

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

20 April, 2022
04
21/4155

SITE INFORMATION

RECEIVED	8 November, 2021
WARD	Wembley Central
PLANNING AREA	Brent Connects Wembley
LOCATION	6 St Johns Road, Wembley, HA9 7JD
PROPOSAL	Demolition of existing building and proposed erection of a part 5 and part 18 storey mixed use building containing commercial floorspace (Use Class E) on the ground floor and comprising 79 residential units on the upper floors
PLAN NO'S	Refer to 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 https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_157721</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 "21/4155" (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 79 affordable housing units, comprised of:
 - 31 units for Social Rent at Social Rent levels, and subject to an appropriate nominations agreement with the Council, securing 100% nomination rights on first lets and 75% nomination rights on subsequent lets for the Council.
 - 48 units for Shared Ownership (as defined under section 70(6) of the Housing & Regeneration Act 2008, subject to London Plan policy affordability stipulations that target a gross household income of up to £71,000 per annum (for 2 bedroom units) or £85,000 per annum (for 3 bedroom units) for at least a three month marketing period, after which a gross household income of £90,000 per annum may be targeted; where net annual household income should not exceed 70% of gross income, and where total housing costs should not exceed 40% of net annual household income, disposed on a freehold / minimum 125 year leasehold to a Registered Provider
 - (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 adopted employment targets (4 construction jobs of at least 26 weeks, 3 construction apprenticeships of at least 52 weeks & 1-2 operational jobs for Brent residents);
 - a commitment to pay the job support contribution (£23,650) commensurate with those targets, except where construction apprenticeship target is exceeded, with this payment reduced by £1,000 per construction apprenticeship delivered above target;
 - a commitment to attend regular progress meetings with the Council to review progress of the initiatives;
 - specific commitments in respect of employment opportunities in relation to operational phases;
 - where it is not possible to achieve employment targets in line with the approved Employment and Training Plan, and it has not been demonstrated that reasonable endeavours were undertaken to achieve the employment targets, a commitment to pay the additional financial contributions which are calculated as follows:
 - Shortfall against target numbers of jobs/apprenticeships lasting a minimum of 26 weeks for an unemployed Local Resident x £5,000 (the average cost of supporting an unemployed Local Resident into sustained employment)
 - (e) S38/S278 highway works under the Highways act 1980 to provide:
 - Delivery of raised table at the junction of Elm Road, St Johns Road and Ecclestone Court, extending across the western part of Elm Road service road

- Provision of tactile paving along pedestrian crossing desire lines to each of the arms of the junction,
- Narrowing of carriageway to Ecclestone Court arm of junction,
- Relocation of motorcycle parking to west side of St Johns Road
- Provision of on-street blue badge parking bays
- Removal of parking bays on west side of St Johns Road opposite Elm Road Service Road
- Provision of Sheffield Hoops,
- Alterations to junction radii,
- Strip of footway adjacent to carriageway on east of St Johns Road to be de-paved and replaced with planter bed incorporating two new street trees,
- Section of footway surrounding Alder Tree at junction of St Johns Road and Elm Road to be de-paved and replaced with planter bed, ensuring a paved footway is retained adjacent to carriageway,
- All associated lining, signing, drainage and Traffic Regulation Orders
- and other ancillary or accommodation works or works to alter or adjust statutory undertakers equipment in the land necessary as a result of items above

(f) Parking permit restriction to be applied to all new residential units

(g) Travel plan to be implemented and monitored. Travel plan to include:

- Targets for zero car driver and car passenger based trips to/from the site (excluding any blue badge holders)
- A commitment to fund subsidised membership of the Car Club for three years for all new residents

(h) Financial contribution towards improving local bus capacity, paid to TfL (Amount to be set by TfL)

(i) Financial contribution towards the provision and maintenance of older children's play equipment at King Edward VII park (£20,000)

(j) Commitment to net zero carbon with a minimum of 35% carbon reduction on site for both residential and commercial, with any shortfall to be secured via a financial contribution towards carbon offsetting.

(k) Commitment to 'Be Seen' monitoring in respect of carbon emissions

(l) Implementation of recommendations in the submitted 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:

Compliance

1. Time Limit for commencement (3 years)
2. Approved drawings/documents
3. Number of residential units secured
4. Non-residential use classes restriction (167sqm of Class E floor space)
5. Wheelchair Accessible Units to be secured from the outset
6. A communal satellite/aerial to be provided so as to prevent multiple satellite dishes
7. Water consumption to be limited in line with policy
8. Non-road Mobile Machinery to be restricted
9. Refuse stores to be laid out prior to occupation
10. Obscure glazing to windows to be secured

11. Tree protection measures to be secured
12. Drainage strategy measures to be secured
13. Air Quality assessment to be secured
14. Noise and Vibration impact assessment mitigation measures to be secured
15. Fire Safety Statements to be secured

Submission (Pre-commencement)

16. Construction Environmental Method statement to be submitted
17. Revised Construction Logistics Plan to be submitted
18. Details of Circular Economy to be submitted

Submission (Post-commencement)

19. Piling method statement to be submitted
20. All external materials (including samples) to be submitted
21. Full details of landscaping strategy (including green roofs, planting species including proposed for street trees, play spaces and biodiversity enhancements)
22. Revised cycle storage to be submitted
23. Details of balcony screening to protect privacy to be submitted

Submission (Pre-occupation)

24. Details of District Heat Network connection to be submitted
25. Revised Delivery and Servicing Management plan to be submitted – including long term maintenance and management as per London Plan
26. Details of Whole Lifecycle Carbon to be submitted

Informatives

1. CIL liability
2. Party wall information
3. Building near boundary information
4. Thames Water guidance note
5. London Living Wage
6. Fire safety advisory note
7. 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

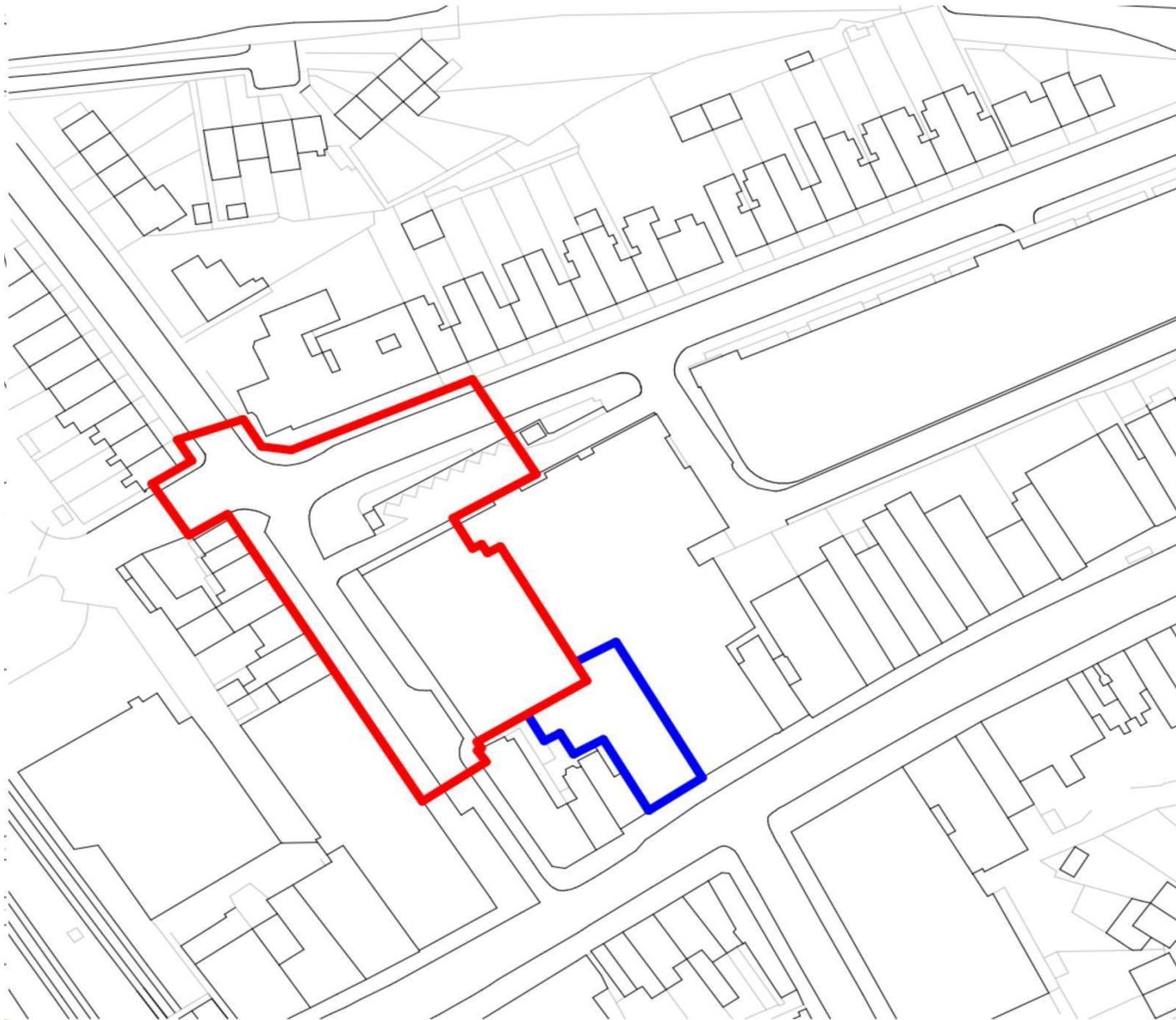


Brent

Planning Committee Map

Site address: 6 St Johns Road, Wembley, HA9 7JD

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This map is indicative only.

PROPOSAL IN DETAIL

The application proposes the mixed use re-development of the site, demolishing the existing two-storey Jobcentre building and replacing it with a new building that would be part 5 and part 18 storeys in height, accommodating a flexible commercial unit at ground floor level (167sqm) and 79 homes and communal rooftop amenity spaces across its upper floors.

In terms of the proposed residential accommodation, a quarter of the homes would be family sized and all of the homes would be affordable, comprised of 31 Social Rent homes and 48 Shared Ownership homes. A full breakdown of the residential proposals is set out in the table below:

Flat size	Social Rent	Shared Ownership	Market	Total
1-bed	14	0	0	14 (18%)
2-bed	2	43	0	45 (57%)
3-bed	15	5	0	20 (25%)
TOTAL	31 (39%)	48 (61%)	0 (0%)	79 (100%)
	Total no. of affordable homes: 79			

The proposals would also incorporate the provision of cycle and refuse parking, with improved public realm and highways improvements. Two blue badge parking spaces are proposed to serve the development at ground floor level, on adopted highway fronting the development.

