

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

9 December, 2020
04
20/2033

SITE INFORMATION

RECEIVED	9 July, 2020
WARD	Tokyngton
PLANNING AREA	
LOCATION	Euro House, Fulton Road, Wembley, HA9 0TF
PROPOSAL	<p>Demolition and redevelopment to provide new buildings ranging between 11 and 21 storeys with basement levels; all for a mix of uses comprising 493 residential units, retail (Use Class A1) and industrial floorspace (Use Class B1(c)); provision of private and communal space, car parking, cycle parking, ancillary space, mechanical plant, landscaping and other associated works.</p> <p>Application is accompanied by an environmental statement.</p>
PLAN NO'S	See condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_<systemke</p> <p><u>When viewing this as an Hard Copy</u> _</p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "20/2033" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

1. That the Committee resolve to GRANT planning permission subject to:
 - A. Any direction by the London Mayor pursuant to the Mayor of London Order
 - B. Any direction by the Secretary of State pursuant to the Consultation Direction
 - C. The prior completion of a legal agreement to secure the following planning obligations:
 - (a) Payment of legal, planning negotiation and planning monitoring costs associated with preparing and monitoring the Section 106 agreement
 - (b) Notification of commencement 28 days prior to material start
 - (c) Provision of 98 affordable housing units, comprised of:
 - 80 units for affordable rent (at London Affordable Rent levels, in accordance with the Mayor of London's Affordable Housing Programme 2016-2021 Funding Guidance (dated November 2016) and subject to an appropriate Affordable Rent nominations agreement with the Council, securing 100% nomination rights on first lets and 75% nomination rights on subsequent lets for the Council)
 - 18 units for Shared Ownership (as defined under section 70(6) of the Housing & Regeneration Act 2008, subject to London Plan policy affordability stipulations that total housing costs should not exceed 40% of net annual household income, disposed on a freehold / minimum 125 year leasehold to a Registered Provider
 - In the event that the development does not commence within 24 months, an appropriate early stage review mechanism to secure additional on-site affordable housing, or an on-site provision of affordable housing that complies more closely with Brent's policy target affordable housing tenure split, as demonstrated achievable through financial viability assessments.
 - An appropriate late stage review mechanism against the agreed base appraisal, assessing actual residential sales values, and securing any additional deferred affordable housing obligations as per an agreed formula to capture uplift in value (as demonstrated through financial viability assessments) within a commuted sum to be paid to the Council towards the provision and enablement of off-site affordable housing.
 - (d) Employment and Training obligations, comprised of:
 - The submission of an 'Employment and Training Plan' (a document setting out how the obligations in section 106 agreement will be met and which includes information about the provision of training, skills and employment initiatives for Local Residents relating to the construction and operational phase of the development) to the Council for its approval prior to the material start of the development;
 - a commitment to meet with Brent Works (the Council's job brokerage agency dedicated to assisting unemployed Residents into sustainable employment), or such relevant equivalent successor body (working with local partners including local colleges, the Job Centre Plus and third sector welfare providers to reduce current levels of unemployment within the borough) to identify the anticipated employment and training opportunities arising during the construction phase;
 - a commitment to deliver the employment targets set out in the attached document;
 - a commitment to attend regular progress meetings with the Council to review progress of the initiatives;
 - specific commitments in respect to employment opportunities in relation to operational phases;
 - a commitment to source at least 20% of all the materials used in major development schemes locally;
 - where it is not possible to achieve employment targets in line with the attached document, a commitment to pay the financial contributions which are calculated as follows:
 - Shortfall against target numbers of jobs lasting a minimum of 26 weeks for an unemployed Local Resident x £4,400 (the average cost of supporting an unemployed Local Resident into sustained employment)
 - Shortfall against target number of apprenticeship starts x £5,000 (approx. cost of creating and supporting a Local Resident to complete a typical construction level 2 Apprenticeship elsewhere in the borough)
 - (e) S38/S278 highway works under the Highways act 1980 to provide:
 - The re-instatement of the redundant vehicle crossover to footway
 - The construction of the proposed vehicle access; and
 - The enhancement of bus stop facilities on Fifth Way

- (f) Parking permit restriction to be applied to all new residential units
- (g) Enhanced travel plan to be submitted, implemented and monitored including funding of subsidised membership of the Car Club for three years for all new residents.
- (h) Financial contribution towards improving local bus capacity, paid to TfL (£546,000)
- (i) Financial contribution towards a year-round local Controlled Parking Zone (£50,000)
- (j) Carbon offset contribution to be paid – or an opportunity to resubmit an improved energy statement and reduce the offset payment.
- (k) Confirmation via BREEAM Post-Assessment that 'Excellent' rating is secured for non-residential parts of the scheme.
- (l) Detailed submission of Television and Radio Reception Impact and underwriting of all mitigation required in addressing any interference
- (m) Indexation of contributions in line with inflation
- (n) Any other planning obligation(s) considered necessary by the Head of Planning.

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

1. Time Limit for commencement (3 years)
2. Approved drawings/documents
3. Phasing plan agreed
4. A total of 493 residential units secured
5. Use classes restriction
6. A communal satellite/aerial to be provided so as to prevent multiple satellite dishes
7. Removal of C4 permitted development rights for the flats
8. Blue badge parking spaces and visitor cycle stands laid out prior to occupation
9. Cycle stores and refuse stores to be laid out prior to occupation of each phase
10. NRMM to be restricted
11. Tree protection measures to be secured
12. FRA and Drainage strategy measures to be secured
13. Water consumption to be limited in line with regulations
14. Ecological mitigation measures to be secured
15. EVCP to be secured
16. Construction environmental method statement to be submitted
17. Construction Ecological Management Plan to be submitted
18. Construction logistics plan to be submitted
19. Land contamination and remediation report to be submitted
20. Piling method statement to be submitted
21. Connection to future District heating Network to be submitted
22. Full details of landscaping strategy (including green roofs) to be submitted
23. All external materials (including samples) to be submitted
24. Details of Specific communal roof terraces to be submitted

25. Wheelchair Accessible Units to be secured
26. Car park management plan to be submitted
27. Delivery and Servicing Management plan to be submitted
28. Plant noise levels to be submitted before installation
29. Sound insulation measures to be submitted
30. Further archaeology details to be submitted

Informatives

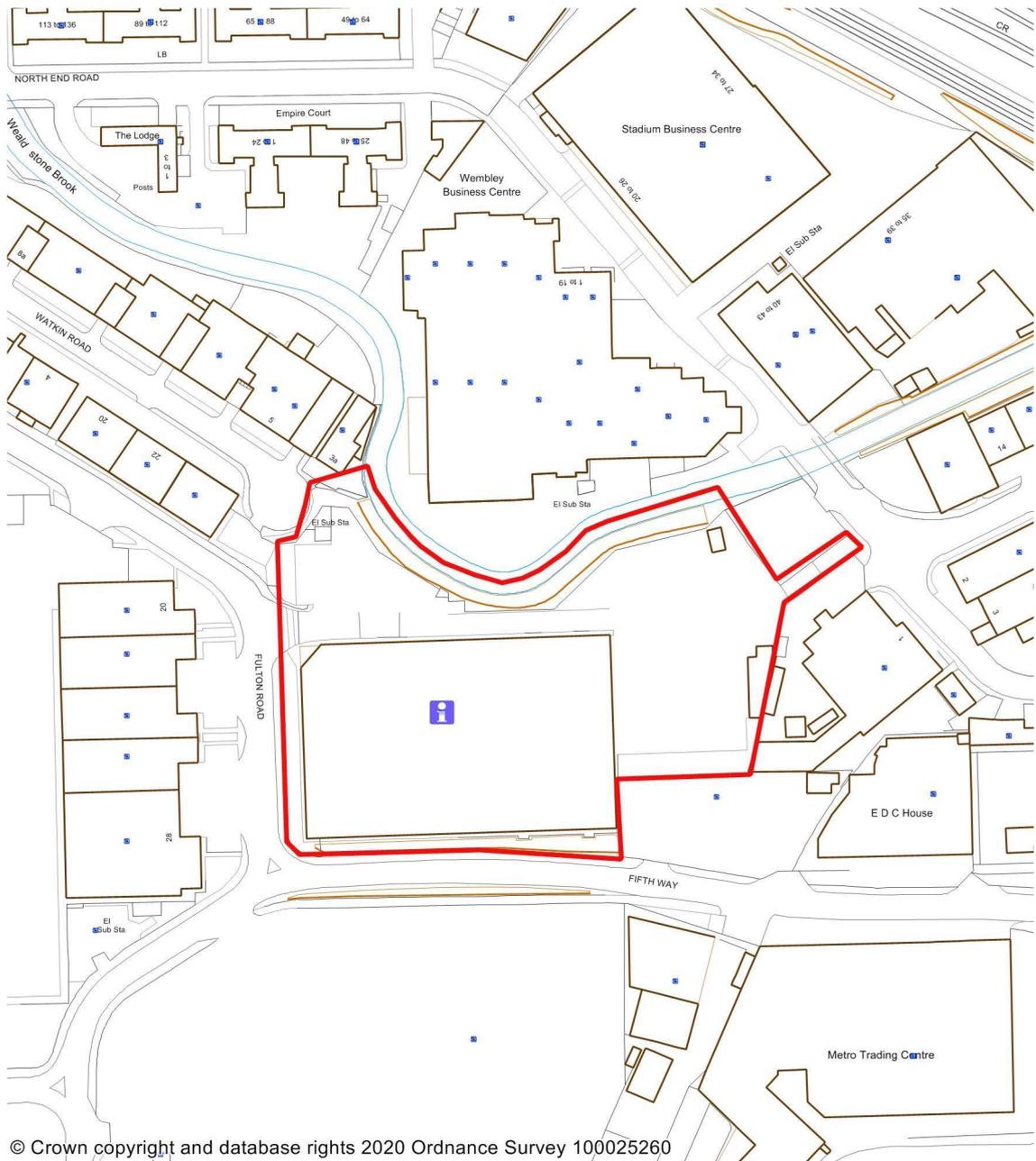
1. CIL liability
2. Party wall information
3. Building near boundary information
4. Environment Agency permit
5. London Living Wage
6. Fire safety advisory note
7. Guidance notes from Thames Water
8. Any other informative(s) considered necessary by the Head of Planning

3. 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

4. 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
	Site address: Euro House, Fulton Road, Wembley, HA9 0TF © Crown copyright and database rights 2011 Ordnance Survey 100025260



This map is indicative only.

PROPOSAL IN DETAIL

The application proposes the mixed use re-development of the site, demolishing the existing two-storey industrial building and replacing it with four new blocks, ranging from 11 storeys (Block D) to 21 storeys (Block B) in height. The breakdown of existing and proposed floorspace (GIA) across the scheme is provided in the table below:

Floorspace (GIA) by use	Existing (sq.m)	Proposed (sq.m.)	Change (sq.m.)
Residential (Class C3)	0	47,912	+47,912
Storage/ distribution (Class B8)	5,396	0	-5,396
Light industrial floorspace (Class E(g)(iii) (formerly B1c)	0	2,787	+2,787
Retail (Class E(a) (formerly A1)	0	98	+98
Total	5,396	50,797	+45,401

A total of 493 residential flats would be provided within all four blocks, with a proposed mix of 193 x 1-bed, 226 x 2-bed and 74 x 3-bed units. 98 affordable homes would be made available within the scheme, with 80 of those being at a London Affordable rent, and all of these being located within Block C. The further 18 units would be provided as Shared Ownership homes, all located within Block D. All dwellings would meet internal space standards as set out policy D6 of London Plan Intend to Publish Version 2019, and would have access to both private and communal amenity space.

A total of 2,787 sqm of replacement light industrial floorspace (Class E(g)(iii)), in the form of 'makerspace' studios, would be provided within the ground and first floors of Block D. The remaining commercial floorspace comprises a small 98 sqm retail unit on the ground floor of Building A, on the corner of the new internal access road created through the site and Fulton Road.

The proposals would also involve the provision of cycle and refuse parking, with improved public realm and the enhancement of linkages to Wealdstone Brook to the north of the site. The scheme would involve the creation of a new landscaped podium between Blocks A and B, with further communal terraces for occupiers use created at roof level of blocks A, C and D. A total of 15 parking spaces are proposed at ground floor level, exclusively as Blue Badge parking spaces for residential occupiers, predominantly underneath the landscaped podium and within the internal estate road.

EXISTING

The application site measures approximately 1.25 Ha site and is located in the Wembley Growth Area, forming part of site allocation W27: Euro Car Parts within the Wembley Area Action Plan (Site allocation BCSA4: Fifth Way/ Euro Car Parts in the emerging Local Plan). It has a roughly rectangular shape and is bound to the north by Wealdstone Brook, to the south by Fifth Way, to the west by Fulton Way, and to the east by adjoining industrial land comprising yard space, car parking and a warehouse. The Site connects to Fourth Way through this industrial land to the east.

The site currently contains a large two-storey, detached warehouse building of approximately 5,396 sqm (GIA), which is in lawful use as Class B8. The building occupies a prominent corner location at the junction of First Way, Fifth Way and Fulton Road in the south and west of the Site. Immediately to the north of the building is a car parking area and in the east of the Site there is a loading/unloading yard, which are ancillary to the warehouse).

Wealdstone Brook forms the site's northern boundary, and is a Grade II designated Site of Importance for Nature Conservation (SINC). There is a level change along Fifth Way to the south roughly equivalent to one storey in height. This results in a circa 2-3m high retaining wall along the southern boundary of the Site. This comprises a narrow, grassed bank which then levels and wraps around the building's western boundary on to Fulton Way.

The site is not situated within a conservation area and there are no listed buildings within the site. Nearby conservation areas include Barn Hill (approximately 700 metres to the north west), Neasden Village (approx. 730 m to the east), St Andrews (approx. 900 m to the north east) and Wembley High Street (approx. 940 m to the west). The nearest listed buildings are the Grade II listed Wembley Stadium, Empire Pool to the south west of the site and Brent Town Hall to the north.

The site has a PTAL of 4, meaning it has good levels of transport accessibility. The site is approximately 550 metres south east of Wembley Park station, served by the Metropolitan Line and approximately 950 metres north-east of Wembley Stadium Station, served by National Rail. The site is also served by the 92 and 206 bus routes along Fifth Way.

AMENDMENTS SINCE SUBMISSION

Minor revisions were received in October 2020 in response to comments raised by Council highways officers and the GLA. The revisions were considered minor in nature and not requiring any further public re-consultation. A summary of the revisions are outlined below:

- Revisions to basement level cycle stands within each block, ensuring they meet London Cycle Design Standards in terms of minimum aisle width and adequate space within lifts.
- The submission of a revised outline Fire Strategy.

Clarification of the proposed levels of external amenity space throughout the site.

SUMMARY OF KEY ISSUES

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

1. **Objections from adjoining neighbours and interested groups:** 278 properties were consulted on the proposal. In response, one letter of support was received, and a letter of objection on behalf of Quintain Estates Plc. The grounds for objection are summarised as impacts of the proposals on the levels of daylight and sunlight reaching adjoining Wembley Park Masterplan plot NE04, which are addressed within the main remarks section of the report.
2. **Principle of mixed-use redevelopment of the site:** The re-development of the site accords with its designation within the Wembley Growth Area and both currently adopted and emerging site allocations within the Local Plan. The re-provision of 2,797 sqm of industrial floorspace, while representing a reduction in employment floorspace on site, is considered acceptable given the site is a non-designated industrial site, rather than being a designated LSIS or SIL, and the high number of good quality and affordable homes being provided on site.
3. **Affordable Housing:** The scheme would provide a total of 98 affordable units (20 % by units and 25% by Habitable room), of which 80 would be low-cost homes provided at a London Affordable Rent. Although this is below both Brent and London Plan threshold targets, it has been demonstrated by a financial viability appraisal to exceed the maximum amount of affordable housing which can viably be provided on site, and therefore is policy compliant.
4. **Design, layout and height:** The proposed buildings would range from 11 to 21 storeys high, which is considered to be in keeping with the heights of buildings in the surrounding Wembley Park Masterplan area, while ensuring that strategic views of the Wembley Stadium Arch would be preserved. The building utilises good architecture with quality detailing and materials in order to maximise the site's potential whilst regulating its height to respect surrounding development. The proposals would also contribute to the wider enhancement and improved linkages of this part of the Wealdstone Brook, which is a significant benefit of the scheme.
5. **Quality of the resulting residential accommodation:** The residential accommodation proposed is of sufficiently high quality, meeting the particular needs and requirements of future occupiers. The flats would have good outlook and light. The amount of external private/communal space is below standards, but would include high quality external communal terraces which would significantly improve the enjoyment of the site for future occupiers. This is considered acceptable for a high density scheme.
6. **Mix of units:** The proposal includes 15% of three bedroom units (by habitable room) which is below the target of 25% as set out in CP2. However, this is considered acceptable when weighing the benefit associated with the provision of Affordable homes, given the negative

effect on scheme viability associated with the provision of higher proportions of family sized homes.

