA ref: 21/4155) as part of the future surroundings. This approach is consistent with the approach taken to analyse daylight and sunlight impacts.
189. The results of the assessment show that the introduction of the No.6 St John's Road development would generally create safe wind conditions and ground level conditions which would be suitable for the intended use or consistent with the baseline conditions, following the implementation of mitigation measures. The mitigation measures proposed include the proposed trees within the site, and a 2m wide canopy above the ground floor of the building. The canopy proposed has been included within the proposed elevations and is considered to be of an acceptable appearance. The proposal would also create some localised improvements in wind conditions, to the off-site entrances along Elm Road, which would be more suitable for the intended use than at present. Conditions at the entrances, amenity areas and elevated levels would also be suitable for the intended use.
190. Following mitigation, it is identified that off-site entrances north of St. John's Road would remain unsuitable for the intended use. However, there are fencing and landscaping elements in front of these residential buildings which were not modelled within the analysis. The entrances to the buildings are also recessed, and it is therefore anticipated that wind conditions would be better in reality, with the assessment providing an absolute worst-case scenario. The resultant impact is considered to be commensurate with development of this form and such impacts must be balanced against the planning benefits of the proposal. As noted above, this does include improvements to the wind conditions at the off-site entrances along Elm Road.

### TV and Radio Services

191. A Television and Radio Signal Survey & Reception Impact Assessment was submitted with the application. It is noted that the proposed development could cause reception degradation to digital terrestrial television receptors immediately adjacent to the north-west of the site. Interference to the reception of digital satellite television services in areas immediately north-west of the site could also occur whilst tower cranes during construction could result in minor and sporadic interference to existing satellite dishes. The assessment includes a range of mitigation measures to be implemented to ensure acceptable coverage, and these would be secured via condition as part of any consent.
192. With regard to radio reception, the proposed development is unlikely to adversely impact broadcast signals.

193. Overall, some interference to existing TV signals is possible as a result of this development. A Section 106 obligation will require the applicant to carry out a survey before the commencement of the development and following completion of the development to clearly identify any interference that has been caused. The Section 106 obligation will also require that the applicant underwrites all mitigation required in addressing any interference identified.

### Fire Safety

194. Policy D12b of the London Plan (as well as the draft London Plan Fire Safety Guidance) requires all major development proposals to submit a Fire Statement which is an independent fire strategy, produced by a third party, suitably qualified assessor. The statement should detail how the development proposal will function in terms of:

- 1) *the building's construction: methods, products and materials used, including manufacturers' details*
- 2) *the means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach*
- 3) *features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans*
- 4) *access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these*
- 5) *how provision will be made within the curtilage of the site to enable fire appliances to gain access to the building*
- 6) *ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.*

195. The applicant has provided a Fire Statement which has addressed the above requirement, in accordance with policy D12B of the London Plan.

### **Employment and Training**

196. Brent's Local Plan policy BE1 'Economic Growth and Employment Opportunities for All' states an Employment and Training Plan will be required for all major developments, to be prepared in partnership with Brent Works or any successor body.

197. A commitment to submit an 'Employment and Training Plan' to the Council for its approval prior to the material start of the development would be secured by way of a Section 106 obligation. This obligation is required of all major development schemes within the borough which comprise of 50 or more dwellings or at least 5,000sqm of floor space.

198. As set out in Brent's Planning Obligations SPD (2022), the obligations in this respect require that 1 construction job (for a minimum period of 26 weeks) for an unemployed Brent resident is secured per ten C3 homes delivered and per each 500sqm of commercial floorspace delivered, and that 50% of those jobs should be secured as apprenticeships for Brent residents, for a minimum period of 52 weeks. It also requires that a minimum of 20% of the operational phase jobs within commercial uses should be secured for Brent residents. The operational job requirements are set out in the Homes and Communities Agency Employment Density Guidance 3rd Edition (2015), requiring 1 operational job per 15-20sqm of commercial floorspace.

199. When applying these standards to the proposed development, it is projected that 13 construction jobs and 16 operational jobs to be secured for unemployed residents, with at least half of these jobs being in the form of apprenticeships for Brent resident's. In addition, reasonable endeavours must be used to secure a minimum of 20% of jobs, one operational, for Brent resident's. Projected construction and operational phase jobs shall be set out in an accompanying Employment and Training Plan, secured via s106 agreement.