EXISTING

The site contains a two storey red brick building containing a Jobcentre retail unit. The building is located on the corner of St John's Road and Elm Road just inside the boundaries of Wembley Town Centre. The site also includes a retail unit (Boots) that fronts Wembley High Road on the south side of the site; however this part of the site is not part of the proposed redevelopment.

To the south of the site is Wembley High Road and the Wembley Central development across the High Road. To the north of the site (across Elm Road) is a long terrace of early 20th Century houses / converted flats and a Hotel (Elm Road Hotel) contained within the first 5 buildings of the residential terrace. The hotel site has planning permission to be redeveloped into a modern purpose-built hotel building (approved in 2018 – Ref: 18/1592). To the east of the site is a 5 storey residential development (approved in 2008 – Ref: 07/3058) that immediately borders the site without a break in the frontage, to the junction with Park Lane. To the west of the site (across St John's Road) is a parade of secondary shopping frontage within Wembley Town Centre. The footfall along here is low however, and a more residential character prevails.

The site is not within a conservation area, nor does the site contain a Listed Building.

AMENDMENTS SINCE SUBMISSION

The unit mix has changed from:

Flat size	Social Rent	Shared Ownership	Market	Total
1-bed	14	0	0	14 (18%)
2-bed	2	48	0	50 (63%)
3-bed	15	0	0	15 (19%)
TOTAL	31 (39%)	48 (61%)	0 (0%)	79 (100%)
	Total no. of affordable homes: 79			

To:

UNITS	Social Rent	Shared Ownership	Market	Total
1-bed	14	0	0	14 (18%)

2-bed	2	43	0	45 (57%)
3-bed	15	5	0	20 (25%)
TOTAL	31 (39%)	48 (61%)	0 (0%)	79 (100%)
Total no. of affordable homes: 79				

This change has seen the number of three bedroom homes proposed increase by 5 and the number of 2 bedroom homes decrease by 5. These changes were achieved through internal alterations only.

The layout of one flat per floor (on the south east side of the main shoulder of the building) has been amended to ensure that all of the habitable rooms to this flat are primarily reliant on south aspect, preventing any reliance of habitable room outlook to the neighbouring site to the east at 492-498 High Road.

In connection with the above, a small step in the façade of the building at the 6th – 17th floors has been introduced to enable a southern aspect to the secondary bedroom to one flat per affected floor (on the south east side of the main shoulder of the building).

Doors at ground floor level have been altered so that they open inwards, so as not to contravene the Highways Act 1980.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application.

Representations received: 925 properties were consulted on the proposal. In response, letters of objection were received from seventeen addresses and letters of support were received from seventy one addresses. The main grounds of objection are that the proposal is for too many homes, is too tall, is out of keeping with the surrounding character, would block light and compromise privacy to neighbouring homes, would not incorporate sufficient car parking, would result in local noise and disturbance and would not be fire safe. The main grounds of support are that the local area is in need of redevelopment, that more homes are needed locally, that the site has good links to public transport, that the proposal is 100% affordable, that a good number of family sized homes are proposed, that there will be new commercial space and that the design is high quality. A number of consultees also responded, which are addressed within the main remarks section of the report.

Principle of mixed-use redevelopment of the site: The residential led re-development of the site accords with its designation within the Wembley Growth Area, Housing Zone and Town Centre. The scheme results in the loss of the existing retail unit but includes the provision of 79 new homes and the provision of 167sqm of commercial retail floorspace. Whilst the replacement commercial floorspace would be less than that lost, policy BH2 allows reductions in replacement retail floor space as part of residential-led redevelopment where the benefits of the replacement residential floor space would outweigh the reduction in commercial floorspace. The Jobcentre which previously occupied the site has now relocated to a unit fronting the High Road.

Affordable Housing and housing mix: The scheme would provide a total of 79 affordable homes (100% of the homes), of which 31 would be low-cost rented homes provided at Social Rents and 48 would be intermediate homes for Shared Ownership. This provision exceeds the Brent and London Plan affordable housing targets and the proposal therefore exceeds policy requirements. The proposal includes 25% of its homes as three bedroom homes, which accords with the policy target in BH6. Three quarters of the family sized homes are proposed within the Social Rent tenure, which would assist strongly in meeting local needs.

Design, layout and height: The proposed building has positive urban design, with a slender profile and a vertical emphasis. Whilst, at 18 storeys, it would be a tall building in its immediate context, its massing would enable it to define itself as a landmark building within the wider context of other existing and emerging tall buildings in the surrounding area, whilst being a subservient building in the context of this wider tall buildings cluster. This height would also be consistent with the Tall Building Zone designation of the site and the aspirations of a local site allocation that anticipates re-development of considerable density to the north of the town centre.

Quality of the resulting residential accommodation: The residential accommodation proposed is of very high quality, meeting the particular needs and requirements of future occupiers. The flats would have good outlook and light and 94% of the homes would have dual aspect outlook. The amount of external

private/communal space is below standards, but would include high quality external communal terraces and private balconies which are generally substantially in excess of the London Plan size requirements and the site is relatively close to King Edward VII park. In offsetting its shortfall of on-site play space provision, the proposal would contribute £20,000 to enable the delivery and long-term maintenance of an older children's play area at King Edward VII park for the use of the public. The proposal would significantly improve the enjoyment of the site and surroundings for future occupiers.

Neighbouring amenity: There would be a loss of light to a small number of windows and rooms of surrounding buildings, although these impacts would generally be minor (between a 20% and 30% reduction from the existing scenario) and, in most cases, the impact would be to the front aspect of a home which benefits from an unaffected rear aspect. All but two of the surrounding properties would comply with the standards for acceptable enclosure, and all properties would comply with the standards for privacy, as set out within Brent's SPD1. The overall impact is considered to be acceptable given the urban context of the site, particularly in view of the wider regenerative benefits of the scheme and the Council's strategic objectives.

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) Delivery of raised table at the junction of Elm Road, St Johns Road and Ecclestone Court, extending across the western part of Elm Road service road; (ii) Provision of tactile paving along pedestrian crossing desire lines to each of the arms of the junction; (iii) Narrowing of carriageway to Ecclestone Court arm of junction; (iv) Relocation of motorcycle parking to west side of St Johns Road; (v) Provision of on-street blue badge parking bays; (vi) Removal of parking bays on west side of St Johns Road opposite Elm Road Service Road; (vii) Provision of Sheffield Hoops; (viii) Alterations to junction radii; (ix) Strip of footway adjacent to carriageway on east of St Johns Road to be de-paved and replaced with planter bed incorporating two new street trees; (x) Section of footway surrounding Alder Tree at junction of St Johns Road and Elm Road to be de-paved and replaced with planter bed ensuring a paved footway is retained adjacent to carriageway; (xi) All associated lining, signing, drainage and Traffic Regulation Orders (xii) and other ancillary or accommodation works or works to alter or adjust statutory undertakers equipment in the land necessary as a result of items above. The development will remove the 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 for bus service enhancements in the area, as required by TfL, will also be secured.

Environmental impact, sustainability and energy: The measures outlined by the applicant achieve the required improvement on carbon savings and other aspects of sustainable design 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

There is no relevant planning history for this property.

CONSULTATIONS

Public Consultation

A total of 925 addresses were consulted on the application by letter on 29th November 2021.

A press notice was published on 2nd December 2021.

A site notice was displayed on 15th December 2021.

19 individual letters of objection to the proposal were received from 17 individual addresses. 71 individual form letters in support for the proposal were received from 71 individual addresses.

The objection comments received are summarised as follows:

Ground of objection	Officer comment
<i>Procedure</i>	
Neighbouring owners not notified of the	In line with statutory and local

proposal	requirements, neighbouring properties were consulted via letter, site notices were put up and a notice was placed in the press. Owners (who do not occupy) are not notified by letter and this is not a statutory or local requirement (and would not be practical, as the Council does not hold ownership details for all properties in the borough). However, they are able to register for alerts using the Council's online planning system and would thereafter be notified of all planning applications that meet their search criteria
A 3D model of the proposal should have been provided, in line with London Plan requirements	The development has been clearly demonstrated through the submission of multiple 3D visualisations, which is considered to be sufficient.
Land use	
The development proposes too many homes	Refer to paragraph 40 below
The proposed commercial unit could be used as a betting / gambling shop which would be detrimental to the area	The commercial unit would be within the E use class. This would not permit the use of the unit as a betting shop or gambling business as such uses do not fall within this use class, and would require the benefit of planning permission.
Wembley is already overdeveloped and further high rise developments are not needed	The site is within an area designated for tall buildings and substantial housing growth is anticipated within this area, in line with the local housing zone and growth area designations.
Brent social tenants should be housed in Brent only. Why build social rent homes if such tenants are housed out of the borough?	The section 106 agreement will secured appropriate nominations agreement with the Council, securing 100% nomination rights on first lets and 75% nomination rights on subsequent lets for the Council.
Design and appearance	
The development is too tall	Refer to paragraphs 32 – 40 below
The development is out of keeping with the local context	Refer to paragraphs 32 – 40 below
The proposal is contrary to D9 (tall buildings) of the London Plan as it does not (1) reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding, (2) it does not incorporate free to enter publicly accessible areas and (3) it has not considered impact to birds' flight lines in respect of proximity to waterbodies supporting notable bird species	It is considered that the scheme achieves the aims of policy D9. This is discussed at paragraphs 32, 33 and 40 below. With regard to D9(d), the provision of a free to enter publicly accessible area would not be necessary to make the scheme acceptable in planning terms given the quality of the design and the public realm improvements it would deliver. This view is shared by the GLA. There are no notable waterbodies close to the site.
Amenity impact	
The development will have a detrimental impact on neighbouring visual amenity	Refer to paragraphs 50 – 60 below
The development will have a detrimental daylight and sunlight impact to neighbouring properties	Refer to paragraphs 62 – 87 below
The daylight and sunlight report does not take into account light losses to the roof	The roof lights to the top floor properties at 492 to 498 High Road serve non-habitable