7. **Neighbouring amenity:** There would be a loss of light to some windows of surrounding buildings, which is a function of a development on this scale. The impact is considered to be acceptable given the urban context of the site. The overall impact of the development is considered acceptable, particularly in view of the wider regenerative benefits of the scheme and the Council's strategic objectives.
8. **Highways and transportation:** The alterations to the public highway as required in the S106 would be acceptable, considering the needs of pedestrians, cyclists and motorists. The highway works will include (i) the re-instatement of the redundant vehicle crossover to footway, (ii) the construction of the proposed vehicle access road; (iii) the enhancement of bus stop facilities on Fifth Way. A financial contribution of £50,000 will be secured to enable the Council towards extending CPZ's into the area is proposed with the removal of rights for residents within the development to apply for parking permits. To encourage sustainable travel patterns, the scheme will be 'car-free' with the exception of blue badge parking spaces. A financial contribution (£546,000) for bus service enhancements in the area, as required by TfL, will also be secured.
9. **Environmental impact, sustainability and energy:** The measures outlined by the applicant achieve the required improvement on carbon savings within London Plan policy, and 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 future residential occupiers.

RELEVANT SITE HISTORY

Planning permission was initially granted in June 1985 for the erection of an industrial unit with ancillary offices and provision of parking, currently in place on the site (ref. 85/0575). Planning permission was then granted in May 1992 for the change of use of the building from general industry (B2) to general industry (B2) and storage and distribution (B8), remaining as the lawful use of the property as it currently stands.

CONSULTATIONS

Public Consultation

A total of 278 addresses within Engineers Way, Fourth Way, First Way, Second Way, Third Way, North End Road, Watkin Road and Fifth Way were consulted on the application by letter on 17/07/2020.

A Site Notice was displayed 26/10/2020

A Press Notice was published 29/10/2020.

One letter of support was received on the grounds that the proposals would deliver a large number of new homes, create a vibrant community and make a positive contribution to the local area in terms of design and architecture.

Quintain Estates and Development PLC – objections raised to the proposals on the following grounds:

Grounds of objection

Following review of Annex 7 of the submitted Environmental Statement, the proposed development is considered to have a significant major adverse impact on the east elevation of NE04. This impact manifests itself through a 40% or greater reduction in VSC over 10 storeys of the eastern elevation of Plot NE04 compared to the approved baseline (without development) conditions, with actual VSCs reduced to circa 7.5% on the lower floors of NE04. This impact will affect the residential amenity of approximately 70 apartments within NE04.

Taking into account the significant adverse impact the proposed development will have on NE04 and the conflict with planning policy, the applicants should provide further justification for the proposed building heights. Quintain consider the applicants should, as a minimum, look to reduce the height of Building A and the west end of Building D to the consented height on Plot NE04. Whilst such a change would not significantly reduce the overall development capacity of the site, it would mitigate and reduce the daylight impacts on NE04 that have been identified by the applicant.

Officer response:

This issue is discussed in more detail within paragraphs 100-107 of the report below.

Statutory/ External Consultees**Greater London Authority (Stage 1 response):**

The GLA has commented on a number of strategic issues raised by the scheme, which are summarised as follows:

Principle of development: The residential-led mixed use redevelopment of this Opportunity Area site, to include new light industrial floorspace, is supported in principle, however, the scheme would result in a net reduction of non-designated industrial floorspace at the site. This may be capable of being outweighed by public benefits, subject to the affordable housing offer being maximised.

Housing and Affordable Housing: The affordable housing offer of 25% by habitable room is low and must be subject to robust viability interrogation. Whilst the proposed tenure split of 84% LAR and 16% shared ownership is welcomed, the overall quantum of affordable housing must be maximised

Design: The layout and massing of the proposed development is supported as an optimised response to the site. Based on the visualisations and assessments presented within the TVIA, no harm to heritage assets is identified. A fire strategy must be submitted.

Transport: A contribution of £546,000 towards bus service improvements is requested. The proposed highway and bus stop improvements should be secured and the s106 agreement should secure 24-hour public access for pedestrians, cyclists, and vehicles. Future residents must be prevented from obtaining CPZ permits through the S106 agreement. Appropriate conditions and heads of terms are required as follows:

- A contribution of £546,000 towards bus service improvements
- The proposed highway and bus stop improvements are welcome and should be secured through a Section 278 agreement.
- Additionally, the s106 agreement should secure 24-hour public access for pedestrians and cyclists, and vehicles going to/from the development. Future residents must be prevented from obtaining CPZ permits through the S106 agreement.
- A Parking Management Plan, EVCPs, Travel Plan, DSP and CLP should all be secured.

Further information on energy, urban greening and biodiversity is required.

Officer comments: *These issues are all addressed in more detail within relevant sections of the main report below. The proposed bus contribution has been reduced following further discussions between the applicant and TfL.*

Environment Agency

No objections subject to informative requiring the applicant to obtain a flood risk activity permit if/ where necessary.

Thames Water

No objection subject to a condition requiring a piling method statement to be submitted given the location of the development within 15 metres of a strategic sewer, and informatives relating to measures undertaken to minimise groundwater discharges into the public sewer.

Internal consultation**Environmental Health**

Environmental health supports the application subject to a number of conditions relating to internal noise levels, construction noise and dust and air quality impact, and contaminated land. See detailed considerations section of report for further comments on these issues.

Statement of Community Involvement

A Statement of Community Involvement has been submitted with the application, setting out the public consultation and level of engagement undertaken before submission of the proposals, as required through the Localism Act (2011).

The main consultation exercise involved a public exhibition being held over two days on 28th-29th January 2020 at the Novotel Hotel in Wembley, close to the application site. The exhibition was publicised by the delivery of 5,525 leaflets to residents and businesses in the local vicinity, as well as personalised letters being sent to Ward councillors, and other key local community stakeholder groups. A dedicated e-mail address and phone line were established to supply further information to interested parties.

A further door knocking session was also undertaken over two days on Friday 21st and Friday 28th February 2020, to introduce local residents to the applicants and the proposals. This was centred around Danes Court and Empire Court located to the north of the site.

A total of 11 feedback forms were collected from the public exhibition and door knocking sessions, with 3 provided during the exhibition and a further 8 collected during the door knocking exercise. Feedback received was generally positive to the principle of the redevelopment of the site. Some concerns were raised around the inclusion of a hotel and the potential impacts of the proposal on local infrastructure, parking and surrounding heavy industrial businesses. The provision of a hotel, which originally formed part of the pre-application proposals, was removed from the scheme before submission. There were also wider concerns about over-development in the area in general, rather than the application proposals in isolation.

These consultation events are considered appropriate to the scale of the development and reflect the recommended level of pre-application engagement set out in Brent's Statement of Community Involvement.

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 2016, Brent Core Strategy 2010 and Brent Development Management Policies 2016 and Wembley Area Action Plan.

Key policies include:

Regional

London Plan 2016

- 2.13 Opportunity areas and intensification areas
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Children and young people's play and informal recreation facilities
- 3.8 Housing choice
- 3.10 Definition of affordable housing
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.9 Overheating and cooling
- 5.10 Urban greening
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater infrastructure
- 6.9 Cycling
- 6.13 Parking
- 7.2 An inclusive environment

7.4 Local character
7.7 Location and Design of Tall and Large Buildings
7.8 Heritage assets and archaeology
7.14 Improving air quality

Local

Brent Core Strategy (2010)

CP 1 - Spatial Development Strategy
CP 2 - Population and Housing Growth
CP 7 - Wembley Growth Area
CP 19 - Brent Strategic Climate Change Mitigation and Adaptation Measures
CP 21 - A Balanced Housing Stock

Brent Development Management Policies (2016)

DMP 1 - General Development Management Policy
DMP 7 - Brent's Heritage Assets
DMP 8 - Open Space
DMP 9 - Waterside Development
DMP 9a - Managing Flood Risk
DMP 9b - On Site Water Management and Surface Water Attenuation
DMP 13 - Movement of Goods and Materials
DMP 14 - Employment Sites
DMP 15 - Affordable Housing
DMP 18 - Dwelling Size and Residential Outbuildings
DMP 19 - Residential Amenity Space

Wembley Area Action Plan (2015)

WEM 1 - Urban Form
WEM 2 - Gateways to Wembley
WEM 3 - Public Realm
WEM 5 - Tall Buildings
WEM 6 - Protection of Stadium Views
WEM 8 - Securing Design Quality
WEM 10 - Low cost Business start-up Space
WEM 14 - Car Parking Strategy
WEM 15 - Car Parking Standards
WEM 16 - Walking and Cycling
WEM 18 - Housing Mix
WEM 19 - Family Housing
WEM 24 - New Retail Development
WEM 25 - Strategy Cultural Area
WEM 30 - Decentralised Energy
WEM 32 - Urban Greening
WEM 33 - Flood Risk
WEM 34 - Open Space Provision
WEM 35 - Open Space Improvements
WEM 38 - Play Provision
WEM 40 - River Brent and Wealdstone Brook
Site W 27 - Euro Car Parts

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

In addition, the Examination in Public for the Draft New London Plan has been completed and the Panel Report has been received by the GLA. The GLA have now released a "Intend to publish" version dated December 2019. This carries substantial weight as an emerging document that will supersede the London Plan 2016 once adopted.

Key relevant policies include:

Draft London Plan (intend to publish version) 2019

Key policies include:

D3: Optimising site capacity through the design-led approach
D4: Delivering good design
D6: Housing quality and standards
D7: Accessible Housing
D8: Public realm
D9: Tall buildings
D10: Basement development
D11: Safety, security and resilience to emergency
D12: Fire safety
H1: Increasing housing supply
H4: Delivering affordable housing
H5: Threshold approach to applications
H6: Affordable housing tenure
H7: Monitoring of affordable housing
H10: Housing size mix
HC1: Heritage conservation and growth
HC3: Strategic and Local Views
G1: Green infrastructure
G4: Open space
G5: Urban greening
G6: Biodiversity and access to nature
T2: Healthy Streets
T4: Assessing and mitigating transport impacts
T5: Cycling
T7: Deliveries, servicing and construction
T9: Funding transport infrastructure through planning

The council is currently reviewing its Local Plan. Formal consultation on the draft Brent Local Plan was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between 24 October and 5 December 2019. At its meeting on 19 February 2020 Full Council approved the draft Plan for submission to the Secretary of State for examination. Therefore, having regard to the tests set out in paragraph 48 of the NPPF it is considered that some weight can now be applied to policies contained within the draft Brent Local Plan. Relevant policies include:

General:

DMP1 – Development Management General Policy

Place:

BP1 – Central
BCGA1 – Wembley Growth Area
BCSA4 – Fifth Way/ Euro Car Parts

Design:

BD1 – Leading the way in good design
BD2 – Tall buildings in Brent
BD3 – Basement Development

Housing:

BH1 – Increasing Housing Supply
BH2 – Priority Areas for Additional Housing Provision within Brent
BH5 – Affordable Housing
BH6 – Housing Size Mix
BH13 – Residential Amenity Space

Economy and Town Centres:

BE1 – Economic Growth and Employment Opportunities for All
BE3 – Local Employment Sites and Work-Live

Heritage and Culture:

BHC1 – Brent's Heritage Assets
BHC2 – National Stadium Wembley

Green Infrastructure and Natural Environment:

BGI1 – Green and Blue Infrastructure in Brent

BGI2 – Trees and Woodland

Sustainable Infrastructure:

BSUI1 – Creating a Resilient and Efficient Brent

BSUI2 – Air Quality

BSUI3 – Managing Flood Risk

BSUI4 – On-site Water Management and Surface Water Attenuation

Transport:

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

The following are also relevant material considerations:

The National Planning Policy Framework (revised 2019)

Mayor of London's Affordable Housing and Viability SPG 2017

Mayor of London's Housing SPG 2016

SPD1 Brent Design Guide 2018

Basements SPD 2017

DETAILED CONSIDERATIONS**Environmental Impact Assessment**

1. The application is accompanied by an Environmental Statement (ES). The Council's Scoping Opinion, issued on 14 February 2020, reflected consultation with statutory consultees as identified in the EIA Regulations 2018, and identified the following topics for consideration as part of the ES:

Topic	Addressed in report paragraphs
Air Quality	Paras. 186-187
Archaeology/ Built Heritage	Paras. 60-68
Climate Change	Paras. 193-205 (Sustainability and energy section)
Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare	Paras. 70-111 and 192
Ecology and Biodiversity	Paras. 216-222
Health; Noise and Vibration	Paras. 188-192
Socio-Economics	Addressed throughout the report, with particular reference to employment and commercial floorspace provision within paras. 3-14
Townscape and Visual Impact Assessment	Paras. 54-57 and 61 - 63
Traffic and Transport	Paras. 157-185
Water Resources, Flood Risk and Drainage	Paras. 206-211
Wind Microclimate	Paras. 212-215

Principle of development

Residential-led redevelopment and loss of industrial floorspace

2. Policy 3.3 of the London Plan and Policy GG2 of the draft London Plan both identify the optimisation of land, including the development of brownfield sites, as a key part of the strategy for delivering additional homes in London. This is supported within policy CP2 of Brent's Core Strategy 2010, which requires the provision of at least 22,000 additional homes to be delivered between 2007 and 2026. Furthermore, the current London Plan includes a minimum annual monitoring target for Brent at 1,525 additional homes per year between 2015 and 2025. This target is proposed to increase to 2,915 for the period 2019/20-2028/29 in Policy H1 of the draft London Plan recognising the increasing demand for delivery of new homes across London. However, the London Plan Examination in Public Panel Report Appendix: Panel Recommendations October 2019 has suggested this target be reduced to 2,325 dwellings per annum, on account of contributions from small sites being recommended for a decrease within the report. Emerging local plan policy BH1 reflects this target.
3. Within local policy, Brent Policy CP8 sets out a target of at least 11,500 new homes being delivered in the Wembley Growth Area between 2010 and 2026, however since the Core Strategy was adopted in 2010, this target has been significantly increased to more than 15,000 homes across the same growth area within the emerging Local Plan (policy BP1). Whilst the development meets the requirements of Core Strategy policy CP2 in principle, the need for housing has increased significantly since the adoption of this policy in 2010 and these increasing targets necessitate the need for a greater delivery of homes within Brent than is anticipated in adopted policy.
4. Policy DMP14 provides protection for employment sites, setting out specific criteria for their release, and seeks to limit the loss of industrial land to approximately 11.5ha within the plan period. However, this excess capacity was subsequently met and if all consents / proposals were implemented, the resultant loss of industrial land would exceed the policy target before the end of the plan period and any further loss of industrial floorspace would reduce Brent's industrial land supply and would be inconsistent with Policy DMP14. The draft new London Plan also identifies that across London loss of employment sites has been far greater than expected, and proposes that across London as a whole there should be no further losses.
5. Draft Policy E7(c) sets out an approach on non-designated industrial sites to support mixed use or residential development where it has been allocated in an adopted local Development Plan Document for residential or mixed use development.
6. The site is part of a specifically allocated site by the Council for mixed use development in both the adopted 2015 Wembley Area Action Plan (Site W27, with an indicative capacity of 360 residential units) and site allocation BCSA4 in the emerging Local Plan (with an increased indicative capacity of 500 residential units). Brent's emerging site specific allocation suggests an appropriate focus for the site being on the delivery of homes and industrial floor space. The site allocation brief states: *"Given Brent's status as a provide capacity borough, the council will seek no net loss of industrial floorspace and if a plot ratio of 0.65 is greater, encourage the maximisation of its provision suitable for B1 (c), B8 and B2 use as a part of any redevelopment of this site."*
7. A key priority of the emerging policy context at both local and London levels is to reverse recent trends towards the loss of industrial floorspace across London, and Brent is one of a number of boroughs that is expected under the draft new London Plan to provide new industrial capacity. It is noted that the Secretary of State's Directions include alterations to draft Policy E4, including removal of the requirement to ensure no net loss of industrial floorspace capacity. These Directions are currently being considered by the Mayor, and only limited weight could be given to this policy requirement at this time. However, the SoS has not changed the requirement to meet their industrial needs, which in Brent's case will be to provide additional capacity.
8. The applicants are proposing a total of provision of 2,787 sqm of employment floor space within the Class B1c (light industry) use (now referred to as Class E(g)(iii), however the application was submitted before the changes to the Use Classes Order were established on 1st Sep 2020), in the form of an industrial 'makerspace' within the lower floors of Block D. The provision of 2,787 sqm represents just over 50% of the existing floorspace on the site, and therefore is not in accordance with the site allocation brief, which seeks no net loss of floorspace on the site.