200. The SPD also sets out a requirement for financial contributions to deliver support fees for each of the Brent resident's jobs to be secured. This contribution would be £80,750 for the construction and operational jobs. This would also be secured within the Section 106 Agreement.

201. If the job targets are not met, an additional payment of £5,000 per the number of jobs below the

target is to be secured to help secure other job opportunities for Brent residents. If the applicant fails to meet the job targets but can demonstrate that reasonable endeavours were undertaken to seek to meet the job targets, an increase in the base contributions would not be required. On the other hand, if the number of apprenticeship positions delivered for Brent residents exceeds the apprenticeship target, a reduction in the base contribution of £1,000 per additional apprenticeship would be applied.

### **Equalities**

202. 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**

203. Following the above discussion, officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to conditions and s106 legal agreement to secure the obligations as set out.

204. The aparthotel proposed with an ancillary flexible F1/F2 space is considered to make efficient use of the land, which would regenerate the site which would provide a positive contribution to the emerging streetscene and the positive employment and economic benefits associated with the hotel. The building is considered to have an appropriate scale and massing of proposed buildings would relate well to the existing and future site context. As the report acknowledges, there is expected to be some impacts on existing daylight and sunlight light conditions to existing residential dwellinghouses nearby. The impacts would be commensurate with development of this form and such impacts must be balanced against the planning benefits of the proposal. Overall, and on balance, the impacts associated with the development would it is considered be outweighed in this case by the benefits of redeveloping the site, economic benefits and public realm improvements.



**DRAFT NOTICE**

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

**DECISION NOTICE – APPROVAL**

Application No: 23/3250

To: Molly Purcell  
Iceni Projects  
Da Vinci House  
44 Saffron Hill  
London  
EC1N 8FH

I refer to your application dated **10/10/2023** proposing the following:

Demolition of existing hotel building and community centre and erection of a part 6, part 8 and part 10 storey 318 room aparthotel plus basement accommodation with associated ancillary facilities, community floorspace (Use Class F1/F2), servicing, landscaping and cycle and refuse storage (phased development)

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

at **1-11 Elm Road and 10-12 St Johns Road, Wembley, HA9**

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: 04/11/2024

Signature:

**David Glover**  
Head of Planning and Development Services

**Notes**

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework 2023  
London Plan 2021  
Brent's Local Plan 2019-2041

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

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

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

A 000 001 Rev P0 Location Plan  
A 000 002 Rev P0 Red Line Site Boundary Plan  
A 025 000 Rev P00 Existing Ground Floor Plan  
A 025 001 Rev P00 Existing First Floor Plan  
A 025 002 Rev P00 Existing Second Floor Plan  
A 025 200 Rev P00 Existing Site Elevation  
A 025 201 Rev P00 Existing Hotel Elevations  
A 025 202 Rev P00 Existing Church Site Elevations  
A 025 301 Rev P00 Existing Trees to be Replaced Ground Floor Plan  
A 050 100 Rev P00 Proposed Ground Floor Demolition Plan  
A 050 101 Rev P00 Proposed First Floor Demolition Plan  
A 050 102 Rev P00 Proposed Second Floor Demolition Plan  
A 100 099 Rev P3 Proposed Basement -01 Floor Plan  
A 100 100 Rev P6 Proposed Ground Floor Plan  
A 100 101 Rev P2 Proposed First Floor Plan  
A 100 102 Rev P2 Proposed Second Floor Plan  
A 100 103 Rev P00 Proposed Third to Sixth Floor Plan  
A 100 107 Rev P1 Proposed Seventh Floor Plan  
A 100 108 Rev P00 Proposed Eighth Floor Plan  
A 100 109 Rev P1 Proposed Ninth Floor Plan  
A 100 110 Rev P00 Proposed Tenth Floor Plan  
A 100 111 Rev P1 Proposed Roof Plan  
A 110 001 Rev P2 Proposed Elevation along Elm Road (South)  
A 110 002 Rev P2 Proposed Elevation along St.Johns Road (West)  
A 110 003 Rev P2 Proposed North Elevation  
A 110 004 Rev P1 Proposed East Elevation  
A 120 001 Rev P1 Proposed Section AA  
A 120 002 Rev P1 Proposed Section BB  
2022/6390/017 Rev P1 Proposed Cycle Store Arrangement  
JKD23P01 Rev 04 Landscape Proposals