lights of top floor properties at 492 to 498 High Road	rooms / circulation areas and are therefore not required for testing under the BRE guidelines.
The daylight and sunlight report does not take into account the neighbouring roof terrace at 492-498 High Road	This roof terrace has been incorporated into an expanded daylight and sunlight study that was submitted during the course of the application. This is discussed at paragraphs 79 - 83 below.
The model of the proposed building in the daylight and sunlight report does not reflect the correct relationship between it and 492-498 High Road, illustrating a gap between the sites where there would be none, potentially resulting in an inadequate assessment	It has been confirmed with the applicant's Daylight and Sunlight consultant that the small gap shown has no impact on the results.
There will be overlooking and losses of light to balconies which has not been considered by the submission	Overlooking and losses of light have been considered in relation to all potentially affected properties. Overlooking is discussed at paragraphs 51 – 55 below. Loss of light is discussed at paras 62 – 87 below.
The development would result in overlooking and losses of privacy to neighbouring homes as single aspect units would look directly towards balconies and the communal terrace serving 492-498 High Road	Overlooking and losses of privacy have been considered in relation to all potentially affected properties. This is discussed at paragraphs 51 – 55 below. It is not considered that the proposal would result in any undue overlooking or loss of privacy. There are no single aspect units with outlook towards 492-298 High Road.
The application does not comply with the privacy distance standards and 45 degree rule standard relative to 492-498 High Road	This is discussed at paragraph 57 below
Some of the windows and balconies would overlook 492-498 High Road and prejudice future development rights at this site	This is discussed at paragraph 104 below
Transport and highways	
There is insufficient provision for parking which will give rise to additional parking pressures on local roads The development will generate traffic and further increase journey times for local people	Aside from two blue badge bays, the development would be car free, with all residents (aside from blue badge holders) not being eligible to apply for a parking permit. On that basis, it is not expected that the development would have an impact on the capacity of the local highway network.
Elm Road service road is land within the title of a neighbouring third party, whose permission would be needed to implement the conversion of 3 parking spaces to 2 disabled parking spaces as proposed	The works suggested for Elm Road are all proposed within adopted highway. The freehold ownership of Elm Road may be in third party ownership, but it is adopted highway as well. As long as the road is an adopted road then it is controlled by the Highway Authority. It is for the highways authority to authorise or not authorise the development and use of parking spaces.
Refuse should be contained within the building, not left outside, as there are local issues with rodents	The proposal incorporates an internalised bin store from which collections would be made.
The new pedestrian crossings proposed would severely restrict traffic flow	The improvements to the junction would afford greater pedestrian priority and is not anticipated to be detrimental to traffic flow.

The construction period will affect business along St Johns Road, as it would result in difficulties for customer parking and deliveries	A construction environmental management plan and construction logistics plan would be secured by condition prior to any construction works taking place to confirm suitable construction arrangements that minimise disturbance to neighbouring sites.
<i>Environmental health and nuisance</i>	
The development will result in noise and disturbance to the local area and to existing homes nearby	This is addressed at paragraphs 164 – 166 and 168 – 170 below
Are there proposals to improve sewage and other utilities?	This is addressed at paragraph 193 and 231 below
The development will adversely affect air-circulation	The development will not be unduly detrimental to air circulation.
The planning application does not provide any assurances that the structural integrity of the neighbouring properties will be kept intact or that responsibility will be taken for any damage.	Provisions are set out within the Party Wall Etc Act 1996 relating to the legal instruments relating to the risk of damage across ownership boundaries during construction. The applicant will be reminded of this through an informative.
<i>Fire safety</i>	
<p>The proposal has not considered the fire safety of neighbouring buildings</p> <p>There is no open space on the site to escape to in the event of an emergency</p> <p>The submission does not declare that the building will be fire safe and that all of the building materials used will be inflammable</p>	<p>Consideration of the fire safety of neighbouring properties is not a requirement of planning policy, however the fire safety of this development would be indirectly beneficial to the fire safety of neighbouring buildings.</p> <p>The fire safety strategy of the proposed building has been reviewed by the GLA and has been found policy compliant. In addition, the applicants have responded robustly to queries raised by the Health and Safety Executive. This is discussed at paragraphs 211 – 216 below.</p>

The support comments received are summarised as follows:

- The area is run down and in need of redevelopment
- More homes are needed locally
- The site has good links to public transport and is therefore an ideal location for development
- 100% affordable provision as proposed is desirable
- The homes will be genuinely affordable
- There is a good number of family sized homes
- The commercial space at ground floor is welcomed
- The design is high quality

Statutory / External Consultees

Greater London Authority and Transport for London (Stage 1 response):

The GLA/TfL have commented on a number of strategic issues raised by the scheme within their initial (Stage 1) response, which are summarised as follows:

Principle of development: The principle of residential led mixed-use development on this site within Wembley town centre and the Opportunity Area is supported.

Housing and Affordable Housing: The applicant is proposing 100% affordable housing within the development with a tenure split of 40:60 in favour of intermediate shared ownership housing. The rented homes are social rent tenure. The scheme is therefore Fast Track compliant and compliant with London

Plan Policies H6 and H7 and the Mayor's Affordable Housing and Viability SPG.

Urban design and Heritage: The location of tall buildings on this site is supported by Brent Council's local planning policies. The overall approach to the building height, massing and elevation treatments are supported, and both the design and residential quality are of a high standard. The development will not cause harm to heritage assets and conservation areas.

Transport: A full multi-modal trip generation is required. Streetscape improvements, parking design management plan, electric vehicle charging, travel plan, deliveries and servicing plan, and Construction logistics plan should be secured. These issues are all set out in more detail and addressed within relevant sections of the main report below.

Health and Safety Executive (Gateway 1 – Fire Safety)

No objections but comments made in relation to confirming that a design review has been undertaken to assess the implications of fire safety systems failure or foreseeable events, as required by British Standards for fire safety, as well as in relation to staircase access to ancillary accommodation and service risers in the firefighting lobby.

This is discussed in more detail later in the report (see fire safety section).

Thames Water

No objection subject to a condition requiring a piling method statement to be submitted given the location of the development within proximity of a strategic sewer, and informatives relating to green roofs and waste water.

These issues are all set out in more detail and addressed within relevant sections of the main report below.

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.

Energy and Sustainability

Considered that the energy strategy is broadly in line with the latest guidance within the London Plan.

These issues are all set out in more detail and addressed within relevant sections of the main report below.

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 application was publicised by the delivery of 2,494 information letters 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 freephone number and freepost address were established to supply further information to interested parties. All of the stakeholders were invited to attend one of three online Q&A events relating to the development proposal through the information letter. The Q&A events took place through the community consultation group's dedicated consultation portal on the 12th, 14th and 15th June 2021.

A total of 21 households participated over the course of the three Q&A events, with each session incorporating a 10 minute presentation and roughly 20 minutes of questions and answers. Each session ended with details of how to give feedback, including instructions on filling in a feedback survey. All of the Q&A sessions were recorded and are available for viewing online, with the links accessible in the applicant's Statement of Community Involvement, available to download on Brent's website. 14 questions were asked at the Q&A events and 1 online feedback survey was filled in.

The questions asked by residents were as follows:

- How does the design fit in with the surroundings?
- Where will everybody park?
- When will the work start and finish and will we be told about it?
- What will be the construction working hours?
- Will there be Saturday work?
- How will parking (which already a problem) be issued to the residents on the tower block?
- When open to residents, how will rubbish debris be stopped from falling into 14 Elm lane roof garden?
- Some residents (Flat 17 & 18) natural light will be affected. How will this be overcome?
- How will be privacy guaranteed for the two apartments that will be visibly by all residents facing east?
- When are works planned to start?
- Do the local neighbours have a saying in the planning permission?
- How much will a 2-bed apartment going for? And how soon can you start the process?
- How will dust be controlled? From experience dust will end up on our terraces.
- Water suppression is effective, but dust will still cover most of the adjacent roof gardens and terraces. Will a channel be created to effectively resolve issues?

All questions were responded to by architect, planning consultant and developer representees at the meetings.

The feedback survey response was completed by a local resident, and they answered 'very positive' to the question: "How do you feel about our proposals to provide to provide around 300sqm of commercial space and 79 new homes at 500 High Road, Wembley"?

The consultation events carried out 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. The lack of a physical exhibition is understood and accepted given the Covid-19 restrictions that have been in place nationally until relatively recently.

POLICY CONSIDERATIONS

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

The development plan is comprised of the

- London Plan 2021
- Brent Local Plan 2019-2041*

Key policies include:

London Plan 2021

- SD1 Opportunity Areas
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D8 Public realm
- D9 Tall buildings
- D11 Safety, security and resilience to emergency
- D12 Fire safety

- D14 Noise
- H1 Increasing housing supply
- H4 Delivering affordable housing
- H5 Threshold approach to applications
- H6 Affordable housing tenure
- S4 Play and informal recreation
- E11 Skills and opportunities for all
- HC3 Strategic and Local Views
- G1 Green infrastructure
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI 1 Improving air quality
- SI 2 Minimising greenhouse gas emissions
- SI 3 Energy infrastructure
- SI 4 Managing heat risk
- SI 5 Water infrastructure
- SI 7 Reducing waste and supporting the circular economy
- SI 13 Sustainable drainage
- T1 Strategic approach to transport
- T2 Healthy Streets
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T7 Deliveries, servicing and construction

Brent Local Plan 2019-2041

- DMP1 Development Management General Policy
- BP7 South West
- BCGA1 Wembley Growth Area
- BD1 Leading the way in good design
- BD2 Tall buildings in Brent
- BH1 Increasing Housing Supply

- BH2 Priority Areas for Additional Housing Provision within Brent
- BH5 Affordable Housing
- BH6 Housing Size Mix
- BH13 Residential Amenity Space
- BE1 Economic Growth and Employment Opportunities for All
- BE7 Shop front design and forecourt trading
- BHC2 National Stadium Wembley
- BGI1 Green and Blue Infrastructure in Brent
- BGI2 Trees and Woodland
- BSUI1 Creating a Resilient and Efficient Brent
- BSUI2 Air Quality
-
- BSUI4 On-site Water Management and Surface Water Attenuation
- BT1 Sustainable Travel Choice
- BT2 Parking and Car Free Development
- BT3 Freight and Servicing, Provision and Protection of Freight Facilities
- BT4 Forming an Access on to a Road

The following are also relevant material considerations:

- National Planning Policy Framework (2021)
- National Planning Practice Guidance
- Mayor of London's Affordable Housing and Viability SPG 2017
- Mayor of London's Housing SPG (2016)
- Mayor's 'Be Seen' energy monitoring guidance (2021)
- Brent's Supplementary Planning Document 1 (2018)
- Brent's Draft Planning Obligations Supplementary Planning Document (2022)

** The Council adopted the new Brent Local Plan 2019-2041 at Full Council on 24 February 2022. The following documents have now been revoked:*

- *The Brent Core Strategy 2010*
- *Brent Site Allocations Development Plan Document 2011*
- *The Wembley Area Action Plan 2015*
- *The Development Management Policies Plan 2016.*

These documents are no longer considered Development Plan Documents for the purposes of determining planning applications within the area that the Council remains the Local Planning Authority and also their associated policies map.