9. However, it is important to note that there has been a change in emphasis to the site allocation brief outlined above, in light of emerging guidance from the draft London Plan. As the GLA have confirmed, the site had previously been identified in the draft Local Plan for mixed use development including the provision of 2,500 sq.m. of business floorspace. Site Allocation Policy BCSA4 was modified to align with the Intend to Publish London Plan Policy E4. However, since this site allocation policy was drafted, the requirements within the emerging London Plan have since become subject to a direction from the Secretary of State to remove reference to 'no net loss' in this regard.
10. The GLA states that the scheme would result in a 49% reduction in industrial floorspace capacity in this regard, and therefore fail to accord with London Plan and draft Local Plan policies. However, they state that this must be seen in context with the wider redevelopment of the site and the predominantly residential-led scheme, which is supported, and therefore could be supported subject to the scheme delivering public benefits, which include a maximised affordable housing offer.
11. While officers have explored the ability of the site to deliver more employment floorspace during an extensive pre-application process, doing so would greatly restrict the number of residential homes delivered, which at 493 meets the capacity set out in draft policy BCSA4, as well as potentially compromising the scheme's viability even further and therefore its ability to deliver affordable homes. It would also compromise the other strategic benefits of the scheme, including the opening up of Wealdstone Brook to the north of the site, and improved public access and environment around it.
12. On this basis, it is considered that the quantum of employment floorspace proposed would be the optimum deliverable by the scheme, and in turn ensures that the residential provision of 493 units is broadly in line with the site allocation capacity set out in draft Local Plan policy BCSA4. The GLA have commented that in order to ensure the proposed floorspace will be provided as industrial use, a condition should be included to restrict the use to Use Class E(g)(iii). Officers recommend this condition be attached, and that this should be restricted to light industrial uses given the location and proximity of residential uses adjacent to it.

Provision of retail unit

13. Policy CP16 of the Council's Core Strategy sets out a sequential approach to new retail development. Policy DMP2 stipulates that units larger than 500sqm should not be supported outside of town centres unless demonstrated as acceptable by an accompanying Retail Impact Assessment.
14. The proposed retail unit would be a modest size at 98 sqm GIA, located on the south-west corner of Block A, on the junction of Fulton Road. Its small size and scale means that it would not have an adverse impact on the vitality and viability of the Wembley Town Centre, and would also provide some active frontage along this key corner. The addition of this unit therefore acceptable in land use terms, subject to a condition attached restricting its use to retail (i.e. Class E(a)).

Affordable housing and unit mix

Adopted affordable housing policy

15. London Plan policy 3.12 requires boroughs to seek the maximum reasonable amount of affordable housing, taking account of a range of factors including local and regional requirements, the need to encourage rather than restrain development and viability. The policy requires boroughs to take account of economic viability when negotiating on affordable housing, and other individual circumstances.
16. Brent's adopted local policy (CP2 and DMP15) requiring affordable housing requirements for major applications stipulates that schemes should provide 50% of homes as affordable, with 70% of those affordable homes being social or affordable rented housing and 30% of those affordable homes being intermediate housing (such as for shared ownership or intermediate rent). The definition within DMP15 allows for affordable rented housing (defined as housing which is rented at least 20% below the market value) to be an acceptable form of low cost rented housing, which is consistent with the NPPF definition of affordable housing. The policies allow for the reduction in the level of Affordable Housing (below the 50 % target) on economic viability grounds. This is discussed in more detail later in this report.

Emerging affordable housing policy

17. The emerging London Plan (Intend to Publish Version) has been subject to examination and the associated affordable housing policies (H4, H5 and H6) are now given greater weight. These policies

establish the threshold approach to applications where a policy compliant tenure mix is proposed*, where viability is not tested at application stage if affordable housing proposals achieve a minimum of:

- 35 % Affordable Housing; or
- 50 % Affordable Housing on industrial land** or public sector land where there is no portfolio agreement with the Mayor.

* other criteria are also applicable.

** industrial land includes Strategic Industrial Locations, Locally Significant Industrial Sites and non-designated industrial sites where the scheme would result in a net loss of industrial capacity.

18. The policies set out the Mayor’s commitment to delivering “genuinely affordable” housing and the following mix of affordable housing is applied to development proposals:

- A minimum of 30% low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent or London Affordable Rent);
- A minimum of 30% intermediate homes;
- 40% to be determined by the borough based on identified need.

19. When interpreting these policies, the tenure mix set out in Brent’s adopted policies (70:30 ratio of Affordable Rent : Intermediate) and Brent’s emerging policies (70:30 ratio of London Affordable Rent : Intermediate) provide clarity on the tenure of the third category (40 % to be determined by the borough). This means that this element of Affordable housing mix should be provided as Affordable Rented homes.

20. Brent’s emerging local plan policy (BH5) is similar to DMP15 in the adopted plan, but sets a strategic target of 50% affordable housing while supporting the Mayor of London’s Threshold Approach to applications (policy H5), with schemes delivering at least 35% (or 50% on public sector land / industrial land and that propose a policy compliant tenure split) not viability tested at application stage. Brent Policy BH5 sets a target of 70% of those affordable homes being for social rent or London Affordable Rent and the remaining 30% being for intermediate products. This split marries up with the Draft London Plan H6 policy by design, with Brent having considered that the 40% based on borough need should fall within the low cost rented homes category, bringing Brent’s target split across both emerging policies as 70% for low cost rented homes (Social rent or London Affordable Rent) and 30% for intermediate products.

21. Brent’s draft Local Plan has yet to be examined by the Planning Inspectorate and as such the adopted DMP15 policy would carry considerably more weight than the emerging policy at present. The draft London Plan is at a more advanced stage than Brent’s emerging Local Plan and has been subject to comments from the Planning Inspectorate. Whilst concerns have been raised about some London Plan draft policies by the inspectorate, none of those concerns relate to these policies and it can therefore be considered that this draft policy carries reasonable weight at this stage.

Affordable housing offer

22. The applicants would provide 25% of the development as affordable housing when measured by habitable room, with 84% of this housing comprised of London Affordable Rented housing (low-cost rented housing), and the other 16% comprised of shared ownership housing. The table below sets out a breakdown of these units by type and tenure:

	London Affordable Rent	Shared Ownership	Market	Total
1-bed	6	3	184	193 (39%)
2-bed	20	12	194	226 (46%)
3-bed	54	3	17	74 (15%)
TOTAL	80 (16.2%)	18 (3.7%)	395 (80.1%)	493 (100%)

23. Block C would provide all 80 London Affordable Rent homes, while the 18 shared ownership units would be provided within block D. The table above demonstrates that 54 of the 80 LAR flats (67%) would be family-sized, i.e. providing 3 bedrooms.

24. The applicant’s supporting financial viability assessment indicated that the scheme would return a deficit of £62m below the Benchmark Land Value (BLV) and, therefore this offer represented more than the reasonable amount of affordable housing.

25. The applicants' FVA has been reviewed independently for the Council, and while there is disagreement with some of the assumptions made within the submitted FVA, it has been clearly established that the scheme would deliver a significant deficit (approximately £42m against the BLV). There are considered to be several important factors as to why such a deficit has been found, most notably the fact that the site is a large industrial site in an area with a high demand for industrial floorspace, therefore reflected in a high Existing Use Value for the site, and higher construction costs reflecting the fact that this would be a high density development with more complex and lengthy construction processes.
26. Officers acknowledge that, while the conclusions of the report demonstrate that the maximum reasonable amount of affordable housing would be met, the above offer would fail to meet some of the key requirements of emerging affordable housing policy, namely; the offer does not include 30% shared ownership units, as required by emerging London Plan policy H6 and draft Brent policy BH5.
27. Officers therefore requested further sensitivity analysis to be undertaken to establish whether a policy compliant split in terms of affordable housing numbers (i.e. 70 LAR : 30 intermediate) would make the scheme viable, and in turn provide a greater level of affordable housing. Following these further tests, it was concluded that while the deficit would be reduced as a result of such changes (to approximately £33m below the BLV), this would not make the scheme financially viable.
28. Following review of these results, and the offer presented by the applicant, officers consider that the 'over-provision' of LAR homes would be a significant benefit of the scheme, particularly as a high proportion of these homes (54 out of 80) would be family-sized units, which the Borough are in acute need to meet housing demand. The phasing of the development would also ensure that these units are provided in Block C within the first construction phase, and this would be secured via section 106 agreement. Both early and late stage review mechanisms would also be secured within this legal agreement to ensure any surplus (although unexpected) could provide further affordable housing on the site.
29. The GLA's viability team have also reviewed the submitted FVA, as well as the independent review conducted on behalf of the Council. While they also disagree with some of the assumptions reached by the applicant, they acknowledge that the scheme is in substantial deficit and this would not be easily overcome, even if costs were reduced by 10% and values to increase by 20%, which in itself is highly unlikely. Notwithstanding their disagreement with some of the assumptions made, they are also supportive of a higher proportion of LAR/ 'low-cost' affordable housing being provided.

Wider acceptability of tenure mix

30. Brent's core strategy policy CP2 seeks at least 25% of units to be family-sized (3-bedrooms or more). Brent's emerging policy BH6 within the draft Local Plan carries forward this same target. At 15% across the scheme (74 of the 493 units), officers acknowledge that the proposals fall short of the 25% target.
31. Whilst acknowledging this shortfall, it must be recognised that the family sized units which are being provided are predominantly offered as London Affordable Rented units, with 73% of these 3-bed units (54 out of a total of 74) within this tenure. Furthermore, a total of 58% of the scheme's affordable housing is comprised of family-sized homes, with a further three 3-bed units provided with a Shared Ownership tenure.
32. In the context of market driven residential development, officers acknowledge there is a delicate balance to strike between scheme viability and family home provision, with the high number of 3-bedroom homes (on an LAR basis) being provided within the scheme a significant factor in the high deficit which it is calculated to deliver, as set out in earlier sections of the report. On balance, officers therefore consider the shortfall in family homes is acceptable in this instance, given the significant over-representation of family accommodation within the affordable tenures, and in acknowledgement of the scheme's overall viability position.

Design

32. Brent's DMP1 policy and SPD1 guidance set out the policy objectives and general requirements for good design in the built environment. Overall, officers consider that the proposal responds positively to this policy and guidance context and the specific elements of its design including: general layout, public realm, height and massing and architecture/materiality are discussed in the following sections.

Layout and public realm

33. The site would be laid out with 4 blocks (known as Block A to D) and a central one-way access road from Fulton Road to Fourth Way.
34. Block A fronts onto Fulton Road (running north to south) and contains the retail unit at ground floor level on the south west corner with the remainder of the block in residential use. The primary access to the residential units is from Fulton Road but secondary access can also be provided from the undercroft parking area. The entrance to the block is legible from the street, and the scheme provides active frontages on both Fulton Road façade and on the new street within the site.
35. Block B is located in the central part of the site and solely contains residential homes. It is linked to block A through a raised podium garden (of approximately 5m high above ground level) with undercroft parking below the podium. Access is provided to the homes from the new street. There is a clearly defined and legible entrance. The ground floor is activated by the communal flexible workspace, relaxation and entertainment spaces for the occupiers of the homes within this block.
36. Block C is located at the eastern end of the site and also runs north to south. It contains makerspace studios at ground floor with the upper floors in residential use. The residential entrance is access from the courtyard garage with a strongly defined and legible entrance. The commercial uses front onto the access road at ground level to provide natural surveillance and activity at ground level. Whilst there are some back of house elements for the residential units at ground level such as the bin store, these are broken up with the active frontages for the makerspace units. Furthermore, the bin stores are in easy collection of the refuse vehicles. Therefore, subject to conditions being secured to further review the design detailing of the doors/ vents to the bin stores to ensure that the high quality of design is achieved through the scheme, the layout of Block C is considered to be acceptable.
37. Block D runs along the frontage with Fifth Way in an east-west direction). It contains makerspace studios on the ground and first floors with residential use on the upper floors. Both the new street within the site and Fulton Road is activated by the makerspace units and entrances to the residential homes. The entrances are clearly defined and legible from the new street. Each of the blocks has a basement containing mechanical and electrical plant and resident cycle parking.

Public Realm

38. The development would create five dedicated areas of hard and soft landscaping throughout the ground floor plane, for residents which comprise of the Podium, Courtyard, Promenade, Yard and Allotments Garden.
39. In terms of providing a good quality external environment for residents and passers-by, active frontages have been maximised at street level. There are series of proposed pedestrian routes and public spaces improving the site's connectivity to the surroundings. The new street through the site and the yard play area to the east have created an alternative pedestrian route from Fulton Road (West) to Fourth Way (East). The yard is proposed as an urban square-like space, featuring a centre-piece of a grid of trees and punctuated by play equipment.
40. The newly created street is restricted to the residents' vehicles only and public for all pedestrians to use. There is also pedestrian access through the stairs from Fifth Way adjacent to Block D down to a landscaped courtyard space situated between Block B and Block C. The Courtyard, with its many trees, plants and play spaces, opens an accessible pedestrian route down to the Brook. Due to the 10 metre distance requirement from the Brook, a generous promenade width along the Brook has been created which enables potential future connectivity to the East and West of the site for residents as well as visitors. The improvements to the Brookside are a key benefit of the scheme, having the potential to deliver improved linkages for the public through to surrounding sites in Wembley, as well as having positive implications for local ecology and sustainability.
41. As outlined above there is a significant level change from north to south across the site, meaning that a podium model for the main landscaping and play space was the best solution in this instance. This is positioned between Block B and Block A and can be accessed via the north of the site next to the Brook. Further public realm benefits are delivered by the proposed Allotment Garden to the south-eastern part of the site, while roof gardens on top of Blocks A, C and D provide amenity and play space only for

residents.

42. Raised planters on the Podium and along Fulton Road would create specific sections of the building with defensible space and establishes a green buffer between private amenity space for ground floor residential units (Block A) and public uses. Along Fulton Road, the ground floor units benefit from a 1.2m deep front garden which provides defensible space to these homes.
43. The newly created street (from Fulton Road) also features newly planted trees and retail space on one side and commercial entrances on the opposite, which would act as a clear legible and inviting means of defining the main access route through the site. The public realm along Fifth Way would largely be formed of active frontages serving the industrial units (Class E(g)(iii)) spaces with some tree planting on the corner. Overall, the inactive frontages for the blocks are minimal as most of the services are positioned in the basement or roof. Block C would have the most inactive frontage towards the East, which is not a main road and Block A and B are positioned towards the proposed podium.
44. The public realm proposals are considered to be highly positive, with active frontages having been reasonably maximised at ground level with interest and strong legibility having been provided with a newly created internal street feature and new landscaping having been introduced in the public realm, especially towards the northern site and between the proposed blocks. Despite ground level changes, the active frontages remain well-grounded and do not appear severed from the street scene. In establishing a good connection through to the site, the applicants would deliver a new step-free street for pedestrians, connecting Fulton Road to Fourth Way, with further ramps towards the Brook, which can be accessed via the Courtyard.