Supporting Documents

Arboricultural Impact Assessment & Tree Protection Plan Rev A (prepared by MDJ Arboricultural Consultancy Ltd, 6th May 2024)  
Bat Report (prepared by Greengage, September 2023)  
Biodiversity Net Gain Assessment (prepared by Greengage, August 2023)  
Drainage Strategy Rev 05 (prepared by Pringuer-James Consulting Engineers Limited, March 2024)

External Building Fabric Assessment (prepared by RBA Acoustics, 2 August 2023)  
Flood Risk Assessment (prepared by Pringuer-James Consulting Engineers Limited, May 2023)  
Preliminary Ecological Appraisal (prepared by Greengage, August 2023)  
Ventilation Strategy (prepared by Elkoms Consulting, July 2023)  
Wind Microclimate CFD Study Rev 4 (prepared by Windtech, August 13 2024)

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

- 3 The scheme hereby approved shall contain 318 rooms within the new apart-hotel, as detailed in the drawings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

- 4 The premises shall not be used other than for the purpose of apart-hotel and for no other purpose (including any other purpose in Use Class C1 specified in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without the prior written permission of the Local Planning Authority with the exception of the flexible F1/F2 space as detailed within the approved plans which may be used for those purposes.

Reason: To ensure that no other use commences without the prior permission of the Local Planning Authority and to enable other uses to be considered on their merits.

- 5 The windows on the north-west elevation facing the gardens of St. John's Close and which serve Room 29 at First Floor Level and Room 38 at Second to Sixth Floor Level, as annotated on the drawings titled "Proposed First Floor Plan", "Proposed Second Floor Plan" and "Proposed Third to Sixth Floor Plan" shall be obscured glazed and high opening only (1.7m above internal floor level) and shall be maintained as such for the life of the development.

Reason: To ensure that the privacy and amenity of the neighbouring sites is not compromised.

- 6 The internal doors providing access to the areas labelled 'Biodiverse Roof' and 'Biodiverse Roof with PV Panels' as shown on the plans hereby approved shall provide access for maintenance purposes only, and shall not be used by customers of the aparthotel at any time, unless in the event of an emergency.

Reason: To ensure that the privacy and amenity of the neighbouring sites is not compromised.

- 7 The development shall be built so that no fewer than 10% of the aparthotel rooms hereby approved are accessible rooms in accordance with the criteria set out in London Plan 2021 policy E10 (H)(1). These aparthotel rooms shall be maintained as accessible for the lifetime of the development.

Reason: To ensure that the hotel development achieves an inclusive design

- 8 No guest or customer of the apart-hotel use hereby permitted may occupy any part of the apart-hotel accommodation for a period exceeding ninety days (90) in any continuous period of six months. The operator of the apart-hotel shall at all times maintain an accurate register of the permanent addresses of all guests and of the dates of their occupancy of the accommodation. These registers shall be kept for not less than two years from the date of the last entry and shall be made available to be inspected by the Local Planning Authority upon reasonable demand.

Reason: To ensure the hotel accommodation meets an identified need and the quality of the hotel accommodation is sufficient in accordance with Brent Policy BE9.

- 9 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or

subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/> "

Reason: To protect local amenity and air quality in accordance with Brent Policies BSUI1, BSUI2 and London Plan Policy S11.

- 10 The development shall be implemented in strict accordance with the Tree Protection Plan and Arboricultural Method Statement (by MDJ Arboricultural Consultancy Ltd. MDJAC-22.43-AIA-01A, 6th May 2024) throughout the construction of the development, unless alternative measures are submitted to and approved in writing by the Local Planning Authority, and the scheme is thereafter implemented in full accordance with the alternative measures.

REASON: To ensure that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with DMP1 and BGI 2.

- 11 The development hereby approved shall be carried out fully in accordance with the recommendations set out in the Preliminary Ecological Appraisal (Greengage, August 2023) throughout the construction of the development.

Reason: To prevent any harm to protected species and habitats.

- 12 The development hereby approved shall be carried out fully in accordance with the recommendations set out in the Drainage Strategy (PJCE, March 2024) unless alternative details are submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in full accordance with the alternative details.