DETAILED CONSIDERATIONS

Principle of development

Residential-led redevelopment with commercial floor space

1. Policy GG2 of the London Plan identifies the optimisation of land, including the development of brownfield sites, as a key part of the strategy for delivering additional homes in London. Furthermore, the London Plan includes a minimum annual monitoring target for Brent at 2,325 additional homes per year until 2029. Within local policy, Brent Policy BP7 sets out a target of at least 10,600 homes being delivered in Brent's South West place in the period to 2041, which includes the part of the Wembley Growth area that is within South West place, where the subject site is located. In addition, Policy BP1 sets out that more than 15,000 homes are to be delivered across the Wembley Growth area as a whole, the extent of which covers parts of both South West place and Central place.
2. Wembley Growth area and Wembley town centre are both identified as priority locations where the provision of additional homes will be supported within policy BH2. The site sits within these areas and also has a high public transport accessibility level (PTAL), which further justifies its appropriateness as a priority location for housing within BH2.
3. This site is within the Wembley Growth Area, Wembley Housing Zone and the Wembley Town Centre policy designations. Whilst within the town centre, it is not within either the primary or secondary retail frontage. In addition the site is identified as being within one of Brent's Tall Buildings Zones, as defined in policy BD2.
4. The scheme proposes a total of 79 homes as part of a residential led mixed use scheme. The London Plan places emphasis on site capacity being optimised through a design-led approach and this is set out in full in policy D3, through a qualitative approach that seeks to confirm suitable development density through the achievement of a proposal that is demonstrably of a high quality and which is well designed.
5. The existing site is used as a Jobcentre (E use class) which occupies the whole existing building to a floor space of 1,357sqm. The applicants are proposing a retail unit (E use class) at ground floor level. This unit would have a floor area of 167sqm and would be double fronted, with active frontage to both St Johns Road and Elm Road. The 167sqm replacement unit would represent a 12% re-provision of the existing retail floor space quantum. Policy BH2 allows reductions in replacement retail floor space as part of residential-led redevelopment where the benefits of the replacement residential floor space would outweigh the reduction in retail floor space. In this instance, the benefits of the proposed residential offer are very high (see affordable housing and unit mix section below) and would weigh in favour of a reduced retail unit provision being acceptable. The use class of the replacement retail floor space would be secured by condition. It should be noted that Planning Policy does not require the re-provision of the job centre, and that there are no conditions that restrict the existing use to a Jobcentre. The Jobcentre has now relocated to a unit fronting the Wembley High Road.
6. The overall principle of residential uses above commercial/town centre use in this location (within the boundary of a town centre) is consistent with Brent Local Plan policy as well as national policy. The location has a high PTAL score, so there is logic in increasing development density in an area that also has good accessibility to facilities and employment. The ground floor is not within either a primary or secondary frontage, but the proposed commercial use helps animate the ground floor and give this edge of the town centre greater interest.
7. On the above basis, it is considered that the proposal is acceptable in principle.

Affordable housing and unit mix

Policy context

8. The London Plan policies H4, H5 and H6 set out affordable housing requirements and establish a 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.

9. The subject site is public sector land (used as a Jobcentre) and a 50% affordable provision threshold therefore applies.
10. 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.
11. Brent's local plan policy (BH5) for affordable housing delivery 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 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.

Proposed scheme - Affordable housing requirements

12. Based on the above policy requirements, the proposed scheme would meet the threshold for not being viability tested if 40 (50%) of its 79 homes are provided as affordable housing and if those affordable homes are allocated such that 70% (28) of them are for London Affordable Rent or Social Rent and that 30% (12) of them are for intermediate tenure. This would represent an acceptable proposal that is compliant with both London and Brent affordable housing policy.
13. A proposal for fewer affordable homes than this, or for a less desirable split between low cost rented housing and intermediate housing, would only be acceptable if such an offer could robustly be proven to represent the maximum viable amount of affordable housing deliverable, as demonstrated through an agreed financial viability assessment.

Proposed scheme - Affordable housing offer

14. The applicants would provide 100% of the development as affordable housing, significantly exceeding the policy target. The applicants have opted to provide Social Rent housing as the low cost affordable component and Shared Ownership housing as the intermediate component. The table below sets out a breakdown of these units by type and tenure:

UNITS	Social Rent	Shared Ownership	Market	Total
1-bed	14	0	0	14 (18%)
2-bed	2	43	0	45 (57%)
3-bed	15	5	0	20 (25%)
TOTAL	31 (39%)	48 (61%)	0 (0%)	79 (100%)
Total no. of affordable units: 79				

HAB ROOMS	Social Rent	Shared Ownership	Market	Total
1-bed	28	0	0	28 (11%)
2-bed	6	129	0	135 (56%)
3-bed	60	20	0	80 (33%)
TOTAL	94 (39%)	149 (61%)	0 (0%)	243 (100%)
Total no. of affordable hab rooms: 243				

15. The affordable housing provision when measured against the policy requirement is set out in the table below:

	Number of homes required by policy (BH5 / H5)	Proposed number of homes	Degree of policy compliance
Social Rent	28	31	3 homes in excess of policy requirement
Shared Ownership	12	48	36 homes in excess of policy requirement
Total Affordable	40	79	39 homes in excess of policy requirement

16. In summary, the development is proposing affordable housing in excess of the policy target amount and tenure split. Beyond the requirements of policy, the scheme provides 3 additional Social Rent homes and 36 additional shared ownership homes.

17. The GLA agrees that the affordable housing proposals are in excess of policy requirements.

18. To meet the requirements of 'London Shared Ownership' housing, suitable income caps for eligibility for the Shared Ownership units should be secured in the s106 agreement, to apply for the first three months of marketing. Local income caps that have been secured previously are: £71,000 for two bedroom flats and £85,000 for three bedroom flats (there are no one bedroom flats proposed for this tenure).

19. In conclusion, the affordable housing proposals comply with both GLA and Brent policies and deliver substantially more affordable housing than the policy expectation. This is strongly welcomed and is a significant benefit of the scheme. The affordable housing offer should therefore be accepted, subject to a Section 106 agreement to secure the provisions.

Wider acceptability of tenure mix

20. Policy BH6 within the Local Plan denotes a requirement for a 1 in 4 provision of 3 bedroom homes across residential developments. At 25.3% provision (20 of the 79 units) across the scheme, the proposal meets this policy target.

21. It is welcomed that the majority of the family sized units are being provided as Social Rent homes, with 75% of the 3-bed units (15 out of 20) being within this tenure. Furthermore, a total of 48% of the scheme's Social Rent homes are family sized, which significantly exceeds the 1 in 4 policy target for family home provision. The focus on providing family housing in the Social Rent tenure is welcomed, as family sized units are in much greater demand in this tenure compared with Shared Ownership.

22. The Social Rent family homes are to be provided at the lower levels of the development, which would put them within easier reach of the child play focussed amenity space (see Quality of Accommodation section below) and which would make access to the homes more convenient for families. This is a welcome design choice.

Design

23. Brent's DMP1 and BD1 policies 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 as discussed in the following sections.

24. Brent's principal urban design officer considers that the proposal leads the way in good urban design and consequently complies with Policy BD1 of the draft Brent Local Plan and the principles of SPD1.

Layout

25. The site occupies the corner plot at the junction of St Johns Road and Elm Road, although falls within the same land parcel as the Boots retail store at 500 High Road to the south of the site. The Boots store is not proposed to be affected by this development, and the proposal is confined to the northern part of the land parcel, at the corner of St Johns Road and Elm Road, which currently houses a two storey brick building operating as a Jobcentre. The plot is proposed to be developed with a new building expressed through three separate shoulders. The building's main shoulder, located centrally on the corner, is proposed as an eighteen storey element. The building's secondary shoulder, located away from the corner along the St Johns Road elevation, is proposed as a five storey element. Finally, the building's tertiary shoulder, located away from the corner along the Elm Road elevation, is proposed as a six storey element.
26. The block contains a retail unit at ground floor, principally fronting the St Johns Road elevation, although wrapping the corner to address the Elm Road elevation for a short extent. This is a logical location to focus the retail frontage, given the predominantly commercial nature of this part of St Johns Road. The remainder of the ground floor would be utilised as a residential entrance to all flats in the building. The main entrance would be located centrally in the Elm Road elevation, and would lead to a main entrance foyer, incorporating mailboxes, as well as a reception desk with ancillary kitchenette and changing room. The foyer would also provide access to the two lifts and stairwell for residents to access their flats. A secondary access would be located to the east of the main entrance, further along Elm Road, which would allow separated access to the bicycle stores at the rear of the ground floor. This alternative access will limit conflict with other building users for cyclists. The access between the secondary access and the bike stores is largely straight to enable ease of bicycle movement to and from the stores. A residential bin store entrance would be located at the easternmost end of the Elm Road frontage. This is an inactive element of the frontage, but its location along the street, for ease of collection is understood as necessary. Its location at the periphery of the façade, minimising inactive frontage, is welcomed. At the periphery of the St Johns Road frontage, to the south of the retail frontage, is a substation entrance, a commercial unit bin store entrance, a bin store entrance for the Boots retail unit and a fire escape for Boots store users. Whilst these uses would be largely inactive, windows are proposed to be provided between these doors to allow some level of perceived activity and surveillance. The uses that the doors serve are all essential uses and their presence along the frontage, particularly at its periphery, is understood. The inactive uses to Elm Road will occupy a 12.8 metre extent of frontage, whilst the continuous retail frontage adjacent to it will span 26.5 metres, acting as the key visual draw for building users and passers-by. Proposed centrally within the ground floor footprint, away from the frontages, are the development's plant rooms.
27. The upper floors of the building are entirely residential. The first floor of the building provides six flats and access to one of the residents' communal amenity spaces at the south east corner of the plot. All flats overlook the street frontage or have outlook to the rear amenity space, or both. The second to fourth floors provide seven flats per floor, with all flats overlooking the street frontage or overlooking the first floor amenity space to the rear, or both. At the fifth floor, the secondary shoulder of the building tops out, reducing the number of flats per floor to four, as well as providing access to the other of the two residents' communal amenity spaces, atop the building's secondary shoulder fronting St Johns Road. All flats overlook the street frontage, or the first floor amenity space, or the fifth floor amenity space. At the sixth floor, the tertiary shoulder of the building (to Elm Road) tops out, with the building's footprint at floors above this consolidated to the central shoulder element, which provides four flats per floor across the remainder of its extent. The central shoulder element extends up by a further eleven levels to the seventeenth floor, at the top of the building. The roof of the central shoulder is proposed to be utilised as a photovoltaic array and for housing the building's air source heat pumps which would provide much of its heat generation.
28. The residential units are arranged such that the first to fifth floors are allocated exclusively for Social Rent. 75% of the proposal's family homes are located across these floors, and result in 48% of the total Social Rent homes being family sized. The consolidation of the Social Rent homes at the lower levels, with a focus on family provision, is strongly welcomed. Accordingly, all of these homes will be within easy reach of the first floor terrace, which has a child-play focus. All units across the sixth to seventeenth floors are allocated for Shared Ownership. The family homes within this tenure are consolidated across the sixth to tenth floors, allowing for easier access to the terraces from these lower levels.