Height and Massing

45. Policy WEM5 of the adopted Wembley Area Action Plan (WAAP) (2015) supports the development of tall buildings (defined as being 30 metres (about ten storeys) or greater) on the basis of its site specific tall buildings strategy. This site in the Wembley Area Action Plan is shown as a site which is sensitive for tall buildings under WEM5 criteria, however it is close to existing and emerging tall buildings including Scape Wembley (28 storeys), 10-11 Watkin Road (24 storeys), Quintain plot NE06 (34 storeys) and NE04, to the immediate west (18 storeys).
46. Draft policy BD2 of the emerging Local Plan (which has been to examination in public and due to be adopted in the near future) directs tall buildings to the locations shown on the policies map in Tall Building Zones, intensification corridors, town centres and site allocations. The draft Local Plan Policies Map and Brent Tall Building Strategy (March 2020) identifies the site as situated within the 'core' region of the Wembley Park tall building zone, where it is stated that, subject to not unacceptably impacting on protected views, buildings of over 15-storeys (45+ metres) may be considered appropriate.'
47. Furthermore, the site allocation brief contained within the draft Local Plan (Policy BCSA4) states that *'the approval of the Wembley Park masterplan and subsequent increases in height and therefore density within that context means that a larger amount of development is now considered appropriate on the site. The site is appropriate for tall buildings, subject to them achieving an appropriate relationship sensitive to its surroundings and not adversely affecting protected views of the stadium.'*
48. Whilst the WAAP is still the adopted local policy document for consideration, the emerging changes to policy as observed within BD2 of the emerging Local Plan are to be acknowledged and stand testament to the substantial increase in housing targets that have come into relevance since the publishing of the WAAP. Emerging London Plan policy can now be afforded substantial weight and the sustainability of this location within an area of good public transport accessibility is acknowledged.

Main tower (Block B)

49. The proposals have evolved significantly since early pre-application stages, and the approaches to height and massing are now strongly supported. The focal point of the site is a 21-storey tower (Block B), which sits centrally within the site and is considered the optimum height acceptable on the site given its surrounding context. Positioning this centrally is considered to reduce its visual impact from neighbouring streets, while also not appearing overbearing. Although it would appear taller than blocks in the immediate surrounding context, it is still considered to strike the right balance between the taller blocks to the West nearer to Wembley Stadium, and the lower 1-2 storey industrial buildings to the immediate east. This maximum height would therefore reflect the principles of the WAAP, as well as emerging policy BD2

and the Tall Building Strategy.

50. The north and south facades of the tower have a concave form, responding to the meandering shape of the Brook to the immediate north, and which helps to reduce its massing when seen from surrounding vantage points. The tower's bulk and massing is further reduced by the use of recessed balconies to the corners of the block, softening its edges and providing views of the sky. More generally, the use of an appropriate amount of glazing and horizontal banding between floors give the block some horizontal emphasis, providing visual interest and breaking up the building's verticality.

Mansion blocks and makerspace building (Blocks A, C and D)

51. To the west and east are the main 'shoulder' blocks of the site, which are designed to appear as Mansion blocks of 12 storeys (Block A) and 11 storeys (Block C) respectively. As well as acting as a buffer to the main height of the central tower, these mid-rise blocks relate to the adjoining building heights which include Quintain block NE04 to the west, with a main street facing block at 10 storeys, and Kelaty House to the immediate south, with blocks of between 10-12 storeys facing onto Fulton Road and Fifth Way. The 11-storey block to the east allows for a transition in scale down to the lower-rise industrial buildings to the north and east of the site. The blocks would successfully address the street frontages, and would have the same Mansion block style, bringing a degree of unity and coherence to the proposals as they sit either side of the main tower.
52. The Mansion blocks would be well articulated, with set-back top storeys to both blocks ensuring their perceived visual impact is reduced. The blocks would have a clear base, middle and top as a result of the dormer windows proposed to upper floors, with commercial uses activating the ground floor levels to both buildings. While having a strong horizontal emphasis, key features including recessed and triangular shaped balconies would provide depth and articulation and in doing so ensure the blocks would not appear overly elongated or overbearing when seen from street level.
53. Block D sits to the southern portion of the site, facing onto First Way and the new internal estate road. At 12 storeys, again this block is considered to respond appropriately to surrounding heights and scale. While using similar features to the mansion blocks including the use of recessed balconies and oblique angles on upper levels to break up massing, the block would read as having a main elevation with two 'book ends' on either side of Fifth Way, which ensures its horizontal emphasis would be clearly broken up when seen from street level. A clear visual distinction is also maintained between the lower two storeys, which make up the makerspace studios, with the residential homes on upper floors, ensuring further visual interest and helping to break up the massing of this block further.

Protected views

54. The applicant has submitted a comprehensive Townscape and Visual Impact Assessment (as part of the Environmental Statement) which sets out a number of images of the proposed development from key local vantage points and designated protected views, including those identified within WAAP Policy WEM6 and Brent's emerging Local Plan Policy BHC2. It has been identified that the proposal would sit within the viewing corridor of Wembley Stadium Arch from both Chalkhill Park (AAP/ Draft Local Plan view 9) and Chalkhill Road, which is not a designated viewing point, but is considered to form an important local landmark.
55. The applicant's illustrates the impact the development would have on these views. The images demonstrate that while all blocks would be at least partly visible from Chalkhill Park, views to Wembley Stadium Arch would be uninterrupted, and while prominent, the buildings would not be overly dominant in these views when considering the context of built and consented developments across the skyline.
56. Views of the eastern fringes of the Arch from Chalkhill Road would be restricted as a result of the proposed development. However the TVIA states that this part of the Arch is already partly intersected by Quintain Plot E03, and that the overall character of the skyline would not be fundamentally altered by the proposals. It must also be acknowledged that while this is a local landmark, it has not been designated as a protected viewing corridor, and therefore some loss of views to the Arch here is considered acceptable.
57. The GLA have also confirmed their support for the proposed height and massing of the development, stating that:

'The height and massing of the development is well thought out and responds positively to its surrounding context. The height of the development responds to the taller buildings coming forward within the Quintain Masterplan area and the development is generally in scale with other emerging development sites outside of the masterplan area.'

Architecture and Materiality

58. The visual design and architecture of the buildings is pleasing and of a very high quality, with a distinction between the simple but legible form to the main tower, and the more highly articulated and ornately detailed facades to the mansion blocks. The architecture is mainly based on the use of a light red brick with concrete spandrels to the mansion blocks, and a more traditional buff coloured brick to the central tower and makerspace mansion. However subtle variations are used within the detailed elements of each block, particularly to provide distinctive layers at ground floor and on upper storeys. The architectural features across the facades are neatly arranged in vertical stacks to emphasise the slenderness of the buildings. The use of bronze coloured steel balcony balustrades and fascia to each of the blocks would be a significant secondary feature of the scheme's appearance.
59. The GLA have commented that *'the quality of materials and attention to detail should be extended to every block, regardless of tenure. Appropriate conditions should be secured to ensure this.'* Block C, which is where the affordable rented homes would be provided, has a very high quality and there would be no dilution in quality to this block. Officers confirm that samples of the materials to be used in the development will be reviewed and approved by officers prior to any above ground works, and this would be secured by condition.

Impact to Heritage Assets

Conservation Areas and Listed Buildings

60. 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 application site is not within a conservation area. The closest conservation areas are situated more than 500m from the Site; these include Wembley High Street Conservation Area to the west, Barn Hill Conservation Area to the north-west and St Andrew's Conservation Area to the north-east. The nearest listed buildings are also situated more than 500m away, and include the Wembley Arena (Grade II) to the south-west and Brent Town Hall (Grade II) to the north.
61. The applicants have submitted a detailed Townscape and Visual Impact (TVIA) assessment. The NPPF states that where a proposed development will lead to substantial harm to designated heritage assets, permission should be refused unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm or in wholly exceptional circumstances identified in paragraph 195 of the NPPF. Where the proposal will lead to less than substantial harm, that harm should be weighed against the public benefits of the proposal.
62. 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. London Plan Policy 7.8, Policy HC1 of the Mayor's Intend to Publish London Plan, policy DMP7 of the adopted Development Management Policies and policy BHC1 of the draft Local Plan all seek to ensure that development affecting heritage assets should conserve their significance, by being sympathetic to the character and setting of those assets.
63. The submitted TVIA is considered to be robust and demonstrates that the proposal would be seen in the context of other tall buildings within the Wembley Opportunity Area, and that there would be no harm to the setting of designated heritage assets.

Archaeology

64. Beyond the visual impact considerations that relate to heritage, the site has been assessed for its below ground archaeological potential and the applicants have submitted a report to communicate the findings (contained within the Environmental Statement).

65. The report confirms that no World Heritage Sites, Scheduled Monuments, Historic Battlefields or Historic Wrecks lie within 1km of the site. The site is also not within one of Brent's Archaeological Priority Areas (APA) or locally designated Sites of Archaeological Importance (SAI).
66. The history of the site has largely been as agricultural land until the area became managed parkland forming part of the wider Wembley Park during the late 19th/early 20th Century. In the 1920s, the site formed part of the area for the British Empire Exhibition, and this section of the site was occupied by a life size construction of a coal mine, including a stretch of below ground tunnels, a brick lined access shaft and an air shaft, as well as above ground structures. Although the above ground and immediate sub-surface structures were removed when the site was re-developed for the current industrial use, the report concludes that there is evidence some of the shafts and tunnel structures could still exist. For this reason, the report concludes that further work to identify and record these elements should be undertaken and need GLAAS input if required.
67. The Council's heritage officer has reviewed the above report and agrees with its findings. Officers therefore recommend a condition requiring this work to be undertaken and agreed with the heritage officer and Historic England as a pre-commencement condition.
68. Subject to this, the proposal accords with London Plan Policy 7.8, Policy HC1 of the Mayor's Intend to Publish London Plan, policy DMP7 of the adopted Development Management Policies and policy BHC1 of the draft Local Plan and the NPPF.

Impact on neighbouring residential amenity

69. Brent's DMP1 policy within the emerging and adopted Local Plan and Brent's SPD1 guidance sets out a number of criteria for judging impact on neighbouring residential properties in terms of losses of privacy and the creation of a sense of enclosure. It will be important to consider the extent to which the SPD1 guidance is complied with in relation to these properties, and for this impact to be weighed up as part of an overall judgement. The SPD1 amenity impact tests and the development's performance against them are explained below.

Daylight and Sunlight Impact

70. The applicant has submitted a daylight, sunlight and overshadowing analysis of the impact of the development on surrounding properties, utilising the recommendations set out in the BRE 'Site layout planning for daylight and sunlight - a guide to good practice (2011)' document. This has been included within the submitted Environmental Statement.
71. Officers are satisfied that the report successfully identifies all neighbouring properties which could be affected by the proposed development, which are summarised as follows:

- Cannon Trading Estate
- Kelaty House Blocks A-E
- Empire Court North End Road
- Wembley Park Masterplan sites NE01 – NE06

72. The results of the daylight and sunlight testing of these properties is set out below:

Cannon Trading Estate

73. Planning permission was initially granted in June 2018 for the re-development of the industrial estate, to the south of the site and sitting behind the Kelaty House scheme, for a 7-11 storey building to provide educational use, office use and 678 student rooms.
74. 136 windows were assessed and all of these will meet the BRE guidelines for the Vertical Sky Component, i.e. retaining a Vertical Sky Component (VSC) factor of at least 27% or seeing a reduction from the existing scenario Vertical Sky Component of no more than 20%. This is also borne out in the No Sky Line (NSL) test, which relates to rooms rather than windows, and assesses the proportion of a room from which sky would be visible. In this case, all of the 103 rooms assessed would pass the NSL test, meaning none of the rooms would experience more than a 20% reduction in daylight distribution.
75. With regard to sunlight impact, all 15 of the rooms tested meet the criteria for both winter probable

sunlight hours (WPSH) and annual probable sunlight hours (APSH).

Empire Court – North End Road

76. This building is located to the north of the site and comprises four storey flatted development. 88 windows were assessed and all of these windows will meet the BRE guidelines in terms of VSC, while 61 of 64 windows tested for NSL (95%) passed. Of the three affected rooms, one would retain a NSL of more than 0.7, and therefore is considered to experience a minor adverse impact. The two rooms experiencing a slightly more adverse impact are served by windows which sit within a corner alcove and are thus shaded by the building itself, accounting for their comparatively low NSL values of below 54%. However, given the high level of compliance overall and the particular circumstances of these affected rooms, it is considered that the impact to this building from the proposed development would not be significant enough to warrant refusal of the application.
77. With regard to sunlight impact, 64 rooms were assessed. 4 of the 64 rooms experienced WPSH losses of more than 20% of existing, however none of the rooms lost more than 10% APSH above their existing situation, and therefore the proposed development would comply with BRE criteria in this regard.

Kelaty House Block A

78. Block A of Kelaty House is situated to the south-west of the site and comprises a 13-storey building used as a hotel/ serviced apartments, granted consent as part of a wider re-development of the site in December 2012 (ref. 12/1293), and is currently under construction. The position of this block and relationship with the adjoining development ensures that of the 108 windows assessed for VSC, none experienced any losses. Similarly, all 54 relevant windows passed a NSL test, with no breaches in NSL encountered.
79. The orientation of the block and its context with the development, sited south-west of all proposed buildings, means that there would be no material sunlight implications to this block and no further assessment was required.

Kelaty House Block B

80. Block B of Kelaty House, part of the re-development outlined above, would be between 10 and 11 storeys and comprises student accommodation. A total of 213 windows serving 144 rooms were assessed for daylight within this block. In terms of VSC, a total of 72 of the 213 windows (33.8%) would pass BRE criteria. Of the remaining 141 affected windows, it is considered that a further 34 would experience a 'minor adverse' impact, in that overall VSC levels would remain above 0.7 of their existing/ consented situation. The remaining 107 windows, representing half the overall number, would experience a VSC loss of more than 40%, which is considered to be more significant. These figures are broadly reflected in pass rates under NSL testing also. However it must be acknowledged that this consented block is currently surrounded by low rise industrial properties to the north and east, and therefore benefits from very good baseline levels of daylight which was always going to be more significantly affected by the increase in height and massing proposed by the re-development of surrounding plots.
81. Officers also acknowledge that a high number of the rooms experiencing more perceptible losses, both in terms of VSC and NSL, are bedrooms. These are considered by BRE guidelines to be less sensitive to daylight losses than main living and kitchen areas. Furthermore, officers place some weight on the fact that these rooms serve student accommodation rather than permanent living spaces. While a reasonable expectation of daylight and sunlight is required in such spaces, there is acknowledgement that they are of lower sensitivity in comparison with the expected levels of occupiers of permanent homes and flats. Given this context, officers consider on balance that the daylight losses would be acceptable on balance, despite being contrary to BRE guidance.
82. In terms of sunlight testing, 19 rooms were tested, with 12 of these meeting BRE criteria. Of the remaining 7 rooms experiencing more perceptible sunlight alterations, six would still retain an APSH at least 0.7 times its former levels, which is considered to be a minor adverse impact, with one further room experiencing a more significant level of sunlight loss throughout the year. Given the relatively high degree of compliance, and the context of this block being used as student accommodation rather than as permanent residences, officers consider this to be acceptable.

Kelaty House Block C

83. Block C of Kelaty House would be between 8 and 9 storeys, and is also currently under construction for use as student accommodation. A total of 50 windows serving rooms were assessed for daylight impact within this block. In terms of VSC, the assessment demonstrates that 29 of the 50 windows (58%) would comply with BRE criteria. Of the windows falling short of BRE requirements, a further 10 would retain VSC levels above 0.6 of their former value, and are considered to have a minor or moderate adverse impact.
84. The remaining 11 windows would experience more perceptible daylight impacts. However, testing of NSL alterations demonstrates that 13 of the 16 rooms assessed would retain daylight levels above 0.8 times their former value, and therefore only 3 rooms would experience more perceptible losses. As with the impacts to Block B outlined above, officers give weight to the fact that baseline levels of daylight are high due to the low-rise nature of the existing development, meaning any significant increase in height and massing proposed on this site would have a more significant impact. It should also be noted that all three affected rooms, i.e. experiencing NSL levels below 0.8 times their former value, are dual aspect and served by at least one window which would experience any daylight impacts from the proposed development.
85. Given this context, and also that the block serves as student rather than permanent accommodation, officers consider on balance that the relatively high degree of compliance with BRE guidelines would be acceptable.
86. In terms of sunlight testing, 8 rooms were tested, and all of them would meet BRE criteria, with no loss of either WPSH or APSH as a result of the proposed scheme.

Kelaty House Block D

87. Block D of Kelaty House would be between 6 and 7 storeys, and is also currently under construction for use as student accommodation. A total of 104 windows serving 77 rooms were assessed for daylight within the block. The report demonstrates that all 104 windows would pass the BRE's criteria in terms of VSC, while 72 of 77 rooms (93.5%) assessed would pass accepted NSL levels. Of the five affected rooms, none of these would experience daylight alterations of less than 0.6 times their former value, and two of these affected rooms would be bedrooms which are less sensitive to daylight alterations, as acknowledged by the BRE guidelines.
88. The orientation of the block and its context with the development means that there would be no material sunlight implications to this block and no further assessment was required.