Reason: To ensure the control of surface water in accordance with Policy BSUI4 of the Local Plan.

- 13 The development hereby approved shall be carried out fully in accordance with the recommendations and mitigation measures in the External Building Fabric Assessment (RBA Acoustics, 2nd August 2023) unless alternative details are submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in full accordance with the alternative details.

Reason: To prevent any harm to occupants of the development or nearby residents.

- 14 The development hereby approved shall be carried out fully in accordance with the recommendations and mitigation measures in the Ventilation Strategy (Elkoms Consulting, July 2023), unless alternative details are submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in full accordance with the alternative details.

Reason: To prevent any harm to occupants of the development or nearby residents.

- 15 The cycle parking spaces shown on the approved plans shall be provided prior to first occupation or use of the development, and shall be retained as such thereafter and not used other than for purposes ancillary to the use(s) within the application site.

Reason: To ensure adequate cycle parking to meet the needs of the development in accordance with London Plan Policy T5, and to encourage use of sustainable transport modes.

- 16 Prior to commencement of the development hereby approved (including site clearance and



demolition works), a Construction Logistics Plan (CLP) shall be submitted to and approved in writing by the Local Planning Authority. The CLP shall include, but is not limited to the following:

- i. Construction programme, forecast construction trip generation (daily) and mitigation proposed;
- ii. Site set up and access arrangements and booking systems, ensuring vehicle loading and unloading takes place clear of the highway;
- iii. Construction phasing and details of times when the use of a crane would be required;
- iv. Vehicular routes to the site;
- v. Parking of vehicles of site operatives and visitors;
- vi. Storage of plant and materials used during the construction period;
- vii. Wheel washing facilities;
- viii. Any temporary lighting;
- ix. Protection of the carriageway and any footway users at all times during construction;
- x. Erection of hoardings, security fencing and scaffolding on/over and pavements and carriageway;
- xi. Contact details of personnel responsible for the construction works

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

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

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

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

- 17 Prior to the commencement of the development, a Construction Method Statement (CMS) shall be submitted to and approved in writing by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development during construction and site clearance works. The CMS shall include, but is not limited to, details of a dust monitoring plan, to be implemented during construction, site clearance and demolition works.

All agreed actions shall be carried out in full for the duration of the site clearance, demolition and construction phases, unless otherwise agreed in writing by the local planning authority.

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

Reason for pre-commencement condition: Construction nuisance can occur at any time during the construction process, and adequate controls need to be in place prior to works starting on site.

- 18 Prior to the commencement of the development a Construction Environment Management Plan shall be submitted to and approved by the Local Planning Authority outlining measures that will be taken to minimise the potential impact of the construction phase of the development on the existing ecology of the nearby off-site receptors, and to ensure works proceed in accordance with current wildlife legislation. This shall include, but not be limited to:

- (i) Measures for the avoidance of artificial lighting being directed onto the Sudbury Hill Harrow SINC, particularly along the northern boundary;
- (ii) The siting of any construction compounds and storage areas away from the northern boundary of the site; and,
- (iii) Controlling of surface water management.

The development shall be carried out in accordance with the approved document.

Reason: To ensure an acceptable impact on the surrounding environment during construction.

Pre-commencement Reason: The impacts being controlled through this condition may arise during the construction phases and therefore need to be understood and agreed prior to works commencing.

- 19 (a) Following the demolition of the buildings and prior to the commencement of building works on site, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. The written report is subject to the approval in writing of the Local Planning Authority.

(b) Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full. A verification report shall be provided to the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

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

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

Reason: To ensure the development is in accordance with the principles of London Plan Policy SI3.

- 21 Prior to the commencement of development (excluding demolition, site clearance and laying of foundations), further details of external materials shall be submitted to and approved in writing by the local planning authority, and thereafter completed in accordance with the approved details.

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

- 22 Prior to the commencement of development (excluding demolition, site clearance and laying of foundations), detailed plans shall be submitted to and approved in writing by the Local Planning Authority demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development. The development shall be carried out in accordance with these plans and maintained as such in perpetuity.

Reason: To provide high quality digital connectivity infrastructure to contribute to London's global competitiveness now and in the future.