Public Realm

29. The development would create new soft landscaped areas within the public realm, including improvements to the existing planting bed between the Elm Road service road and Elm Road itself, in front of the development site. This planting bed would also be extended to the west, adjacent to the existing public WC. A strip of tree planting would be introduced along St Johns Road, at the edge of the footway, in front of the proposed retail unit. This would establish an improved tree lined view in the setting of the development as seen from Wembley High Road. In terms of hard landscaping, a raised table would be introduced across the junction of Elm Road and St Johns Road, which would have accessibility benefits and would improve the public realm whilst promoting pedestrian priority. As part of this, the existing servicing bay along the St Johns Road frontage, which would be used in connection with this development, is proposed to be incorporated into a shared surface. Two new blue badge parking spaces would also be provided within a reconfigured service road immediately fronting the site, allowing disabled access to the development for residents holding blue badges.
30. In terms of providing a good quality external environment for residents and passers-by, active frontages have been maximised at street level, which is welcomed. There are some small sections of inactive frontage at the peripheries of both the Elm Road and St Johns Road frontages but this has been reasonably minimised and they are screened by perforated and profiled metal panels to add visual interest. The extent of activity around the frontage, particularly at the central corner, would be considerably more beneficial than the level of activity offered by the existing building. Accordingly, the most legible elements of the street frontage would be the retail frontage (characterised by its uninterrupted glazed frontage and fascia) and the main residential entrance, which, with its inset from the main frontage and canopy feature, is clearly defined and expressed within the wider streetscape. This will foster a strong sense of arrival and belonging for residents. The upper floors would also provide a good level of animation above street level, and would introduce natural surveillance to both streets, in contrast to the existing building which has a largely blank façade at its upper level.
31. 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 to the key commercial and residential entrances at ground floor, across both St Johns Road and Elm Road. The proposals will enhance the streetscape and natural surveillance, incorporate new landscaping and urban greening improvements and will effectively ground the proposed building.

The appropriateness of delivering tall buildings

32. Policy BD2 of the Local Plan defines a tall building as one that is more than 30m in height. It directs tall buildings to the locations shown on the policies map in Tall Building Zones. The policies map identifies this site as situated within the Wembley Tall Building Zone.
33. Given the local designation for tall buildings, the development can be seen to comply with London Plan policy D9(b) (which requires tall buildings to only be supported where they have been specifically designated as appropriate within the Local Plan), establishing a suitable policy basis for the site being appropriate for accommodating a tall building.

The approach to height and massing

34. In addition to a Tall Building Zone (as discussed above), the proposal sits within the Wembley town centre and growth area boundaries and the Local Plan aspires for the character of the area to change over time as significant housing growth is accommodated within the town centre area.
35. The site at present is in an area of transition, with urban, town centre uses to its east, west and south, and predominantly low-density residential uses to its north as existing. This character accords with the site's setting being at the northern edge of the town centre boundary. However, a site allocation (BSWSA10: Elm Road) envelops the site to its northern and western sides, setting out an aspiration for this area (bounded by the West Coast Mainline to the west, the Chiltern Mainline to the north, the northern side of Elm Road and High Road to the south and the western side of St Johns Road to the east) to be developed for residential led, mid-rise development of 5-6 storeys in height. The allocation sits mostly beyond the boundaries of Wembley town centre and its brief anticipates a denser, urban character being established to the north and west of the subject site over time. The extant consent of the Euro Hotel redevelopment (ref: 18/1592) represents the first redevelopment proposal to come forward within the boundaries of this site allocation. Ultimately, the site allocation envisions the surrounding context of the subject site becoming more urban over time, and a re-characterisation of the subject site as

becoming less peripheral to the town centre setting.

36. Whilst the site is within the Tall Building Zone and therefore appropriate for accommodating a tall building, it is at the northern edge of the zone. Policy BD2 requires that developments step down towards the zone's edge. The proposed building would have a main massing formed of a slender central tower, rising to 18 storeys. A number of locational factors are considered to result in this height being suitable. Firstly, it is noted that there are a number of tall buildings that have been consented and delivered within the vicinity of the site and the wider Wembley Tall Building Zone, including King Edward Court, Uncle Wembley, The Assembly, Wembley Central Square, Wembley Link, Ujima House and the site at the Junction of High Road and Cecil Avenue. The buildings which fall in the wider setting of the proposed development reach a variety of heights which are both shorter and taller than the proposed building, these being King Edward Court (11 storeys), Uncle Wembley (26 storeys) and Wembley Link (18 storeys) to the east and Wembley Central Square (14 storeys) and The Assembly (18 storeys) to the south. The majority of these buildings are located in areas of prominence on major thoroughfares, whereas this site sits at the confluence of two more minor roads, being slightly removed from the principal High Road setting. However, as a comparison, The Assembly is sited around 30 metres to the south of the High Road, which is a similar offset to the proposed building. It is also noted that, aside from Wembley Central, the development has a higher public transport accessibility level (PTAL) and is closer to Wembley Central station than the other buildings, reinforcing the sustainability of the site's location. Another factor to note is that both St Johns Road and Elm Road notably slope downwards from the south and east respectively, resulting in a lower base height for the building than tall buildings immediately adjoining the High Road. This results in the prominence of the proposed building reducing, and appearing to have a lower height than 18 storeys would otherwise have within the wider context. Furthermore, Elm Road widens out significantly at its western end, with the distance between the proposed Elm Road frontage and the frontage opposite being more than 30 metres, resulting in a generous, open setting for a larger building. By contrast, the majority of Elm Road has a frontage-to-frontage distance of less than 20 metres.
37. Beyond the locational factors that justify the height of the building, there are factors relating to the merits of the building's design that also justify this. The scheme has been revised through design review with Brent's principal urban designer at pre-application stage. Through this process, the slenderness of the building's central shoulder has reduced on account of the main residential core serving fewer flats per floor. On balance, the approach to retaining a significant height for the building but increasing the slenderness of its central shoulder is welcomed and the visual appearance of the proposal from surrounding viewpoints (notably High Road to the south and St Johns Road to the north) has significantly improved. Further refinement has been made to the building façade, softening its edges through the articulation of open-sided balcony corners. The form of the building as submitted is considered to be elegant and has a massing that, whilst taller than its surroundings, would appear comfortable in its setting. The approach to façade treatment and use of materials (discussed in detail below) is also considered to be highly positive and has been based on the rhythms of development in the surrounding context.
38. Drawing together the above considerations, it is clear that the proposal would define a landmark building within the context of other existing and emerging tall buildings in the surrounding area, although would clearly read as a subservient building in the context of the wider cluster, sitting 8 storeys below Uncle Wembley at the eastern end of Elm Road, lower than both buildings that form the Wembley Link, at a very similar height to the Assembly and slightly above the Wembley Central building. It is considered the proposal gives greater coherence to the existing tall buildings adjacent to Wembley Central station by situating these within a more clearly defined cluster, whilst still maintaining sufficient separation distances; by extension, this adds variety to the skyline, in accordance with the design guidance set out in the Tall Buildings Strategy, particularly in longer views from the surrounding area towards Wembley. Whilst the immediately neighbouring buildings remain low-rise at present, and the proposal is set back from the High Road, the planning policy context allows for height intensification along the High Road and in locations to the north and west of the site, as well as for further tall buildings (10 storeys+) within the designated tall building zone to the east, west and south, which weighs into officers' judgement. Overall, the inclusion of the site within the tall buildings zone and the very close proximity of the site to the train and bus services of the town centre is clearly acknowledged and it is clear that a balanced consideration of height in this location is needed. Whilst the development is acknowledged as being tall in its immediate surroundings, and that it would not step down to the edge of the tall building zone, when considered on its own merits, the building has a positive urban design and appearance in its wider setting, with visual harm

having been limited through a slender and elegant building envelope. It is welcomed that such a proposal has afforded a viability position that achieves policy compliance in respect of family homes provision and beyond policy compliance in respect of affordable housing provision, which weighs in the proposal's favour. On that balance, the height and massing of the development is supported.

39. Similarly, the GLA is of the view that the building would have an acceptable impact on its surroundings, noting that there are other taller buildings in the locality and there is an increasing scale emerging in the Wembley area given its town centre and Opportunity Area designations. The GLA also considers that a building of this scale at the site would reinforce the spatial hierarchy of the area, reflective of a highly accessible location in Wembley town centre and Opportunity Area. The GLA notes considers that the tallest element will act as a marker and improve legibility on the northern approach into the town centre along St John's Road, reading as a book end to the block between St John's Road and Park Lane.
40. The London Plan places emphasis on site capacity being optimised through a design-led approach and this is set out in full in policy D3, through a qualitative approach that seeks to confirm suitable development density through the achievement of a proposal that is demonstrably of a high quality and which is well designed. It is considered that the scheme achieves the aims of D3. On the basis of the discussion of the building's appearance within its context as discussed, it is also considered that the proposal achieves the aims of D9(c).

Protected views

41. In relation to height, the protected views of Wembley Stadium, as set out in emerging Local Plan policy BHC2, should be carefully considered and appropriate modelling should be undertaken to ensure that the proposed development would not detrimentally impact the visibility of the Stadium from these designated viewpoints.
42. The applicant has submitted a comprehensive set of images of the proposed development as seen from key local vantage points and designated protected views, including those identified within Brent's Local Plan Policy BHC2. The three views tested were those looking towards the stadium from the west: Elmwood Park, Sudbury; Horsenden Hill, Perivale and One Tree Hill, Alperton. It has been identified that the proposal would sit close to the stadium as seen from the Horsenden Hill designated viewing corridor. Nonetheless, the proposal would appear separate from the stadium, appearing to its left from the viewpoint and as part of an established and emerging cluster of tall buildings to the west of the stadium. The development would not visually obscure the canopy or the arch of Wembley Stadium from any of the protected viewing corridors in Brent's Local Plan.