Kelaty House Block E

89. Block E of Kelaty House is situated to the far south-west of the site and comprises a 4-5 storey block which is currently under construction, for use as student accommodation. The position of this block and relationship with the adjoining development ensures that of the 63 windows assessed for VSC, none experienced any losses. Similarly, all 35 relevant windows passed a NSL test, with no breaches in NSL encountered.
90. Similarly, in terms of sunlight testing, the orientation of the block and its context with the development means that there would be no material sunlight implications to this block and no further assessment was required.

Quintain Masterplan – Sites NE01-NE06

91. Objections have been raised by Quintain concerning the projected impact of the proposed development, and in particular Blocks A and D, in terms of loss of daylight to the eastern elevation of block NE04 which would be located to the immediate west of the site.
92. Annex 7 of the Environmental Statement submitted with the application provides a detailed analysis of the projected impacts of the proposal on Wembley Park Masterplan sites NE01 – NE06, which are located in the immediate vicinity of the site. The assessment concludes that the cumulative daylight effects of the proposed development are considered to be significant (Major Adverse), with a greater than 40% reduction in VSC over 10 storeys of the eastern elevation of Plot NE04. Quintain state that this

would result in perceptible losses of daylight to approximately 70 flats approved within NE04.

93. It is important to note that, since no detailed submissions have yet been made for the exact massing, internal layouts, window sizes etc to sites NE01 – NE06, the assessment could only test the facades of the indicative massing, rather than any specific windows and rooms as these have not yet been placed within the approved parameters of the building. Nonetheless, a full façade VSC range has been identified for the approved parameter plans for these plots based on the proposed massing.
94. The identified VSC range shows that the lower levels of the approved building envelope for plot NE04's eastern elevation achieve VSC levels of 27% and above, and that the proposed development would reduce this range to between approx. 11% and 20% in most cases. Quintain's comments note that the applicant's 3D visual model showing the VSC ranges across the facade would indicate that the VSC levels on some of the lowest residential levels would actually reduce to between 6% and 10%.
95. The applicants have provided a justification for such losses within their assessment, as well as a more detailed commentary in response to the objection. The applicants state that the eastern elevation of NE04 benefits from uncharacteristically high initial values (i.e. more than 27%) as this indicative façade overlooks the existing low-rise industrial buildings present on the site in the baseline scenario, and therefore any proposed development of the site, which was to be expected given the site allocation, would have a significant impact on daylight levels to adjoining premises.
96. It is argued that the retained VSC levels on the lower floors of the east elevation, with the Proposed Development in place, would be in line with those seen on the lower floors of the southeast elevation of the same building in the future baseline scenario. Therefore, the daylight levels achieved within the rooms behind this elevation would be expected to be similar to those achieved in other areas of the masterplan, unaffected by the proposed development. Finally, it is noted that the upper floors of the building, as well as all other elevations of the masterplan, would see VSC alterations lower than 20%.
97. Officers have had careful regard to the proposed impact of the development to future occupiers within this part of NE04. However, this must be seen in context with the emerging urban context of the site and its surroundings, and the generally very high levels of compliance across the rest of sites NE01-NE06, as well as other surrounding developments which have been discussed above. Having weighed up these factors, officers consider the scheme would remain acceptable, despite the perceptible losses experienced within plot NE04.
98. With regard to sunlight impact, sites NE01-06 are all located to the west of the proposed blocks, and the orientation of its facades mean that no elevations facing within 90° of due south would be affected by the proposed development. On this basis, no further analysis of sunlight impacts has been carried out.

Overshadowing to outdoor amenity spaces

99. The applicants have considered the impact to nearby outdoor amenity spaces. The relevant amenity spaces which are closest and which would warrant overshadowing testing are the communal gardens to the south of Empire Court, and at Amex House, as well as Wealdstone Brook to the immediate north. The courtyards within the two eastern plots of Masterplan sites NE01-NE06 have also been assessed.
100. 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. While some additional overshadowing would occur within the communal areas of both Empire Court and Amex House, this would be minimal and gardens would still retain at least 2 hours of direct sunlight, complying with the BRE guidance.
101. With regard to Wealdstone Brook, there would be more perceptible levels of overshadowing, particularly given the presence of the main 21-storey tower immediately adjacent to it. However, officers acknowledge that there would be no further overshadowing resulting from the proposed development during the morning on 21st March, while shadows would be cast by Plots NE01-NE06 of the Masterplan site between 1-2pm. From 3pm onwards, the development would result in further overshadowing of the Brook, and it would be in full shadow from this point. The scheme would not meet the BRE guidance on this basis.
102. However officers consider that these impacts must be weighed against the regeneration benefits of the scheme, which include opening up and activating this part of the Brook to encourage more people to use this area, as well as much improved landscaping and pedestrian legibility which the development is

aiming to achieve. On balance, the proposals are therefore considered acceptable, despite the conflict with BRE guidance.

103. With regard to the eastern plots within NE01-NE06, it was concluded that there would be no percentage change in terms of sunlight hours enjoyed by these courtyards as a result of the proposed development, with both areas achieving 96% and 100% of sunlight levels respectively.

Summary

104. Overall, officers consider the impacts to neighbouring sites (both completed and consented) are acceptable when seen in the context of the scheme's wider benefits. Officers would note that the BRE guidelines on which the daylight and sunlight analysis is based are designed to identify good levels of daylight and sunlight in low density locations and that the guidelines acknowledge a need to interpret compliance flexibly in denser town centre locations.
105. Furthermore, at paragraph 123 of the National Planning Policy Framework (NPPF), it is stated that *"when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)"*.
106. The growth area location and site allocation, which envisions significant housing growth on this site and surrounding sites are given significant weight. The expectation for significant housing growth within this site, as set out in policy, would naturally reduce the expectations for full compliance with the daylight and sunlight guidance. As discussed in earlier paragraphs of the report, the existing buildings on site are only 1 storey high and establish a very generous baseline scenario which would naturally result in a significant change in the context of any development proposal to deliver a reasonable number of homes.

Privacy

107. In order to retain acceptable privacy levels to properties, SPD1 states that all primary habitable room windows within a property should be at least 9m from the boundary with the private external amenity space of neighbouring properties or adjoining sites, except where the view on to that property would be to a part of the property which would serve as low value amenity space (e.g. the side access around a house). All secondary habitable room windows and non-habitable room windows should be obscure glazed if they cannot achieve this standard too. Furthermore, proposed habitable room windows should achieve a full 18m of separation from the habitable room windows of other properties (apart from street facing windows). These standards are in the interests of protecting the privacy of neighbouring occupiers.
108. With regard to relationships with surrounding blocks, Block A would maintain at least 16m distance to the eastern façade of Plot NE04 (as shown on the agreed parameter plans). Whilst this is less than 18m as set out in SPD1, the windows front onto the street. Between 19m and 25m would be maintained between the south façade of Block D and the northern façade of Kelaty House Block B. The site is bounded to the north by Wealdstone Brook, and to the immediate east of the site are low-rise industrial buildings and warehouses. There are not considered to be any overlooking issues arising to adjoining properties as a result of the development.

Sense of enclosure

109. In the interests of ensuring that the development does not appear unduly overbearing to surrounding properties, SPD1 establishes a standard for new development to sit underneath a 45-degree line drawn from a 2m height at the nearest edge of an affected property private amenity space. The proposed buildings should also sit underneath a 30-degree line drawn from a 2m height at the nearest rear habitable room windows within neighbouring properties that face towards the proposed buildings.
110. In this case, the proposal does not directly any adjoin any private rear gardens nor are there are rear habitable room windows in neighbouring sites that face the application site. Therefore it is not considered appropriate to apply 30 and 45 degree lines for this site context. Nevertheless, a full test of daylight and sunlight impact on surrounding properties can assist in understanding and weighing up the harm in the balance of considerations, and this was discussed in earlier sections of the report.

Summary

111. It is considered that the relationship of this development to its surroundings complies with relevant guidance in SPD1. Generous separation distances are maintained between the proposed blocks and adjoining sites, and where they are closer, these are close to consented or newly constructed schemes where there must be some expectation of tighter relationships given the urban regeneration context. Officers consider the proposals acceptable in this regard.

Quality of residential accommodation

112. Policy DMP1 within Brent's Development Management Policies (2016) and within Brent's emerging Local Plan (2019) in addition to policy 3.5 of the adopted London Plan (2016) and D6 of the emerging London Plan (2019) require developments to achieve high quality standards of internal amenity and quality of accommodation.

Central Tower (Block B)

113. Block B would provide 159 homes (79 x 1B2P, 80 x 2B4P) over 20 storeys, with the ground floor providing entrance lobby, refuse and amenity space. All of the homes meet minimum internal space standards. All of the new homes within this block are for private tenure.

114. There are 8 apartments per floor served by a single central core. 79 out of 159 homes (49%) which are single aspect, but would have either an easterly or westerly outlook, and would be 1 bedroom units with balconies positioned to the front of the bedrooms. This maximises daylight and sunlight into living rooms with a side window access on the balcony also.

115. The main entrance to the block is located on the south side of the building fronting the new estate road. 1 bedroom homes are single aspect on east and west with balconies and the larger 2 bedroom homes are located to the corners of the tower to provide dual aspects with corner balconies, accounting for 51% of the new homes within this block being dual aspect.

116. The building has its own discreet basement containing mechanical and electrical plant and resident cycle parking, while a small amount of plant would be located to the roof.

Eastern and Western mansion blocks (Blocks A and C)

117. The two residential buildings A and C (Mansion Blocks) sit to the east and western edges of the site, at a medium rise of 12 and 11 storeys respectively. The two Mansion Blocks provide 214 of the 493 homes in the proposed development.

118. 134 homes are located in Block A (Mansion Block West) which comprises of 88x1bed 2 person and 46x 2 bed 4 person units. All of the residential homes in this block are for private tenure. They all meet minimum space standards. Block A would have 12 apartments per floor, served by two independent residential cores.

119. 65% (88 out of 134) of the homes within the block are single aspect, facing either west or east. The 35% remaining (46 out of 134) units are dual aspect with a north-south aspect.

120. Block C (Mansion Block East) would have 80 homes in which 6 x1bed 2 persons, 20x2bed 4 persons and 54 would be for 3 bed 5 persons units. All of the new homes are London Affordable Rent, and they all would meet minimum space standards.

121. Block C would have 8 apartments per floor. 40 out of 80 flats (50%) which are dual aspect, with the majority of these being 3-bedroom flats, which is welcomed. The remaining units would have a single easterly or westerly aspect, which is considered acceptable.

122. Block A to the west comprises market residential units on every level with a small, 98 sqm retail (Class E(a)) unit to the southern end of the ground floor. Block C includes 522 sqm of open plan makerspace studios (Class E(g)(iii)) to the ground floor with residential to all levels above.

123. Both buildings have their own basements containing mechanical and electrical plant and resident cycle parking. Residents would have access to the respective roof gardens of each building where a small amount of building plant will also be located. Both blocks would also face Wealdstone Brook to their north corner.

124. The larger 2-bedroom apartments to the north and south end of the block provide dual aspect. Overall, 35 % of the new homes within Block A will be dual outlook. The principal entrance for residents is from Fulton Road providing access to the south or north cores. The ground floor apartments are mostly located along Fulton Road to the west and one on north-east with front gardens and area of defensible space from the public footway. The front area to the east side of the block is used for blue badge parking holders positioned under the podium garden area connected to the Tower (Block B). There is also internal access to the landscaped podium from first floor level, via the main core.
125. Block C contains residential homes from first floor to 11th would provide the proposed 80 London Affordable Rent residential apartments, with two thirds being family- sized units with separate main entrance located on the western side through the courtyard gardens. The ground floor also provides refuse and recycling storage, as well as accessible cycle storages.

Southern site (Block D)

126. The southern block (referred to as Block D) would contain 120 homes of which 18 are affordable shared ownership units. The block would have 20 x 1 bed 2 person, 80x2 bed 4 persons and 20x 3bed, 5 person units. All of the new homes meet minimum internal space standards. There are 12 units per core divided around two cores.
127. Block D would comprise of 84% dual aspect units which 20 are 3bed 5 persons and 80 are 2 bed 4 persons. The remaining 16% (20 of 120) are single aspect dwellings, which are 1 bed 2 person units towards south with recessed oblique angles which can ensure better outlook rather than square facades. The angled 30 degree windows to east and west can also provide some elements of easterly and westerly sunlight.
128. Overall, the quality of the proposed residential accommodation is of high quality. All of the homes meet minimum internal space standards. The true dual aspect percentage as whole for all of the development is 53.9% (266 out of 493 units), the rest are single aspects with 41.98% (207 out of 493 units) towards East/West, and only 4.1% is single aspect towards south. Given the high density, urban context of the proposed scheme, this is considered an appropriate level and on balance would comply with the objectives of both the London Plan and SPD1.
129. The residential accommodation is accessed from a newly created street to the north of the mixed use block D. The main entrance to this newly created thoroughfare can be accessed from Fulton Road and from the stepped piazza and access route to the east of Block D. The makerspace would be divided centrally into two self-contained elements, where each half comprises six apartments per core with independent and generous lobbies. The makerspace studios are located along the new street giving them direct access to the road which would help with keeping the new street lively and active throughout the day. The western end of the building on the principal corner contains ancillary entrance and café space, which acts as a reception to the light industrial floor space. Other facilities on the ground floor are refuse stores, which can be easily collected from the newly created street and accessible cycle storage for all users.
130. The slender design of block D holds the street edge and provides active uses along Fifth Way and newly created street to the rear as well as not being disproportionately high to the perimeters of the site. The elevation is divided into 3 portions with 'book ending' corners, recessed balconies along the span of residential sections and further balconies on the edges of the building helps break up the façade. The roof of Block D will also be used to provide dedicated communal external amenity space for the residents.

Accessibility

131. 10% of the homes would be adaptable for wheelchair users and are accordingly sized so as to ensure suitable circulation space within each room for this purpose (M4(3) standard within the Building Regulations). Policy 3.8 within the adopted London Plan and Policy D7 within the emerging London Plan require 10% of new homes to meet the M4(3) fit out and the remainder to meet the M4(2) fit out which would be achieved in this instance.
132. The applicants' design and access statement includes an 'Access and Inclusivity Statement', which outlines how the proposed development would meet the above requirements. The document shows how wheelchair user and wheelchair adaptable units can be incorporated into the scheme, with indicative

layouts for each respective type of flat shown. Exact details of which units are to be provided for M4(3) fit out (accounting for 10% of the units) have not been shown, however officers consider that this can be requested by condition before commencement of works (except demolition).

Privacy and outlook

133. In terms of privacy between blocks, the proposal meets all standards set out in Brent's SPD1 (2018). A separation distance of 22 metres is maintained between Block A and B, 27 metres between blocks B and C, and 19 metres is kept between Blocks B and D, thereby complying with SPD 1 design guide. Whilst the distance between Block A and D is less than the 18 metres as set out within SPD 1, the oblique windows at an angle creates the 18-metre distance to the facing windows on Block D. Furthermore, these windows overlook the access road within the site rather than directly facing rear windows as set out in SPD1.
134. Given the proximity to neighbouring land parcels on the East of the site, Block D is set away from the boundary by 9 metres and Block C maintains more than 20 metres to the eastern edge of the site. Block A would also maintain 9 metres separation to the western edge, opposite block NE04 of the Wembley Park Masterplan site. This is to ensure a suitable 9 metre outlook within the demise of the site to side warehouse units on Fourth Way and Fifth Way to the East.