- 23 Prior to development commencing above ground on the development, a detailed landscaping scheme and implementation programme for all works within the red line boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall incorporate the hard and soft landscaping details proposed on the approved plans, as well as further details of, but not limited to the following:

(i) Details of hard surfacing, including details of permeable paving, tree pit design, underground

modular systems, etc.

- (ii) Details of sustainable urban drainage systems as set out within the Drainage Strategy (PJCE, March 2024)
- (iii) Boundary treatment, means of enclosure and retaining structures;
- (iv) Other equipment and structures including precise locations of all Sheffield cycle stands to be provided within the public realm for a minimum of 9 short-term cycle spaces;
- (v) Species, locations and densities for 18 trees, grass and shrubs;
- (vi) Proposed walls, fencing, screening treatment and gates and any other permanent means of boundary treatment/enclosure, indicating materials, position and heights;
- (vii) Soil depth and composition on the roof of the building, and details of plants and shrubs for these areas;
- (viii) An appropriate green roof specification should rooftop PV provision be required for below panel greening;
- (ix) Details of biodiversity and ecology enhancement measures as set out within Preliminary Ecological Appraisal (Greengage, September 2023) and Biodiversity Net Gain Assessment (Greengage, August 2023)
- (x) Details of the location of a minimum of three bat boxes, bricks or 'habitats' suitable for summer roosting in accordance with the recommendations of the Bat Report hereby approved (Greengage, September 2023);
- (xi) Details of measures to secure a minimum Urban Greening Factor of 0.3;
- (xii) Details of any external CCTV installations;
- (xiii) A Landscape Management and Maintenance Plan setting out details of the proposed arrangements for maintenance of the landscaping, including management responsibilities.

The approved landscaping scheme shall thereafter be carried out in full accordance with the implementation programme prior to first occupation or use of the building.

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

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

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Unless required by a separate landscape management condition, all soft landscaping scheme shall incorporate written five year maintenance programme following planting.

Reason: In order to introduce high quality landscaping in and around the site in the interests of the ecological value and biodiversity of the site and to ensure a satisfactory landscaping of the site in the interests of urban greening and visual amenity having regard to Local Plan Policies DMP1, BGI1 and BGI2 and London Plan policies G5, G6 and G7.

- 24 Prior to the installation of any external lighting, details of such lighting shall be submitted to and approved in writing by the Local Planning Authority. This shall include, but is not limited to, details of the lighting fixtures, luminance levels within and adjoining the site, as well as ecological sensitivity measures. The strategy shall be in accordance with the recommendations of the Bat Report hereby approved (Greengage, September 2023).

The lighting shall not be installed other than in accordance with the approved details.

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

- 25 Prior to first occupation or first use of the development, a Community Access Plan relating to the use of the Flexible F1/F2 Space shall be submitted to and approved in writing by the Local Planning Authority. The Community Access Plan shall include details of rates of hire (based upon those charged at other public facilities), terms of access, hours of use, access arrangements and management responsibilities.

The approved Community Access Plan shall be brought into operation within 3 months of first occupation or use of the facilities and it shall remain in operation for the duration of the use of the Development.

Reason: To ensure the development is fit for purpose and provides facilities for local communities, and to protect the amenity of local residents.

- 26 Prior to the commencement of use of the apart-hotel, an updated Accessibility Management Plan (relating to the hotel use) shall be submitted to and approved in writing by the Local Planning Authority. This shall demonstrate the future operator's commitment to the provision of an inclusive and accessible facility which is reviewed on a quarterly basis in accordance with the principles laid out in Section 10 of the Design and Access Statement submitted with the application.

The Plan shall be fully implemented as approved thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the hotel development achieves an inclusive design.

- 27 Prior to first occupation or use of the development hereby approved, a full Delivery and Servicing Plan (DSP) outlining measures proposed to reduce the impact of servicing on the surrounding transport network, and how the site will look to support sustainable and active freight shall be submitted to and approved in writing by the local planning authority. All delivery and servicing activity shall thereafter be carried out fully in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that all delivery and servicing activities can be safely accommodated on site without adversely affecting the safety and amenity of residents or other users of the development or conditions on the highway network, in accordance with Policy T7 of the London Plan.