Architecture and Materiality

43. Externally, the façade composition reflects the historic urban grain defined by the existing terraced houses along St John's Road and Elm Road, and translates this into a grid that articulates the façades. The grid itself has been given a clear hierarchy and is broken down into primary vertical and secondary horizontal elements, with a coherent base, body and crown defined from ground floor to roof level. Within the grid, windows and inset balconies are expressed as punched openings, with each framed by other architectural components; the windows are particularly well-articulated incorporating inset perforated and profiled metal panels. Precast concrete components at both the top and base punctuate these key elements of the proposal, giving a robust and distinctive character and identity to the scheme. Generally, an exemplary approach to materiality has been set out in the Design and Access Statement, with the use of two distinct yet complimentary brick tones being successful in breaking down the overall mass and appearance of the proposal, supported by the secondary materials of dark aluminium window frames and balcony railings.
44. Given the nature of the neighbouring building, the language of a two storey plinth has been expressed at ground floor level. The block to the east which contains a PureGym at ground level expresses its retail language across two storeys and a mirroring of this approach (even though the upper layer of those internal uses would be residential) is of benefit to the scheme, ensuring a harmonious integration with the area.
45. A condition will require samples of the materials to be reviewed and approved by officers, to ensure that a high quality development would be delivered. The applicant has provided indicative technical sections illustrating how specific elements of the façade are to be constructed, including typical windows, typical

parapets, typical balconies and soffits. These drawings are welcomed by Brent's Urban Design Officer as they would safeguard the quality of the proposal. They will be able to inform any determination process that accompanies the discharge of the materials condition post-permission.

Impact on Heritage

46. Tests for assessing impacts on heritage assets as part of planning decisions are set out in the Planning (Listed Buildings and Conservation Areas) Act 199. For Conservation Areas, "special attentions should be paid to the desirability of preserving or enhancing the character or appearance of that area". For Listed Buildings, decision makers should "have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".
47. It is stated in the NPPF that, when considering the impact of the proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. In relation to non-designated heritage assets, it states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
48. The site is not located within a Conservation Area or within the setting of a Conservation Area and there are no listed or locally listed buildings on the site. There are also no heritage assets within 300 metres of the application site. In the wider area (within a 500 metres radius of the site) there are a limited number of heritage assets. These are:
- Wembley High Street Conservation Area;
 - Locally listed parks King Edward VII Park and St John the Evangelical Churchyard;
 - Grade II listed St John Church boundary wall and Lych Gate
 - St Andrew's Presbyterian Church
 - Locally listed 551 to 551a High Road and Charles Goddard House.
49. The assessment demonstrates that the development will not harm the significance of the identified heritage assets due to distance and/or intervening development in the setting of the assets.

Impact on neighbouring residential amenity

50. Brent's DMP1 policy within the 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.

Privacy

51. In order to retain acceptable privacy levels to properties, SPD1 states that development should ensure a good level of privacy inside buildings and within private outdoor space. Directly facing habitable room windows will normally require a minimum separation distance of 18m, except where the existing character of the area varies from this. A distance of 9m should be kept between gardens and habitable rooms or balconies. For sites within an existing street scene, the distance between front elevations should normally be determined by the character of road widths or set-backs from roads in the area. Windows may be designed to direct views in certain ways and to avoid overlooking in other directions.
52. With regard to relationships with surrounding blocks, a number of properties on the north side of Elm Road and the west side of St Johns Road would face the proposed building. However, given that these relationships are across a street, the tests of privacy would not apply to these properties and the established street widths to these properties' windows would be retained as existing.
53. There are some properties to the east and south that would look towards the development across private land and whose privacy has the potential to be compromised by the development. To the east, rear

windows to flats forming part of the development at 492-498 High Road would face towards the proposed development. However, the closest instance of a window from the proposed scheme facing the window of a home within 492-498 High Road is 25m, reducing to 22m when considering the balcony-to-balcony relationship. Furthermore, the proposed windows are more than 9m from the edge of the communal podium garden at 492-498 High Road, meeting the relevant standard.

54. To the south, residential units are in situ at 502 High Road (above the Card Factory retail unit) and at 504 High Road (above the Greggs retail unit) with windows which would directly face the development. In the context of 502 High Road, more than 40m of space is present between the proposed residential windows and existing residential windows, significantly exceeding the 18m standard. In the context of 504 High Road (a duplex flat), the first floor window to the residential unit would fall short of the 18m distance requirement (around 14m would be achieved), but the windows which they face are secondary windows to a living room of the southernmost flat proposed on floors 2-4 and can be acceptably obscure glazed. This only applies across floors 2-4 of the proposal and a condition will require that the relevant windows are obscure glazed and fixed shut at low levels in the interests of protecting privacy to the residential unit at 504 High Road. The southern edge of the balconies serving these flats would also need to be screened, as they would also afford overlooking at a distance of 14m in the absence of this. The second floor windows to the flat at 504 High Road sit 5m further southward and comply with the 18m distance standard for privacy. Whilst the premises above nos 500 (Boots) and 506 (Barclays) High Road would also directly face the proposed development, these premises are connected to the retail use only, without residential elements, and do not warrant protection in line with the privacy guidance. Subject to a condition requiring the obscure glazing of secondary windows and balcony side aspects within the development, there are not considered to be any unacceptable overlooking issues arising to adjoining properties as a result of its implementation.
55. Whilst not a direct privacy concern, the proposal would incorporate a number of windows that would benefit from near outlook across non-sensitive parts of neighbouring sites (High Road fronting properties to the south and 492-498 High Road to the east). In order to protect the development potential at these neighbouring sites, the windows that face these sites within 9 metres will need to be obscure glazed, and this will be secured by condition. This matter is discussed in more detail in the 'Quality of Accommodation - Outlook' section below.

Sense of enclosure

56. 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's private amenity space, where relevant. 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.
57. Whilst the proposal does adjoin an amenity space for the residents of 492-498 High Road to the east, this garden is communal in nature rather than private. As such, it would not warrant testing in accordance with the 45 degree guidance.
58. There are a number of rear habitable room windows that would face the development. To the east, a number of windows serving flats of the 492-498 High Road development would directly face the five storey shoulder component of the proposal that fronts St Johns Road. The 30 degree line test would be met in the context of all of these west facing windows.
59. To the south, residential units are in situ at 502 High Road (above the Card Factory retail unit) and at 504 High Road (above the Greggs retail unit) with windows which would directly face both the five storey shoulder component and the eighteen storey shoulder component beyond it. For no. 502 and the upper floor of no. 504, the 30 degree guidance would be met when applied to the five storey element but breached when applied to the eighteen storey element. In one instance, to the single window serving the lower floor of no. 504, the 30 degree guidance would be breached by both building elements. The most significant breach (to the lower window of no. 504) would see the top floor of the five storey element and the upper ten storeys of the eighteen storey shoulder sitting above the 30 degree line. For the other windows, the upper seven storeys of the eighteen storey shoulder would breach the line. Overall, a breach of the 30 degree guidance would be experienced at the rear habitable rooms of two residential units, meaning that, as a result of the proposed development, only two existing homes would experience

a sense of enclosure that breaches the standards set out in SPD1. Some breaches of guidance would be expected in an urban, town centre location within a growth area and breaches being experienced from just 2 units is considered to be minor given this context. The two properties for which SPD1 standards are breached, as well as all other properties, have been examined for precise daylight and sunlight impact and this harm will need to be considered in the context of the impact discussed above. This is discussed later in the report.

Summary on privacy and sense of enclosure

60. With the exception of two residential units at 502 and 504 High Road, for which a non-guidance compliant sense of enclosure would be experienced, the relationship of this development to its surroundings complies with relevant guidance in SPD1. Generous separation distances are maintained between the proposed building and adjoining sites, and where they are closer, the growth area and town centre setting does set an expectation of tighter relationships given the urban regeneration context. Officers consider the proposals acceptable in this regard.

61. Nevertheless, a full test of daylight and sunlight impact on surrounding properties has assisted in understanding and weighing up the harm in the balance of considerations, and this is discussed below.

Daylight and Sunlight Impact

62. 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. Officers are satisfied that the report successfully identifies all neighbouring properties which could be affected by the proposed development, which are summarised as follows:

To the east

- 492-498 High Road (residential blocks fronting Elm Road and Dukes Way)

To the south

- 502 High Road (residential unit above Card Factory retail, identified as falling short of the 30 degree guidance above)
- 504 High Road (residential unit above Greggs retail, identified as falling short of the 30 degree guidance above)
- 506 High Road (Barclays retail, does not incorporate a residential unit at upper levels)
- 435-457 High Road (mixed retail and residential buildings facing towards the site from the south side of High Road)

To the west

- 508 High Road (Primark retail and Poundstretcher retail, does not incorporate a residential unit at upper levels)
- 11-27 St Johns Road (mixed retail and residential buildings)
- 31 St Johns Road (dwellinghouse)
- St Johns Road Garage (non-domestic car repair garage premises to the rear of no's 25 and 27 St Johns Road)

To the north*

- 1-11 Elm Road (the extant hotel redevelopment planning permission with reference 18/1592)
- 13-17 Elm Road (Edwardian terraced dwellinghouses on the north side of Elm Road)

*The existing Edwardian terraced dwellinghouses at 1-11 Elm Road have long been repurposed as the Euro Hotel Wembley. The proposed redevelopment of this site has been tested, rather than the existing form of these building. However, given that the existing buildings do not have a sensitive use (i.e. they are not residential), the lack of testing of the existing form of the buildings is accepted.

63. The results of the daylight testing of these properties, as reported in the appendices of the submitted daylight and sunlight report, is set out below.

Impacts to the east

64. For 492-498 High Road, 83 windows and 76 rooms were identified as being potentially affected and were tested for daylight impact.
65. Of the 83 windows tested, 47 (57%) would 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%. The VSC test applies to individual windows and considers the amount of the view from that window that would constitute unobstructed sky. Some of the impact to these windows is attributable to the presence of overhanging balconies adjacent to the affected window, so an alternative test has been undertaken in the context of these balconies being removed from the model. This allows the isolated impact of the proposal to be understood. In the 'no balconies' scenario, an additional 15 windows meet the VSC testing, for a total of 62 windows (75%) passing the VSC testing. In the 'no balconies' scenario, the 15 windows that do not meet the VSC criteria would only experience minor adverse impacts, with just one window experiencing more than a 30% reduction in the former value and all others in the 21-30% range. In this context, as well as for other tests set out in the guidance, the BRE considers that a reduction in a former value of less than 30% constitutes a minor adverse impact, a reduction in a former value of less than 40% constitutes a moderate adverse impact and a reduction in a former value of more than 40% constitutes a major adverse impact.
66. The No Sky Line (NSL) test relates to rooms rather than windows and assesses the proportion of a room from which sky would be visible. The pass mark is for the sky to be visible from at least 50% of the room, or for the reduction in the proportion of the room from which the sky would be visible to be no greater than 20%. In this case, all but 2 of the 76 rooms assessed would pass the NSL test, meaning nearly all of the rooms would experience less than a 20% reduction in daylight distribution, which is unlikely to be noticeable to occupants. The other two rooms would experience noticeable reductions, by 27% and 42% respectively. However, in the 'no balconies' scenario, both of these rooms pass NSL testing, which indicates that the proposed development in isolation is not a factor that results in these two rooms falling below the pass criteria for NSL.
67. With regard to sunlight impact, 63 windows were tested in line with the Annual and Winter Probable Sunlight Hours criteria (APSH/WPSH). This test identifies the percentage of the total sunlight hours that could be expected to reach particular windows (that are within 90 degrees of due south) in both year round and winter scenarios and compares the existing and proposed scenarios on that basis. The pass mark is for at least 25% of the probable sunlight hours and at least 5% of the probable winter sunlight hours to reach windows in the proposed scenario, or, for the change in the proposed scenario to be not more than 20% reduced from the existing scenario. 9 of the 63 windows tested fall below sunlight criteria, but in the 'no balconies' scenario, all of the windows would pass the sunlight testing. As above, this indicates that the proposed development in isolation is not a factor that results in these windows falling below the pass criteria for NSL.