Internal daylight and sunlight

135. An internal daylight and sunlight report has been submitted with the application, testing the levels of daylight reaching habitable rooms of the development using the Average Daylight Factor criteria. The report concludes that 73% of the rooms would achieve daylight distribution (NSL) to over 50% of their rooms' areas. Considering the high density, urban context of the scheme, this is considered acceptable.
136. In terms of sunlighting, 66% of the windows will meet the recommended criteria for winter sunlight and 61% for year round sunlight. This is largely because the south facing windows will directly overlook the taller southern block within the scheme, limiting these windows' access to the sun. However it should be noted that this would have benefits for future occupiers in terms of limiting overheating.
137. It is worth noting that the orientation of Blocks A and C, which have their principal elevations facing due east and due west, would have typically allowed for limited access to sunlight, i.e. either in the morning or in the afternoon only in summer and mid-season. The triangular shape of balconies has enabled most living areas to have a southerly aspect and therefore greater sunlight potential. Flats in Block C also have living areas which have been designed as open-plan LKDs and have therefore been assessed against the more stringent 2% ADF criterion. Approximately half of those that fall short of this target still achieve the 1.5% recommended for living areas, and this is considered acceptable.
138. The largest area of concern in terms of daylight availability occurs to the south elevation of Block D, which is significantly obstructed by the massing of Kelaty House, thereby restricting the amount of daylight and sunlight available on this façade. Owing to the orientation of this block, the internal layouts have been designed as through flats with north-south dual-aspect living areas, so that single-aspect north-facing units could be avoided. However, with light being concentrated close to the windows, this has inevitably led to the central part of the generously sized living areas having to rely on supplementary artificial lighting. As daylight levels are averaged out across the entire room area, such rooms fall short of the daylight recommendations. The corner units, which benefit from dual aspect with east- or west-facing windows, receive much greater levels of natural light, exceeding the ADF and NSL recommendations.
139. Overall, the proposed development is considered to perform well against the recommended guidance and represents an acceptable level of compliance in consideration of the dense urban location of the scheme.

Amenity Space

140. Policy DMP19 states the following:

"All new dwellings will be required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This will normally be expected to be 20sqm per flat and 50sqm for family housing (including ground floor flats)."

141. The policy requirement in relation to external private amenity space is for it to be "sufficiency of size". Whilst there is a normal "expectation" for 20sqm per flat and 50sqm for family housing (including ground floor flats), that is not an absolute policy requirement in all cases. This is reinforced by the supporting text to the policy (para. 10.39) which provides that:

"New development should provide private amenity space to all dwellings, accessible from a main living room without level changes and planned within a building to take a maximum advantage of daylight and sunlight. Where sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space".

142. These requirements are carried forward in Brent's emerging Local Plan under policy heading BH13.

143. In meeting the above requirements, it is expected that at least a part of each flat's required amenity space will be private space and as such, all units should be provided with a London Plan/Housing SPG compliant balcony/terrace. Within dense developments in a town centre setting there is an expectation that a shortfall in amenity space provision can acceptably be made up through communal garden space as much as is possible, which would be a secondary form of amenity space beyond the flats' balconies.

144. All flats will be provided with a private amenity space, in the form of a good sized balcony that exceed London Plan standards for private amenity space provision.

145. The proposal includes rooftop terraces to Blocks A, C and D for use as communal amenity spaces for residents within these specific blocks, however block B also benefits from the proposed landscaped podium. These terraces provide a total of 2,352 sqm of communal amenity, in addition to five outdoor spaces on ground floor 3,394 sqm. A 375sqm indoor communal lounge is provided at the ground floor of block B, overlooking the landscaped areas, as an additional amenity offer to residents; contributing towards the DMP19/BH13 standard for amenity spaces. The benefit of this indoor space is acknowledged and would factor into officers' views on the acceptability of the amenity space provisions.

146. Overall, the amenity space provision, and associated shortfalls below DMP19/BH13 (where relevant) is as follows (all in sqm):

Block A	Policy Requirement	Private Balcony	Shortfall of policy	Communal Roof Space	Cumulative Shortfall	% of req
84 x 1B2P	20	7.8	12.2			
42 x 2B4P	20	7.8	12.2			
4x 2B4P (level 12)	20	21.8	0			
4x1B2P (level 12)	20	17.9	2.1			
Total units (x134)	2,680	1,141	1,538	344	1,195	55.4%

Block B	Policy Requirement	Private Balcony	Shortfall of policy	Communal Roof Space	Cumulative Shortfall	% of req
79 x 1B2P	20	7	13	565.86	1,386.7	56.4%
80 x 2B4P	20	8.43	11.57			
Total units (x159)	3,180	1,227.4	1,952.6			

Block C	Policy Requirement	Private Balcony	Shortfall of policy	Communal Roof Space	Cumulative Shortfall	% of req
4 x 1B2P (level 10)	20	23.8	0			
2 x 1B2P (level 10)	20	11.8	8.2			
18 x 2B4P	20	7.8	12.2			
54 x 3B5 (all on upper floors)	20	7.8	12.2			
2 x 2B4P	20	11.5	8.5			

(level 10)						
Total units (x80)	1,600	703	674.2	371	526	67.1%

Block D	Policy Requirement	Private Balcony	Shortfall of policy	Communal Roof Space	Cumulative Shortfall	% of req
20 x 1B2P	20	5.2	14.8			
40 x 2B4P (corner units)	20	7	13			
40 x 2B4P	20	8.9	11.1			
20 X 3B5P (all on upper floors)	20	8.9	11.1			
Total units (x120)	2,400	918	1,482	1,071	411	82.8%

Whole scheme	Policy Requirement	Private Balcony	Shortfall of policy	Communal Roof Spaces	Communal Ground floors	Cumulative Shortfall	% of req
Total units (x)	9,860	3,974.6	5,885.4	2,352	3,394	3,533.4	98.5

147. Whilst the tables above break down the shortfall in amenity space provision against policy requirements across the different amenity space components by block, the summary position is that:

- 40% of the required amenity space provision is achieved through the provision of private balconies
- 64% of the required amenity space provision is achieved through the provision of private spaces and roof communal spaces – this figure is increased to 98% with taking into account the 5 designated soft landscaped communal spaces on ground floor.

148. The development falls marginally short of DMP19/BH13 standards by 2%. It is considered that this provision has been reasonably maximised across the development, utilising all rooftops where possible, and it is therefore considered that despite this shortfall, the maximum reasonable amount of external amenity space has been provided throughout the site. It should also be noted that the scheme brings wider benefits in terms of opening up Wealdstone Brook and encouraging this to be more actively used, with the potential for a public route along the Brook, with the aim of adjoining sites tying into this. On balance, the proposed amenity space provision is therefore acceptable.

Playspace provision

149. Policy 3.6 of the adopted London Plan requires that on site play space is provided to service the expected child population of the development. These requirements are carried through within the emerging London Plan under policy heading S4. The applicants have set out a play space strategy which provides on-site play spaces aimed at children aged 0-17 in line with GLA's child yield matrix. The child yield matrix would require 844 sqm of play space for 0-3 year old children and 1404 sqm for above.

150. The applicants have incorporated these play spaces within the rooftop gardens as well as the podium, courtyard, yard and other side communal spaces which would add to 2,270 sqm. These figures are calculated based on the residential and affordable housing mix proposed and based on the local PTAL level and outer London setting. The proposal is also in the proximity of a number of parks (particularly the Northern Lawns and Southern Terraces being delivered as part of the Masterplan) in providing an off-site offer for residents.

151. The proposed scheme provides a total of 2,270 sqm of playspace, thereby exceeding the 2,248 sqm target generated under the standards set by the Mayor's Play and Informal Recreation SPG. The proposal provides playspace for children of all ages, with most of this centred around the sheltered and well over-looked courtyard and podium gardens. Some additional provision is made on the roofs of blocks A, C and D. Informal play areas are also provided in the Yard and along the Street, multiplying the opportunities for play.

152. Detailed plans of the play spaces for all ages and their individual features will be secured through a landscaping condition.

Landscaping provision and Urban Greening

153. The proposals would retain the vast majority of trees on site, although two main groups of trees would be removed to the north-west and south-east fringes of the site respectively. However a further 12 trees/ groups of trees would be retained along the north of the site close to the Brook. Although these are largely categorised as C or U value trees, they play a role in the vegetation and natural screening along the Brook and are therefore important to the overall landscaping strategy. These would be enhanced by further planting along the Brookside, as well as across the scheme in general, and there would be an overall net gain in tree planting of approximately 120 within the proposed development.

154. As outlined in paragraph 49, at the heart of the landscape proposals is opening up the site to Wealdstone Brook and establishing a future public access connection to it, which would be in keeping with the aspirations of WAAP policy WEM40. Further proposals that contribute to this policy aspiration will be provided in the form of biodiversity measures which are discussed later in this report.

155. The GLA initially commented that although the proposed development provided a good range of urban greening features, including green walls, vegetated sustainable drainage elements, intensive living roofs and good levels of trees and hedges across the site, the urban greening factor score (0.34) was below the target 0.4 for predominantly residential developments, and therefore would fail to accord with draft London Plan policy G5. However the applicants have reviewed their proposals and submitted a revised landscape/ greening strategy which takes this score up to 0.43, and is therefore acceptable.

156. Again, officers recommend a landscaping condition which secures detailed plans of the landscaping's individual features to be submitted for approval before works on the relevant part of the scheme commence.

Transport and highways

Site background

157. The site is bounded by Fulton Road, Fifth Way and Fourth Way. Fifth Way is a local distributor road that has recently been converted to two-way working. There is a level difference between the site and Fifth Way. Fulton Road is a local commercial access road whose importance is likely to increase once the proposed North End Road to Bridge Road link has been completed. Fourth Way is also a local commercial access road.

158. On-street parking is prohibited at all times around the site. As the adjoining roads are all commercial access roads, none of them have been identified as heavily parked streets overnight, although there is evidence to show that they are heavily parked during the day. The site is within the Wembley Stadium Event Day Parking Zone.

Car Parking

159. The proposals involve the inclusion of 17 Blue Badge holder only bays from the outset, with 15 being for the residential element and two being for the commercial element. This would result in a blue badge provision of 3%, which complies with the London Plan minimum requirements from the start. There is also space to provide a further 10 spaces if demand requires it, which would take it the total potential future provision up to 5%. This is less than the London Plan maximum potential requirement of 10%, but is considered to offer reasonable flexibility for future demand.

160. Of the spaces that are provided, at least 20% require electric vehicle charging points at the outset, with all remaining spaces having passive provision.

161. No other car parking is to be provided and this in principle is welcomed, although the local streets would need to be included within a year-round Controlled Parking Zone (CPZ) to ensure that overspill could not occur on-street if a 'car-free' agreement is applied. Officers have secured a financial contribution to the CPZ via section 106 agreement for a sum of £50,000, and the removal of future

occupiers to apply for parking permits.

162. A Car Parking Management Plan has been submitted with the application, which details the triggers for car parking enforcement action as well as its consequences. It also states that car parking spaces would be leased out rather than sold, which is the recommended approach within the London Plan and is considered acceptable. However, it would need to specifically state that only blue badge holders are entitled to park in the blue badge spaces, and this would be secured by condition.

Cycle Parking

163. The proposal requires a minimum provision of 889.5 long term residential spaces and the Transport Assessment indicates that the proposal includes the provision of 890 spaces and so accords within minimum requirements in terms of quantity. The cycle stores are located within both the basement and ground floors of each of the four blocks, with the ground floor stores being identified as the accessible cycle parking stores.
164. Clarification has been provided by the applicants that cycle parking in the basement levels would consist of two-tier stands which would be a minimum of 450mm apart and have minimum aisle widths of 2m. These would be accessed via lifts with minimum dimensions of 1.2m x 2.3m, meeting LCDS guidance. A condition is attached requiring these to be provided as per the revised arrangements, prior to any occupation of units.

Refuse

165. The proposed refuse storage provision is 130,370l, which is in excess of minimum levels. Some of this excess could be used for food waste. As some of the proposed refuse stores would be greater than 10m from the nearest point where a refuse vehicle can be parked whilst servicing, the applicants have submitted a Draft Delivery and Servicing Management Plan (DSMP) which details the procedures that the management team will take to relocate the refuse bins within 10m of a refuse collection vehicle on the day of the collection, with a commitment to not leave them on the public highway.
166. The council's highways officers have confirmed this is acceptable in principle. However, it is noted that the road through the development is not proposed to be a public highway, and therefore arrangements for refuse vehicles to enter the site need to be agreed. No areas for refuse storage on the day of collection have been identified either. These issues would need to be addressed via the submission of a final and this needs to be addressed within a final DSMP, which officers consider can be secured by condition prior to first occupation of any part of the development.

Delivery and Servicing

167. Three 18m length loading bays are to be provided, with one being solely for residential use, one solely for commercial usage and one shared bay. The Transport Assessment includes TRICS survey data which indicates that the proposed commercial units would attract 16 service vehicles per day, whilst the residential units would attract 27 service vehicles per day. If these were to be spread throughout the day, it is considered that the three loading bays (which could provide space for up to 9 vehicles at any one time), would be sufficient to meet the peak demand for servicing at any time.
168. Tracking diagrams have been provided to show that the bay for the light-industrial floorspace could accommodate full-size rigid lorries, as required in Brent's servicing standards.

Trip Generation

169. The TRICS database has been interrogated to determine the existing and proposed trip generation of the site. The existing vehicle trip generation of the site has been estimated at 366 daily two-way trips, with the 44 two-way trips in the am peak period and 26 two-way trips in the PM peak period. This doesn't include all modes and based on Census data, vehicle trips account for 46% of all trips. The total number of trips by all modes would be in the region of 800 daily two-way trips.
170. The proposed trip generation for the residential units has been estimated at 3,092 all modes daily two-way trips, which is significantly higher than the existing trip rate. However, with very limited parking being provided, these additional trips would be via sustainable modes and the scheme would therefore result in a reduction in vehicular traffic.

171. Notwithstanding this, it is considered that the predicted vehicle trip rate of zero is unrealistic, as the proposal would result in demand for vehicular trips from at least blue badge holders if not others. Nevertheless, this would still be well below the existing 366 two-way vehicular trips.
172. The main impact of the trip generation would be on public transport capacity, with the 206 bus experiencing an extra 12 passengers per bus in the AM peak. This is likely to lead to capacity issues. Information submitted by the applicants suggests that the impact on the rail network would be limited, as they consider that there is spare capacity.
173. Transport for London, as operator of these services, have recommended a contribution of £546,000 towards improvements to the local bus network, including but not limited to capacity enhancements on local buses. The contribution will be secured within the Section 106 Agreement.
174. It should also be noted that the proposals include the upgrading of the bus stop on Fifth Way to provide a shelter and seating for passengers and this is welcomed.

Public Realm

175. The proposals includes the creation of a one-way private road from Fulton Road in the west to Fourth Way in the east. The principle of this is welcomed, as it would eliminated the need for vehicles (particularly service vehicles) to U-turn on site, thereby creating more space for amenity. Removable bollards are to be located over 13m from the adopted highway to restrict access, which would be sufficient space for the types of service vehicles expected to wait off the public highway.
176. Highways officers did raised concerns about the proposed one-way arrangement to the access road, citing common issues with excessive speeds and barriers for cyclists and pedestrians. The applicants have responded by setting out that the proposed removable bollards at the site access (closest to Fulton Road) and exit, and the overall limited width of the road would discourage speeding. However they have agreed to increase bollarding where appropriate to mitigate officer's concerns. With regard to cyclists using the road, the applicants consider that a section of shared space and dropped kerb to facilitate entry onto Fulton Road could be designed into the site access as part of the s278 agreement, allowing cyclists to enter/ exit the site safely on a two-way basis. Officers therefore consider the one-way arrangement to be acceptable.
177. The proposals also include stepped access onto Fifth Way, which will provide a more permeable environment to pedestrians, particularly those wanting to access the bus stop on Fifth Way. Highways officers raised the issue of whether a ramped access could also be provided. However, the applicants have confirmed that while this option was explored, there is a significant level change between Fifth Way and the site, meaning any ramp would have an excessive gradient and would be very difficult to feasibly design. On this basis, officers consider the proposed access arrangements to be acceptable.

Healthy Streets Assessment

178. The applicants have identified an Active Travel Zone to various points of interest in the vicinity of the site, such as schools, rail stations and shops. They identified that the high volume of traffic along First Way could be a cause for concern, whilst pedestrian and cycle access to facilities to the east of the site (such as Ikea and Tesco Extra) had a number of deficiencies that do not make for an attractive safe pedestrian/cycle environment.
179. Transport do concur with this assessment and suggest that CIL funding from this and other developments to the east could be used to improve this environment. While officers cannot assign CIL funding from approved schemes to particular projects, a focus on using CIL monies to improve sustainable transport links within this part of the Borough would be supported.
180. Notwithstanding this, the HSA recognises a need to improve crossing facilities at the junction of Fulton Road with Fifth Way, and this has now been done through the introduction of dropped kerbs and tactile paving as part of the two-way scheme. This would be secured as part of the highway works within the Section 106 Agreement.

Travel Plan

181. A Travel Plan has been submitted by the applicants. The council's highways officers note some small

deficiencies, however it is satisfied that this could be addressed through the submission of a detailed commercial and residential travel plan. Officers recommend that this is secured as part of the section 106 agreement.