- 28 Prior to first occupation or use of the apart-hotel hereby approved, a Coach Management Plan outlining operational management measures and initiatives to ensure the development is kept coach free shall be submitted to and approved in writing by the Local Planning Authority.

The management of coaches associated with the development shall thereafter be implemented in accordance with the approved details for its lifetime, unless an alternative plan is submitted to and approved in writing by the Local Planning Authority and thereafter implemented in full.

Reason: To ensure that the development does not adversely affect the safety and amenity of the users of the development or conditions on the highway network.

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

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

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

- 30 Prior to the occupation of the development, a Post Completion Report setting out the predicted

and actual performance against all numerical targets in the relevant Circular Economy Statement shall be submitted to the GLA at: CircularEconomyLPG@london.gov.uk, along with any supporting evidence as per the GLA's Circular Economy Statement Guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation.

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

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

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

- 32 Within six months from practical completion of the development hereby approved, a BREEAM Assessment and Post Construction Certificate, demonstrating compliance with the BREEAM Certification Process for non-domestic buildings and the achievement of a BREEAM Excellent rating, unless otherwise agreed in writing, shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the non-residential floorspace is constructed in accordance with sustainable design and construction principles, in accordance with Brent Local Plan Policy BSUI1.

## 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 government website: <https://www.gov.uk/government/publications/preventing-and-resolving-disputes-in-relation-to-party-walls/the-party-wall-etc-act-1996-explanatory-booklet>

**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](http://www.brent.gov.uk/CIL).

**4** - The applicant is advised that they will require approval in principle (AIP) for the retaining structures around the site perimeter from the Local Highway Authority (i.e. Brent's Highways & Infrastructure Service) prior to the commencement of works. A time period of 8-12 weeks should be allowed to obtain approval and further information can be provided upon request.

**5** - The submission/approval of the Fire Safety Statement does not replace the need for building regulation approval in relation to fire safety, nor does it convey or imply any approval under those regulations.

**6** - Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.

**7** - The applicant is informed that, in relation to the discharge of conditions regarding the remediation of contaminated land, the quality of imported soil must be verified by means of in-situ soil sampling and analysis.

We do not accept soil quality certificates from the soil supplier as proof of soil quality.

**8** - Once the Post-Construction Monitoring report is approved by the LPA, the Applicant should provide the approved post-construction monitoring report and any supporting information to the GLA at [circulareconomystatements@london.gov.uk](mailto:circulareconomystatements@london.gov.uk)

**9** - The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read Thames Water guide 'working near our assets' to ensure works are in line with the necessary processes required to be followed if working above or near Thames Water pipes or other structures

[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_developers.thameswater.co.uk\\_Developing-2Da-2Dlarge-2Dsite\\_Planning-2Dyour-2Ddevelopment\\_Working-2Dnear-2Dor-2Ddiverting-2Dour-2Dpipes&d=DwlFAw&c=OMjwGp47Ad5otWI0\\_\\_lpOg&r=G\\_hzVySAkixNxE\\_J\\_EjNJR\\_FDWFjexJLES8DRQ06qKk&m=jtx127Pni3LvproHc4qhZJC3hVRmsiWhPbq-ouUTguo&s=-7m-Kfa-tNF2PxxaORnER5FY6ltFTutt9PPvqeYes&e=.](https://urldefense.proofpoint.com/v2/url?u=https-3A__developers.thameswater.co.uk_Developing-2Da-2Dlarge-2Dsite_Planning-2Dyour-2Ddevelopment_Working-2Dnear-2Dor-2Ddiverting-2Dour-2Dpipes&d=DwlFAw&c=OMjwGp47Ad5otWI0__lpOg&r=G_hzVySAkixNxE_J_EjNJR_FDWFjexJLES8DRQ06qKk&m=jtx127Pni3LvproHc4qhZJC3hVRmsiWhPbq-ouUTguo&s=-7m-Kfa-tNF2PxxaORnER5FY6ltFTutt9PPvqeYes&e=)

Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

**10** - A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via <http://www.thameswater.co.uk/wastewaterquality>

**11.** Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing a positive pumped device (or equivalent reflecting technological advances) to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions. Fitting only a non-return valve could result in flooding to the property should there be prolonged surcharge in the public sewer.

Any person wishing to inspect the above papers should contact James Mascall, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2209

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