Impacts to the south

68. For 502 High Road, 6 windows to the rear were identified for daylight testing. However 3 of the windows relate to the retail units below, with just the upper 3 windows relating to residential uses. Of the 3 residential windows, 1 meets the BRE guidance for VSC whilst the other two fall marginally short of the guidance seeing a reduction from their former value of 25-26%, slightly beyond the 20% that the BRE would consider likely to be unnoticeable. These windows would retain an overall VSC of above 20% which is considered to be a good performance in an urban area. Owing to a lack of floor plan availability, NSL testing was not carried out for this property. Given the northward orientation of the affected windows, no sunlight testing needed to be undertaken. This is one of the two properties which would fail to meet the 30 degree line testing in the context of the new development and it is welcomed that the daylighting impact testing confirms that just a minor adverse impact would be experienced to two of the windows of the property.
69. For 504 High Road, 10 windows and 5 rooms to the rear were identified for daylight testing. Just 5 of the windows and 3 of the rooms relate to residential units on the upper levels. Of the 5 residential windows, 3 meet the VSC guidance and 2 fall short. Of the two windows that fall short, the one to the lower floor of the flat would experience a VSC loss of 32% (moderate adverse), whilst the upper floor window would experience a VSC loss of 23% (minor adverse), only moderately in excess of the 20% that the BRE consider is likely to be unnoticeable. All the affected windows would continue to retain an overall VSC of

more than 20%, which is considered a good performance in an urban area. In relation to the NSL testing to the 3 residential rooms, all of the rooms would continue to experience good daylight distribution, in excess of the BRE guidance. Two of the windows to 504 are westward facing and warrant sunlight testing. These two windows meet the BRE guidance in respect of annual and winter sunlight hours. This is one of the two properties which would fail to meet the 30 degree line testing in the context of the new development and it is welcomed that the daylighting impact testing confirms that just a minor to moderate adverse VSC impact would be experienced to two of the windows of the property.

70. For 506 High Road, 29 windows were identified for daylight testing. Whilst the majority of windows would pass VSC testing, and, to 8 windows, an improvement in VSC would be experienced compared to the existing situation, this building is non-residential and would not warrant close scrutiny for impact as would be the case for residential buildings. Owing to a lack of floor plan availability, NSL testing was not carried out for this property. Given the northward orientation of the affected windows, no sunlight testing needed to be undertaken.
71. Across from 502-506 High Road, on the other side of the road, a significant length of frontage (435-457 High Road) whose street elevations face towards the development have been tested for daylight. Typical of the high street location, the buildings contain a mixture of retail and residential uses. For VSC, 132 windows were assessed and all but 2 of these windows would meet the BRE criteria for VSC, with the two windows falling short of the guidance serving a retail space which is a non-sensitive use. Owing to the availability of floors plans, NSL testing has been carried out for 447, 451, 453, 455 and 457 High Road only. Across these properties, 61 rooms were tested and all rooms meet the BRE criteria for NSL impact. 9 of the windows to these properties were relevant for sunlight testing, and all windows meet the BRE guidance in respect of annual and winter sunlight hours.

Impacts to the west

72. For 508 High Road, 37 windows were tested for VSC. 9 of the 37 windows would not comply with the BRE guidance for impact that is unlikely to be noticeable, but all windows affected serve non-sensitive, commercial uses associated with the retail units at ground floor. Owing to a lack of floor plan availability, NSL testing was not carried out for this property. 11 of the windows were relevant for sunlight testing, and all windows meet the BRE guidance in respect of annual and winter sunlight hours.
73. For 11-31 St Johns Road, 38 windows were tested for VSC and 14 (37%) would meet the BRE criteria for VSC impact whilst the other 24 (63%) would not. However, 8 of the windows to which the VSC impact is likely to be noticeable are rooms to commercial premises and another 3 are secondary windows to habitable rooms or non-habitable rooms of dwellings. As a result, only 13 of the 38 windows (34%) would likely be impacted to a noticeable extent, where that impact is to a primary habitable room window of a dwelling. In terms of the magnitude of impact, for the properties directly facing the development (11, 13 and 15), the worst reduction to a room is 60% of the former VSC, whilst for properties that are indirectly across from the development, reductions do not exceed a reduction of 35% of the former VSC. Owing to the availability of floors plans, NSL testing has been carried out for 11, 15 and 27 St John's Road only. Across these properties, 9 rooms were tested and 4 of the rooms (44%) meet the BRE criteria for NSL impact; however, of the 5 rooms that do not meet BRE for NSL, one is to a commercial premises (non-sensitive) and another is a non-habitable room of a dwelling. As such, only 3 rooms falls short of the NSL criteria in the context of primary habitable rooms to a dwelling. The magnitude of impact to these windows is a 24% reduction in former NSL (minor adverse), a 52% reduction in former NSL (major adverse) and a 67% reduction (major adverse) in NSL. Aside from 31 St Johns Road (which has a south facing side elevation), the affected windows to these properties are not oriented within 90 degrees due south and are not relevant for sunlight impact testing. 4 windows were tested for sunlight impact at to the side elevation of St Johns Road. 2 of these windows would fall short of the sunlight criteria within the BRE guidance, however these windows form the side panes of bay windows and are not primary habitable room windows. As such, no adverse sunlight impacts would be experienced to primary habitable room windows.
74. For the non-domestic St Johns Road garage building, 2 windows were tested for VSC and both pass the criteria for impact that is unlikely to be noticeable. NSL testing was not undertaken owing to a lack of availability of floorplans. The windows to the garage are not relevant for sunlight testing.
75. Whilst there are some instances of noticeable impact to these properties, it is noted that all of the affected residential properties would only experience impact to their street-fronting windows and rooms

and would continue to benefit from unaffected outlook to the rear, which includes the first floor flats above the retail units at ground floor. Furthermore, these properties are all within the BSWSA10: Elm Road site allocation and an aspiration for redevelopment of this area is set out within policy. Whilst the impact to these properties as existing is a material planning consideration, the designation sets an expectation of intensification for this area, and as such, with the degree of compliance with BRE guidance typically being much lower where built densities are higher. The impacts to these properties must be weighed against the regeneration benefits of the scheme, and a flexible approach should be applied in judging the impact as prescribed in the NPPF. This judgement is discussed below at paragraphs 84 - 87.

Impacts to the north

76. For 1-11 Elm Road, an extant planning permission (ref: 18/1592) for the re-development of the existing hotel building (into a new purpose built hotel) has been assessed for impact, as discussed above. 74 windows have been tested for VSC, and 40 (54%) of the 74 windows meet the VSC criteria. The 34 windows which fall short of the VSC criteria all experience minor adverse impact, with reductions in VSC that are no greater than 29% of the former value, which is only beyond the 20% guideline for noticeable impact to a minor extent. 70 rooms were tested for NSL impact, with just 2 of these rooms falling short of guidelines for noticeable impact. The magnitude of impact to these two rooms is only moderate, with reductions to the rooms being no greater than 33% of the former NSL value. In terms of sunlight, all 74 windows meet the BRE guidelines for sunlight impact that is unlikely to be noticeable.
77. For 13-17 Elm Road, 30 windows were tested for VSC and 13 (43%) would meet the BRE criteria for VSC impact whilst the other 17 (57%) would not. However, 4 of the windows to which the VSC impact is likely to be noticeable are secondary windows to habitable rooms and another 2 are to non-habitable rooms. As a result, only 11 of the 30 windows (37%) would likely be impacted to a noticeable extent, where that impact is to a primary habitable room window of a dwelling. However, all of the impact would be minor adverse, with there being no reductions in VSC beyond 29% of the former value. NSL testing was not undertaken owing to a lack of availability of floorplans. With regard to the sunlight impact, 26 of the 30 windows (87%) would meet the BRE criteria for sunlighting impact, whilst the other 4 (13%) would not. However, 3 of the windows for which the impact falls short of the guidance serve hallways / non-habitable rooms of the houses, resulting in just 1 window (the upstairs window above the front entrance to no 15) where this impact would be experienced to a habitable room. This room would see a major adverse impact to its probable winter sunlight hours but would retain BRE compliant sunlight exposure annually. The property would otherwise experience BRE compliant impact, and would continue to benefit from entirely unaffected rear outlook.
78. Whilst there are some instances of noticeable impact to these properties, it is noted that all of the affected residential properties are either hotel rooms (less sensitive uses) or are dwellinghouses that would only experience impact to their street-fronting windows and rooms and would continue to benefit from unaffected outlook to the rear. Furthermore, as with the properties to the west, these properties are all within the BSWSA10: Elm Road site allocation and an aspiration for redevelopment of this area is set out within policy. Whilst the impact to these properties as existing is a material planning consideration, the designation sets an expectation of intensification for this area, and as such, with the degree of compliance with BRE guidance typically being much lower where built densities are higher. The impacts to these properties must be weighed against the regeneration benefits of the scheme, and a flexible approach should be applied in judging the impact as prescribed in the NPPF. This judgement is discussed below at paragraphs 84 - 87.

Overshadowing to outdoor amenity spaces

79. The applicants have considered the impact to nearby outdoor amenity spaces. The relevant amenity spaces which are closest and which would warrant overshadowing testing is the rear garden of 31 St Johns Road to the west and the communal gardens serving 492-498 High Road to the east.
80. 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.
81. In relation to 31 St Johns Road's garden, 43.74sqm (87.18%) of the garden experiences at least 2 hours of sunlight on the 21st March at present. In the proposed scenario, 43.41sqm (86.53%) of the garden would experience at least 2 hours of sunlight on the 21st March. The reduction is negligible and remains

in excess of the BRE criteria for suitable levels of impact.

82. In relation to the communal amenity spaces at the rear of 492-498 High Road, 400.24sqm (63.29%) of the total amenity space experiences at least 2 hours of sunlight on the 21st March at present. In the proposed scenario, 373.9sqm (59.13%) of the total amenity space would experience at least 2 hours of sunlight on the 21st March. The reduction (~26sqm or 4% of the amenity space) is minor and the amenity space would continue to meet the BRE criteria for suitable levels of impact.
83. A third party commenter on the application considers that the full extent of the communal amenity space to 492-498 High Road has not been tested, asserting that the roofed area immediately to the north of 500 and 502 High Road constitutes amenity spaces. Officers do not agree with this, as it is clear that areas that were originally approved for this development as amenity space have not been implemented for this purpose. It is therefore considered that the areas tested (those to the rear of 492-498 High Road) constitute the appropriate areas for testing.