Draft Construction Logistics Plan

182. The proposed routing of construction vehicles from the North Circular is considered acceptable. Deliveries would need to be booked with at least 24 hours' notice and this would help with managing the amount of vehicles on-site at any one time.
183. It is proposed for deliveries to take place throughout the working day i.e. from 8am to 6pm, Monday to Friday and from 8am to 1pm on Saturdays. Transport recommend that no deliveries are made within the am and pm peak hours and that wherever possible is not a strong enough commitment to this. In addition, no deliveries must be made within four hours of an event at Wembley Stadium.
184. The predicted peak period of construction vehicles movements is expected to take place during Q1 to Q2 of 2023 and would see up to 234 trips per day. For a 10 hour day, this would be an average of 23 vehicles per hour or one movement per 2-3 minutes. This is a relatively high number of vehicle movements, which only makes it more important that peak time deliveries are avoided. Confirmation would also need to be provided that this number of vehicles can be accommodated on-site without the need to wait on the public highway.
185. Officers are satisfied that these requirements can be satisfied via a revised Constructions Logistics Plan which would be secured through a condition before any construction works began on site.

Environmental Health Considerations

Air quality

186. An air quality assessment (including an air quality neutral assessment) considering the impacts of the proposed redevelopment of the site on air quality has been submitted. The report has considered the impacts that would be incurred during the construction phase, impacts that would be incurred by traffic generated by the development, and impact of heating plant emissions. This has been reviewed by Brent's regulatory services team.
187. The assessment is sufficiently robust and detailed, considering the potential emissions to the area associated with the development as well as the potential impact on receptors to the development. Officers are satisfied that the development would have a negligible impact on air quality without any mitigation measures being required.

Construction noise and nuisance

188. The development is within an Air Quality Management Area and located very close to other residential and commercial premises. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours.
189. It should be noted that in relation to these matters, there is also control through Environmental Health Legislation and a planning cannot duplicate any controls that are available under other legislation. However, the council's regulatory services team have recommended a condition requiring a Construction Method Statement to be submitted for approval before works start. This would be required to cover highways issues as well, and has been attached.
190. A further standard condition is also attached requiring all non-road mobile machinery to meet low emission standards, as set out within the London Plan (both adopted and emerging documents).

Contaminated land

191. The applicant has submitted an initial site investigation report and this has been reviewed by the Council's Regulatory Services team. The site to be redeveloped and the surrounding area has been identified as previously contaminated. This assessment does indicate remediation works are required in relation to soils and also gas protection measures. The report also advises that further investigative works should be undertaken when the site is vacated. Officers are satisfied that the proposals are

acceptable, subject to conditions requiring further site investigation works following demolition of the existing building, and any remediation works arising from this to be completed before first occupation or use.

Lighting

192. The Council's Regulatory Services team have reviewed the proposed external lighting strategy and, although this appears acceptable in principle, request further details of illuminance levels at the nearest residential windows. A condition is attached to require this information is submitted and approved by the Local Planning Authority before any of the residential units are occupied.

Sustainability and energy

Policy background

193. Planning applications for major development are required to be supported by a Sustainability Statement in accordance with Policy CP19, 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 day. Major commercial floorspace is required to achieve a BREEAM 'Excellent' rating and this also needs to be clearly evidenced. Policy DMP9B of Brent's Local Plan also requires sustainable drainage measures to be adequately implemented.

194. Major residential developments are expected to achieve zero carbon standards, including a 35% reduction on Building Regulations 2013 Target Emission Rates (TER) achieved on site, in accordance with London Plan Policy 5.2. 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.

195. In terms of non-domestic floorspace, the policy target is a 35% on-site reduction, and this must be separately evidenced within a submitted Energy Assessment. However, significant weight is also placed on the Intend to Publish London Plan policy SI2, which applies the zero carbon standard (with 35% reduction on on-site emissions) to both residential and commercial elements of the scheme.

Carbon emissions

196. The energy assessment submitted sets how the London Plan energy hierarchy has been applied, with carbon emissions savings identified from passive energy saving measures including low fabric U-values, and the implementation of an on-site heat network served by air source heat pumps, which would be used throughout the building. Cooling demand has been assessed for both the residential and non-residential elements of the scheme, in line with GLA requirements.

197. The assessment demonstrates that the scheme would deliver a 39% reduction in carbon emissions below the 2019 Building Regulations baseline, which is broken down into the following site-wide elements below:

	Tonnes CO2 p.a	% reduction
Savings from energy demand ('Be Lean')	115	23
Savings from Heat Network ('Be Clean')	0	0
Savings from renewable energy ('Be Green')	59	12
Total	173	35

198. The assessment demonstrates that a significant amount of this carbon reduction would be achieved on site through 'be lean' measures including low U values within the internal glazing to minimise heat gains, efficient heating systems, inclusion of heat recovery, efficient ventilation systems, energy efficient lighting and energy efficient and saving equipment. The use of renewable technologies would also be

incorporated into the scheme, including air source heat pumps installed to the roof and PV panels to the makerspace building.

199. The GLA has reviewed the carbon savings energy strategy. The approach to energy is generally supported, however the GLA consider that further information should be provided to justify the applicant's proposal to not incorporate roof solar panels as part of the 'be green' savings. Officers would note that the roofs are fully utilised at present, mostly for amenity space but with smaller sections of ancillary plant. The need to provide communal amenity space to the roofs, as well as the heat pumps, has limited the scope to provide extended PV panels.
200. The GLA have also commented that further detail is provided on how the site will be future proofed to connect to a district heating network, should one come forward in the future. In relation to this, Brent would note that WAAP policy WEM 30 requires all Wembley development to incorporate a future connection point into the build and such details will be required by condition in addressing this. These aspects will need to be picked up by the applicant's energy consultant ahead of a Stage 2 referral to the GLA.
201. Nevertheless, the scheme achieves the baseline 35% reduction in carbon emissions for both its residential and non-residential parts. A carbon offsetting contribution of £479,700 has been confirmed to account for the shortfall below the zero carbon target, in line with London Plan guidance. This would be secured via the section 106 agreement.
202. With regard to the makerspace element of the scheme, a BREEAM Pre-Assessment has been submitted and this demonstrates that the scheme would achieve an 'Excellent' rating, with this industrial floorspace in Block D achieving a target of 71.8%. The BREEAM assessment notes that there may be scope to improve these scores in certain parts of the design process, while other credits may be at risk. Officers therefore recommend through the Section 106 Agreement that the submission of a final stage BREEAM assessment to ensure that, as the design stages of the proposed development evolves, an Excellent rating is achieved. The GLA have also confirmed, following clarifications, that the approach adopted has been fully justified and accords with relevant London Plan policies.

Sustainable design

203. The submitted Sustainability Statement outlined a number of sustainable design measures which would be incorporated into both the residential and non-residential elements of the scheme. These include measures (including the use of individual water meters and flow restrictors) to ensure the residential dwellings would be limited to water consumption of less than 105 litres per person per day. Officers recommend a condition to ensure that water consumption is restricted to less than 105 litres per person per day as identified above.
204. The sustainability statement proposes that the non-residential components of the development will target a minimum BREEAM rating of 'Excellent'. The BREEAM pre-assessments for these components identifies scores of 6 credits on water measures. This is in accordance with Policy SI.5 of the Intend to Publish London Plan and is strongly supported.
205. In addition, water efficiency measures would be used within the landscaped areas, while green roofs would play a key role in achieving a high level of sustainable drainage across the scheme.

Flooding and Drainage

206. The site is predominantly in Flood Zone 1 with a small areas of Flood Zone 2 and 3 along the boundary. The site abuts the River Wealdstone Brook. A Flood Risk Assessment (FRA) has been submitted as required under the NPPF.
207. It is proposed the Site will discharge at greenfield run-off rate into the Wealdstone Brook via the existing outlet. The proposal is to provide attenuation totalling 892 sqm, with each building attenuating rain water independently. Each building will have green/blue roofs to attenuate flows as will the Podium decking and absorption/attenuation will be incorporated through the landscaping wherever possible. All hard surfaces will use permeable paving and voided aggregate subbase.
208. The GLA have reviewed this information and consider that the approach to flood risk management for the proposed development complies with London Plan policy 5.12 (and draft New London Plan policy

SI.12).

209. However, the GLA have also commented that further details on how SuDS measures at the top of the drainage hierarchy will be included in the development, and how greenfield runoff rate will be achieved should be provided. Additional attenuation storage volume calculations, attenuation dimensions, and consistent development plans should be provided. These matters will be addressed by the applicant in preparation of a Stage 2 referral to the Mayor.
210. The Environment Agency (EA) have reviewed the proposal and support the content of the submitted flood risk assessment and drainage strategy, given a 10 metre buffer zone would be maintained between the proposed development and the Brook. The EA have requested that a condition securing the implementation of this document is included within any consent. Furthermore, the EA have requested that an informative is applied to ensure relevant Flood Risk Activity Permits are secured before works begin.
211. Thames Water have reviewed the proposal and do not raise any concerns from a construction perspective or an operational perspective in relation to surface water and foul water capacity. However they have requested a condition is attached requiring a piling method statement is submitted for approval before such works take place.

Wind and Microclimate

212. A microclimate assessment has been submitted by the applicant, as part of the Environmental Statement.
213. Initial wind tunnel testing was undertaken with the known large landscaping surrounding the site in place. A second wind tunnel testing was undertaken with the consented surrounds in place. Places tested included all thoroughfares, crossing points and the Wealdstone Brook access paths, on street parking bays, bus stops, building entrances and rooftop garden spaces.
214. The initial wind tunnel testing shows that the safety criteria is met in all parts of the study area and the comfort criteria is largely met too. The places where conditions may exceed suitable comfort levels for very minor periods in winter would be the podium level between Blocks A and B. To address this, it is considered that a 1.5m high hedging should provide sufficient shelter to the seating area, and this should be incorporated into the proposed landscaping scheme. By doing so, this would ensure the effects here would be negligible.
215. The condition requiring the submission of a landscaping plan will include a requirement for this hedging to be provided within the podium seating area, in order to ensure the mitigation measures set out in the submitted report are met.

Ecology and Biodiversity

216. The site is close to a Grade II Site in Nature Conservation (SINC) located alongside the Wealdstone Brook to the north of the site. The existing site is dominated by urban features including buildings and a large area of hardstanding which account for approximately 83% of the total area of the site. There are small patches of scrub, introduced shrub and poor semi-improved grassland within the site which in its current state has a habitat value of 0.71. With enhancements proposed, the biodiversity Metric calculator returned a net gain of 1.33 habitat units or 187.12%, therefore there will be a gain in biodiversity value.
217. The applicants have submitted an ecology report and supplementary bat roosting survey which indicate the protected and priority species identified on or likely to be on or near the site.
218. The report addresses the likelihood of roosting or foraging animals including bats, terrestrial mammals, amphibians, reptiles, birds, invertebrates, white-clawed crayfish, dormice and polecats. Generally, the development is deemed unlikely to adversely affect these species, nonetheless a number of measures have been recommended to ensure any harm is minimised.
219. The report also considers the presence of invasive plant species, such as Japanese Knotweed which have been located alongside the brook corridor to the North of the site.
220. Demolition and construction related effects would include potential sediment run-off to the brook,

disturbance effects from construction lighting and noise from machinery, tree removal and vegetation clearance which may contain habitat for reptiles. As such, a construction ecological management plan (CEMP) should be compiled for the site. The aim of the CEMP would be to minimise the potential impact of the construction phase of the development on the existing ecology of the site and off-site receptors, and to ensure works proceed in accordance with current wildlife legislation. This should be agreed with the local planning authority prior to works commencing.

221. The recommendations and enhancement suggestions are considered to be thorough and robust given the local ecological designations, and it is therefore considered that the scheme, subject to the above measures, would not result in any unduly harmful impact on the biodiversity in the area and may be of benefit to local ecology.
222. A condition will require that the abovementioned recommendations and enhancements are submitted in plan form (in the case of the CEMP and invasive species method statement) for approval. The landscaping condition will also require that the biodiversity enhancement measures are shown within the submitted landscaping plans. An additional condition will require the remainder of the ecology protection and enhancement measures to be adhered to during implementation.

Trees and Landscaping

- 223.** The applicant has submitted an arboricultural assessment which identifies 14 trees on site, 13 of which have been assessed as category C (largely Sycamore species), with the remaining tree being assessed as category U. The trees along the bank of Wealdstone Brook would be retained.
224. There are a large number of new trees (at least 120) proposed to various locations on the site. Trees proposed on the Brook complement the existing Sycamores and are well suited for a water side environment. They are mostly various species of multistem trees, such as Alder (*Alnus glutinosa*), Willow (*Salix fragilis*) and Birch (*Betula pubescens*). The same trees, albeit in their standard, single stem forms are then repeated on the brookside meadow and in the proposed courtyard, as well as street trees on the new estate road and within the allotment space to the south-eastern corner.
225. In the Courtyard as well as on the Podium, the proposed trees are mostly multistems of 3-4 metres in height. In the Courtyard, the relatively low planting is accentuated by 3 large evergreen Scots Pine trees (*Pinus sylvestris*) that grow considerably higher than the surrounding multistems and offer some greenery all year round. On Fulton Road and Fifth Way, the proposed street trees tie in with existing species on site - English Oak (*Quercus robur*), Poplar (*Populus nigra*) and Alder (*Alnus glutinosa*).
226. A condition will require that final detailed landscaping drawings are submitted, approved and implemented prior to the occupation of the development, which will include full details of type and species of tree planting throughout the site.

Fire Safety

227. Fire Safety is formally considered at Building Regulations stage, however the applicants have clarified a fire safety strategy within their planning submission as follows.
- A sprinkler system will be provided throughout the development and within habitable rooms of all apartments, as well as to ancillary accommodation and plant, and to the commercial elements of the scheme;
 - Unless advised by the Fire and Rescue Service, a stay-put evacuation strategy to be put in place for each residential block, as these floors will be protected by fire resisting construction
 - Each building served by a firefighting staircase and natural smoke ventilation systems within the corridors
 - Appropriate smoke ventilation within basements areas and car parks
 - Retail ground floor unit to be provided with direct access to outside
 - Disabled refuge point to be provided at all commercial floor levels – none for the residential floor levels due to the stay put strategy
 - Firefighting shaft to be provided for each block as all over 18m high

	on completion (Gr)	retained floorspace (Kr)	chargeable at rate R (A)	Brent multiplier used	Mayoral multiplier used	sub-total	sub-total
(Brent) Dwelling houses	52839.33	0	47690.35	£200.00	£0.00	£14,221,942.4	£0.00
(Brent) Businesses and light industry	2441.61	0	2203.68	£40.00	£0.00	£131,434.05	£0.00
(Brent) Shops	93.29		84.2	£40.00	£0.00	£5,021.88	£0.00
(Mayoral) Dwelling houses	52839		47690.02	£0.00	£60.00	£0.00	£2,958,848.1
(Mayoral) Businesses and light industry	2441.61		2203.68	£0.00	£60.00	£0.00	£136,723.88
(Mayoral) Shops	93.29		84.2	£0.00	£60.00	£0.00	£5,224.00

BCIS figure for year in which the charging schedule took effect (Ic)	224	323
BCIS figure for year in which the planning permission was granted (Ip)	334	
TOTAL CHARGEABLE AMOUNT	£14,358,398.40	£3,100,796.02

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

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

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

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 20/2033

To: Mr Fyall
DP9 Ltd
100 Pall Mall
London
SW1Y 5NQ

I refer to your application dated **09/07/2020** proposing the following:

Demolition and redevelopment to provide new buildings ranging between 11 and 21 storeys with basement levels; all for a mix of uses comprising 493 residential units, retail (Use Class A1) and industrial floorspace (Use Class B1(c)); provision of private and communal space, car parking, cycle parking, ancillary space, mechanical plant, landscaping and other associated works.

Application is accompanied by an environmental statement.

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

at **Euro House, Fulton Road, Wembley, HA9 0TF**

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: 01/12/2020

Signature:

Gerry Ansell
Head of Planning and Development Services

Notes

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

DnStdG

SUMMARY OF REASONS FOR APPROVAL

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

Adopted Policy

- The National Planning Policy Framework (2019)
- The London Plan (2016 – Consolidated with alterations since 2011)
- Brent's Core Strategy (2010)
- Brent's Development Management Policies (2016)
- Brent's Wembley Area Action Plan (2015)

Emerging Policy

- The Intend to Publish London Plan (2019)
- Brent's Local Plan (Reg 19 Version – 2019)

Supplementary Planning Guidance / Documents

- Mayor of London's Affordable Housing and Viability SPG (2017)
 - Mayor of London's Housing SPG (2016)
 - SPD1 Brent Design Guide (2018)
- Brent's Basements SPD (2017)

- 1 The development to which this permission relates must be begun not later than the expiration of five 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):

All drawings marked as Rev P01 except where specified:

Existing

18150_(01)_P001
18150_(01)_P002
18150_(01)_P100
18150_(01)_P101
18150_(01)_P102
18150_(01)_P201
18150_(01)_P202
18150_(01)_P203
18150_(01)_P204
18150_(01)_P301
18150_(01)_P302

Demolition

18150_(12)_P102

Site wide

18150_(00)_P099
18150_(00)_P100
18150_(00)_P101
18150_(00)_P105
18150_(00)_P110
18150_(00)_P111
18150_(00)_P122

18150_(00)_P150
18150_(00)_P201
18150_(00)_P202
18150_(00)_P203
18150_(00)_P204
18150_(00)_P205
18150_(00)_P301
18150_(00)_P302

Block A

18150_A_(00)_P099 Rev P02
18150_A_(00)_P100
18150_A_(00)_P101
18150_A_(00)_P105
18150_A_(00)_P111
18150_A_(00)_P112
18150_A_(00)_P113
18150_A_(00)_P201
18150_A_(00)_P202
18150_A_(00)_P203
18150_A_(00)_P204
18150_A_(21)_P210

Block B

18150_B_(00)_P099 Rev P02
18150_B_(00)_P100
18150_B_(00)_P101
18150_B_(00)_P105 Rev P02
18150_B_(00)_P121
18150_B_(00)_P122
18150_B_(00)_P201
18150_B_(00)_P202
18150_B_(00)_P203
18150_B_(00)_P204
18150_B_(21)_P210

Block C

18150_C_(00)_P099 Rev P02
18150_C_(00)_P100
18150_C_(00)_P101
18150_C_(00)_P105
18150_C_(00)_P110
18150_C_(00)_P111
18150_C_(00)_P112
18150_C_(00)_P201
18150_C_(00)_P202
18150_C_(00)_P203
18150_C_(00)_P204
18150_C_(21)_P210

Block D

18150_D_(00)_P099
18150_D_(00)_P100
18150_D_(00)_P101
18150_D_(00)_P105
18150_D_(00)_P112
18150_D_(00)_P113
18150_D_(00)_P201
18150_D_(00)_P202
18150_D_(00)_P203
18150_D_(00)_P204
18150_D_(21)_P210

Landscape and Public Realm

L-A1-PLN-001; L-A1-PLN-002; L-A1-SEC-001; L-A1-SEC-002; L-A1-SEC-003

Supporting documents

Planning Statement from DP9;
Design and Access Statement from AHMM (including Drawings Schedule, Access & Inclusivity Statement from All Clear Designs, Preliminary Lighting Strategy from Light360 and Ventilation Strategy Statement from Caldwell);
Environmental Statement: Volume I – Main Report, coordinated by Trium;
Environmental Statement: Volume II – Townscape and Visual Impact Assessment, from Tavernor Consultancy;
Environmental Statement: Volume III – Technical Appendices, coordinated by Trium;
Environmental Statement: Non-Technical Summary, from Trium;
Transport Assessment, prepared by Pell Frischmann;
Draft Delivery and Servicing Plan, prepared by Pell Frischmann;
Draft Car Park Management Plan, prepared by Pell Frischmann;
Framework Travel Plan, prepared by Pell Frischmann;
Outline Construction Logistics Plan, prepared by Pell Frischmann;
Internal Daylight, Sunlight and Overshadowing Report, prepared by GIA;
Sustainability Statement (including BREEAM Pre-Assessment) prepared by bpp.energy;
Energy Statement including Overheating Assessment, prepared by bpp.energy;
Statement of Community Involvement, prepared by Kanda Consulting;
Tree Survey and Arboricultural Impact Assessment, prepared by GHA Trees;
Flood Risk Assessment, prepared by JBA Consulting;
Drainage Strategy incl. Foul Sewage Assessment, prepared by MCR Consulting Engineers;
Utilities Assessment, prepared by Caldwell;
Financial Viability Assessment, prepared by DS2;
Fire Safety Statement (ref. 55375 Rev 00) dated October 2020 from Chapmanbdsp.

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

- 3 The development hereby approved shall be carried out in Phases in accordance with the approved Phasing Plan (drawing no. (00)_P150, Rev. P01), unless an alternative Phasing Plan is submitted to and approved in writing by the Local Planning Authority pursuant to this condition.

Reason: In the interests of proper planning.

- 4 The scheme hereby approved shall contain 493 residential units as detailed in the drawings hereby approved, unless other agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

- 5 The development hereby approved shall contain 98sqm of commercial floor space which shall not be used other than for purposes within Use Class A1 (Class E(a) from September 2020) and 2,787sqm of commercial floor space which shall not be used other than for purposes within Use Class B1(c) (Class E(g)(iii) from September 2020), as detailed in the drawings hereby approved, unless other agreed in writing by the Local Planning Authority, notwithstanding the provisions of 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) 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 retail floorspace, employment floorspace and industrial capacity within the borough.

- 6 A communal television aerial and satellite dish system shall be provided, linking to all residential units within the development unless otherwise agreed in writing by the local planning authority.

No further television aerial or satellite dishes shall be erected on the premises.

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

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

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

- 8 The Blue Badge parking spaces and visitor cycle stands shall be installed prior to occupation of the development hereby approved and thereafter retained and maintained for the lifetime of the development.

Reason: To encourage sustainable forms of transportation in the interest of highway flow and safety.

- 9 The cycle storage facilities and refuse storage within a building shall be installed prior to occupation of that building hereby approved and thereafter retained and maintained for the lifetime of the development. The cycle storage facilities shall not be 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.

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

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

- 11 Unless alternative details are first agreed in writing by the Local Planning Authority, the tree protection recommendations set out in the submitted Arboricultural Impact Assessment (prepared by GHA Trees Arboricultural Consultancy, dated 30th June 2020 – ref. GHA/DS/125260:20c) shall be fully implemented following the commencement of the development.

Reason: To ensure the development suitably protects trees that could be damaged by the development.

- 12 Unless alternative details are first agreed in writing by the Local Planning Authority, in consultation with the Environment Agency, the development hereby approved shall be carried out in full accordance with the submitted Flood Risk Assessment (JBA Consulting – ref. A01.CO1/ June 2020) and Drainage Report (MCR Consulting Engineers – ref. P1760 – Rev P4 - dated 30 June 2020).

Reason: To ensure the safe development and secure occupancy of the site proposed for residential use.

- 13 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.

- 14 Unless alternative details are first agreed in writing by the Local Planning Authority, the ecology mitigation and enhancement recommendations set out in the submitted Preliminary Ecological Appraisal and Bat Survey Report (prepared by EcologyByDesign dated March 2020) shall be fully implemented following the commencement of the development.

Reason: To ensure the development suitably mitigates ecological impact and takes the opportunities to enhance ecology and biodiversity.

- 15 Within six months of commencement of development hereby approved, electric vehicle charging points shall be provided to 20% of the Blue Badge spaces provided, whilst the remaining spaces will provide passive charging facilities. The provision of electric vehicle charging points shall be in accordance with London Plan standards, providing both active and passive charging points.

Reason: To encourage the uptake of electric vehicles as part of the aims of London Plan policy 6.13.

- 16 Prior to the commencement of the development, a Construction Environmental Method Statement which incorporates a dust management plan shall be submitted and approved by the Local Planning Authority (in writing through the submission of an application for approval of details reserved by condition) outlining measures that will be taken to control dust, noise, construction traffic and other environmental impacts of the development. The approved statement shall be implemented throughout the duration of construction.

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

Pre-commencement Reason: The impacts being controlled through this condition may arise during the construction phases and therefore need to be understood and agreed prior to works commencing.

- 17 Prior to the commencement of the development a Construction Ecological Management Plan shall be submitted and approved by the Local Planning Authority (in writing through the submission of an application for approval of details reserved by condition) outlining measures that will be taken to minimise the potential impact of the construction phase of the development on the existing ecology of the site and off-site receptors, and to ensure works proceed in accordance with current wildlife legislation. The development shall thereafter operate 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.

- 18 Prior to the commencement of the development, a Construction Logistics Plan shall be submitted and approved by the Local Planning Authority (in writing through the submission of an application for approval of details reserved by condition) outlining measures that will be taken to

address issues such as delivery of materials, lorry routeing, staff parking etc., whilst also minimising lorry movements by recycling on site and back loading spoil and aggregates. The plan will need to comply with TfL's guidance on Construction Logistics Plans and in specific relation to this site, will need to carefully consider co-ordination with other development projects in the area. The approved statement shall be implemented throughout the duration of demolition and construction.

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

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

- 19 (a) Following the demolition of the building(s) (where relevant) and prior to the commencement of building works within a Phase, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present within that Phase. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of building works within that Phase (in writing through the submission of an application for approval of details reserved by condition) 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.

(b) Any soil remediation required by the Local Planning Authority shall be carried out in full in accordance with the approved remediation works for any Phase. Prior to the occupation of each Phase, a verification report shall be submitted to and approved in writing by the Local Planning Authority (in writing through the submission of an application for approval of details reserved by condition) stating that remediation has been carried out for the Phase in accordance with the approved remediation scheme and the land within that Phase 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 No piling shall take place within a Phase 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 water infrastructure, and the programme for the works within that Phase) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water (in writing through the submission of an application for approval of details reserved by condition). Any piling within a Phase must be undertaken in accordance with the terms of the approved piling method statement for that Phase.

Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure.

- 21 Prior to the commencement of construction works (excluding demolition, site clearance and the laying of foundations), 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 (in writing through the submission of an application for approval of details reserved by condition) 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 5.6

- 22 Within six months of commencement of works above ground level, a scheme shall be submitted

to and approved in writing by the Local Planning Authority (in writing through the submission of an application for approval of details reserved by condition) that provides details of all landscaped areas of the development. Such approved landscaping works shall be completed prior to first occupation of the development hereby approved and thereafter maintained.

The submitted scheme shall include details of:

- a) the planting scheme for the site, which shall include species, size and density of plants and trees, sub-surface treatments (or planters / green roof substrate profiles where applicable), details of the extent and type of native planting, any new habitats created on site and the treatment of site boundaries
- b) walls, fencing and any other means of enclosure, including materials, designs and heights, and measures necessary to achieve wind comfort levels within the podium seating area, as recommended in submitted Wind Microclimate Assessment (prepared by RWDI – ref.1902866 Rev C – dated 25th June 2020)
- c) Biodiversity mitigation and enhancement measures
- d) External lighting (including details of lux levels and light spillage diagrams. ensuring that light overspill towards Wealdstone Brook in particular is minimised)
- e) treatment of areas of hardstanding and other areas of hard landscaping or furniture, including materials
- f) details of all play spaces, as outlined within the Landscaping Design and Access Statement
- g) a landscaping maintenance strategy, including details of management responsibilities.

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

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

- 23 Details of materials of the development (including doors and vents for bin stores, and screens to private balconies), for all external work within a Phase, including samples which shall be made available for viewing in an agreed location, shall be submitted to and approved in writing by the Local Planning Authority (in writing through the submission of an application for approval of details reserved by condition) prior to any works commencing on that Phase, excluding demolition, site clearance and laying of foundations. The work shall be carried out in accordance with the approved details.

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

- 24 Prior to occupation of any of the residential units within a Phase hereby approved, details of appropriate screening to the roof terraces of Blocks A, C and D, serving the residential units within that Phase shall be submitted to and approved in writing by the Local Planning Authority (in writing through the submission of an application for approval of details reserved by condition), and thereafter implemented in accordance with the approved plans.

Reason: In the interests of the amenities of the adjoining occupiers.

- 25 Details, in the form of layout plans, showing which residential units within the development would be 'wheelchair user dwellings' (i.e. meeting Building Regulations requirement M4(3)) shall be submitted and approved in writing by the Local Planning Authority (in writing through the

submission of an application for approval of details reserved by condition) prior to any works commencing on the development, excluding demolition, site clearance and laying of foundations, and thereafter implemented in accordance with the approved plans. The plans shall ensure that at least 49 of the 493 (10%) residential units hereby approved shall be wheelchair user dwellings, with the remaining 444 units achieving Building Regulations requirement M4(2) - 'accessible and adaptable dwellings'.

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

- 26 Prior to the first occupation of the development hereby approved, a car park management plan shall be submitted to and approved in writing by the Local Planning Authority (in writing through the submission of an application for approval of details reserved by condition). The approved details shall thereafter be adhered to in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an appropriate parking arrangement and system of parking management for the development.

- 27 Prior to the first occupation of any commercial element of the development hereby approved, a final Delivery and Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority (in writing through the submission of an application for approval of details reserved by condition). The Delivery and Servicing Plan shall include details of how adopted footways would be protected and how arrangements can be made for safe and efficient operations without detrimental impact on pedestrian movement, and confirmation that there would be specific areas for refuse storage on the day of collection identified, which otherwise could have an impact on amenity.

The development shall thereafter operate in accordance with the approved delivery and servicing management plan unless an alternative arrangement is first agreed in writing by the Local Planning Authority.

Reason: To minimise negative impacts associated with servicing demand of the commercial units.

- 28 Any plant shall be installed, together with any associated ducting, so as to prevent the transmission of noise and vibration into any neighbouring premises. The noise level from any plant shall be 10 dB(A) or greater below the measured background noise level at the nearest noise sensitive premises. The method of assessment should be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' An assessment of the expected noise levels and any mitigation measures necessary to achieve the required noise levels shall be submitted to and approved in writing by the Local Planning Authority prior to installation of such plant (in writing through the submission of an application for approval of details reserved by condition). All plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To safeguard the amenity of the neighbours.

- 29 The development hereby approved shall be constructed to provide sound insulation against internally generated noise. This sound insulation scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the residential part of the development.

The proposal must comply with BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' to attain the following internal noise levels: For daytime (0700 - 2300) noise levels for living rooms and bedrooms the maximum noise levels are 35 dB LAeq (16hr). Outside of this time (2300 - 0700) the standard for bedrooms is 30 dB LAeq (8hr), 45 dB Lmax.

Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the residents by reason of undue noise emission and/or unacceptable disturbance, in accordance with Brent's Noise Policy.

30 Prior to the commencement of the development, further details of archaeological work shall be submitted to and approved in writing by the Local Planning Authority (in writing through the submission of an application for approval of details reserved by condition), in accordance with the recommendations set out within the Archaeological Assessment prepared by Oxford Archaeology dated 1st July 2020 (ref. 7531 v.4). These measures include (but are not limited to):

- Rotary boreholes are to be drilled at the site following vacancy of the current Tenants on a 10m by 10m grid based system within the anticipated area of the Underground features. Should features be identified the grid may be reduced;
- Once the existing concrete slab is removed, inspection and watching brief of the Ground surface will be undertaken by an experienced geotechnical engineer and/or engineering geologist and an archaeologist to delineate the locations of the shafts if present. As a supplement to the drill hole investigation, a geophysical survey may be undertaken to identify the shaft location.

If evidence of shafts or other historical structures is found, further work will be required to identify and record these elements, in consultation with the Council's Heritage officer and GLAAS. The development shall thereafter operate in accordance with the recommendations and/ or mitigation measures set out within the document.

Reason: To ensure the development complies with relevant heritage and archaeological planning policies, including London Plan Policy 7.8, Policy HC1 of the Mayor's Intend to Publish Local Plan, policy DMP7 of the adopted Development Management Policies and policy BHC1 of the draft Local Plan and the NPPF.

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.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 (PWAL) The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 3 (F16) The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4 The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:
 - on or within 8 metres of a main river (16 metres if tidal)

- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702422 549. The applicant should not assume that a permit will

automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

- 5 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.
- 6 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 7 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.

Application forms should be completed on line via

https://urldefense.proofpoint.com/v2/url?u=http-3A__www.thameswater.co.uk&d=DwIFaQ&c=s=NJ1M7LtxulFk4_2FpfFRZ9ippAbc0KqM1IRBH6yHdbE&e=. Please refer to the

Wholesale; Business customers; Groundwater discharges section.

Any person wishing to inspect the above papers should contact Neil Quinn, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5349