Summary

84. When considering impacts to habitable rooms of residential units (sensitive uses), and accounting for limiting factors of overhanging balconies to affected properties, the majority of potentially affected properties would comply with BRE guidance for impact. The only nearby properties for which impacts would not comply with BRE guidance are: to 21 windows to 492-498 High Road, to 2 windows to 502 High Road, to 2 windows to 504 High Road, to 13 windows and 3 rooms to properties along St Johns Road and to 11 windows and 1 room to properties along Elm Road. However, with the exception of 1 window to 504 High Road, 8 windows and 2 rooms to St Johns Road properties, and 1 room at 15 Elm Road, all of these impacts would be minor adverse (less than 30% reductions from the existing scenario). In addition, in most cases, the impact would be to the front aspect of a home which benefits from an unaffected rear aspect. Furthermore, all but two (502 and 504 High Road) of the surrounding properties would comply with the standards for acceptable enclosure, and all properties would comply with the standards for privacy, as set out within Brent's SPD1.
85. These impacts must be weighed against the regeneration benefits of the scheme, which includes a significant provision of Social Rent homes and family homes, as well as an improved pedestrian public realm and a new retail unit with active frontage. Paragraph 125 of the National Planning Policy Framework (NPPF), states that 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)"*.
86. The growth area designation, which envisions significant housing growth within the locality of the site is given significant weight. The expectation for significant development within this housing zone and growth area, as well as the adjacent site allocation, would naturally reduce the expectations for full compliance with the daylight and sunlight guidance for development in this location.
87. On balance, officers consider that the (generally minor) impacts to neighbouring sites 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.

Quality of residential accommodation

88. Policy D6 of London Plan together with policy DMP1 in Brent's Local Plan require developments to achieve high quality standards of internal amenity and quality of accommodation.

Layout and Internal Design Quality

89. The proposed building would have a single core accessed from the Elm Road frontage to the north. The core would provide access to 79 homes (14 x 1B2P, 25 x 2B3P, 20 x 2B4P, 15 x 3B5P, 5 x 3B5P), located between the first and seventeenth floors. All of the homes meet minimum internal space standards.
90. At upper floors, there are 6-7 homes per floor served by the single central core which reduces to 4 per

floor from level 5 upwards. The Mayor's Housing SPG generally advises against the provision of homes with more than 8 flats per floor per core as this can be less beneficial in achieving community cohesion, the scheme does not breach this guidance, with a maximum of 7 flats per floor per core proposed.

91. 74 of the 79 homes (94%) would have dual aspect outlook, with the 5 single aspect homes comprising 3 x 1 bed homes and 2 x 2 bed homes at the 1st to 4th floors. Between the 2nd and 4th floors, a section of deck accessed communal corridor enables a through aspect to 6 of the 1 bed flats. All of the family homes in the development would have dual aspect outlook. The proportion of dual aspect homes is very high and is strongly welcomed.
92. The first 5 floors (which incorporates all of the accommodation in the lower shoulders of the building) would accommodate the 31 Social Rent homes, 15 of which would be family homes, 14 of which would be 1 bed homes and 2 of which would be 2 bed homes. Floors 6 to 17 would accommodate the 48 Shared Ownership homes, 5 of which would be family homes and 43 of which would be 2 bed homes.
93. Residents would have access to the bin and bicycle stores from the ground floor, both internally from the core and from a separate secondary access adjacent to the main entrance, principally intended for bicycle users to wheel their bicycles out the internal bicycle storeys without interfering with general circulation.
94. All residents would have access to two rooftop gardens, one that is set across the first and second floor levels, but which is accessible at first floor level (with a young child play focus) and one accessible at fifth floor level (with an older child play focus). The two gardens would be well overlooked by the residential windows extending above.
95. As discussed in previous sections, the ground floor plane is considered to be highly positive and the communal entrance is clearly defined and expressed within the wider streetscape, giving future residents a strong sense of arrival and belonging.

Accessibility

96. 10% of the homes which equates to 8 dwellings out of 79 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 D7 of the London Plan requires 10% of new homes to meet the M4(3) fit out and the remainder to meet the M4(2) fit out. This has been achieved in this instance with 8 of the homes in the Social Rent tenure being designed for this standard. Standard M4(3) wheelchair user dwellings distinguishes between 'wheelchair accessible' (a home readily usable by a wheelchair user at the point of completion) and 'wheelchair adaptable' (a home that can be easily adapted to meet the needs of a wheelchair user). Planning Practice Guidance 31 states that Local Plan policies for wheelchair accessible homes should only be applied to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling, otherwise M4(3) dwellings should be wheelchair adaptable.
97. The applicants' plans demonstrate how the proposed development would meet the above requirements, so that the accessible homes are wheelchair accessible at the outset. The plans show how wheelchair users have been incorporated into the scheme, with indicative layouts for each flat shown
98. Step-free access would be provided to all parts of the development including the first floor and fifth floor communal amenity spaces. This would not include the smallest amenity space at the second floor, which is accessible from a stepped access in the first floor amenity space. This is not ideal, but the constraints of the site are understood and it is welcomed that the majority of the communal amenity spaces would be step free accessible.
99. The specification of the homes as 8x M4(3) and 71x M4(2) is to be secured by condition. The condition will specify that the M4(3) flats are to be 'wheelchair accessible' from the outset.

Privacy

100. The proposal is designed as such that there would be no instances of privacy being compromised between different homes within the development. However, there is the potential for privacy to be breached between the communal parts of the development and some of the homes, with these instances being discussed below.
101. Six of the flats (two per floor between the 2nd and 4th floors) are accessed from a deck which has an

exposed side looking towards the first floor communal amenity space. This arrangement enables a secondary aspect for these six homes but does result in windows being positioned immediately onto a communal part of the development, without any defensible space. Nonetheless, per floor, the decked areas only provide access to one other flat beyond the two affected flats, which is unlikely to result in a material loss of privacy or use of the deck access by a high number of residents unfamiliar to the occupants of these flats. Furthermore, these flats have been designed so that non-private spaces are adjacent to the deck, with one flat per floor having its entrance hall, and kitchen overlooking the communal deck and the other flat per floor having its entrance hall and an obscure glazed bathroom window fronting onto the deck. The main living and bedrooms spaces of the flats are away from the communal deck and utilise the flat's other aspect.

102. The shared amenity space podiums would be overlooked by residential homes that face onto the podium at the same level and at levels above the podium. The private amenity spaces serving homes at podium level are located at the edges of the podiums. The gardens are designed with inaccessible, defensible edges to establish a suitable privacy relationship between the podiums and the adjacent residential units windows and amenity spaces, which addresses potential privacy concerns in this context.

Outlook

103. All flats will benefit from excellent outlook, with all dual aspect flats having outlook in two directions, either both to the public realm along Elm Road and/or St Johns Road or one to the public realm and one to the communal garden spaces. All of the single aspect flats will have suitable west facing outlook to the St Johns Road frontage (ensuring exposure to afternoon/evening sunlight) and none of the flats would have sole north or south facing outlook, which, particularly in the case of the former, is resisted in the Mayor's Housing SPG as it can lead to poor levels of sunlight exposure.

104. The 2b4p flat to the sixth floor would have outlook to the east and the south. Whilst this flat's southern outlook would be unobstructed, the outlook to the east would be across the 6 storey shoulder of the building to the neighbouring site beyond it. The windows to that east elevation would look towards the neighbouring site's boundary at a distance of 5.5m to 6.5m. Whilst the outlook beyond the boundary is unobstructed and therefore of high quality, the part of the outlook that is more than 5.5m to 6.5m from the windows would be across a neighbouring site, which could be re-developed in the future. As such, only a 5.5m to 6.5m distance of unobstructed outlook to these windows can be guaranteed in the long-term future. A shorter distance of separation applies to a secondary bedroom window at the lower floors. To address this concern, the applicants have altered the scheme so that there is only one habitable room with sole eastern aspect to these flats, and, for the one bedroom per flat that remains with sole outlook to the east, a revised building footprint has been proposed at the upper levels to enable a south primary aspect to these bedrooms and an obscure glazed secondary aspect to the east. The primary aspect to the south for the affected bedroom per floor would be into a void space, which would enable a slightly obscured but reasonable outlook to the bedroom. This has fully addressed the concern relating to the reliance on the neighbouring site for outlook, whilst retaining a good quality design. Other flats also benefit from outlook to the east across 492-498 High Road (at a similarly close distance), however, all the affected rooms to these flats benefit from a primary source of outlook in a different direction (as has now been achieved for the 2b4p flat with eastern and southern outlook) and therefore obscure glazing of the windows looking towards 492-498 High Road could be achieved without compromising the quality of accommodation. This will also be applied through condition. As discussed above, in the 'Privacy' section, obscure glazing will also be applied to south facing windows to the southernmost flat across the 2nd, 3rd and 4th floors to protect privacy, however this will also have the effect of protecting development potential of the neighbouring sites fronting High Road. The southern edge of the balconies serving these flats would also be screened for the same reason, and details of this screening would be secured by condition.

Internal Daylight and Sunlight

105. 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 (ADF) criteria and the No Sky Line (NSL) criteria. The ADF gives a more detailed assessment of the daylight within a room than the Vertical Sky Component (VSC) test and takes into account a higher number of factors in establishing a quantitative output. ADF testing is achievable because a lot of information about the rooms being tested is known. This method of assessment takes into account the total glazed area to the room, the transmittance quality of the glazing proposed, the total area of the room surfaces including ceilings and floors, and the internal average reflectance for the room being assessed. The method also takes

into account the VSC and the quantum of reflected light off external surfaces. Different benchmarks can be applied based on how much light a room needs, with a 2% benchmark ADF score applied to kitchens, a 1.5% benchmark ADF score applied to living rooms and a 1% benchmark ADF score applied to bedrooms.

106. The No Sky Line (NSL) test can be used in tandem with ADF to confirm the proportion of a room from which sky would be visible and to ensure that a good ADF result is not just concentrated in a small part of the room. A visible sky from more than 50% (NSL of 50%+) of the room can be considered a good result in this context.
107. In relation to sunlight, the probable sunlight hours (APSH/WPSH) testing is applied and sets out that that a room would be reasonably sunlit when at least one main window faces within 90 degrees of due south, and the centre of at least one window to a main living room can receive 25% of annual probable sunlight hours, including at least 5% of annual probable sunlight hours in the winter months between 21 September and 21 March.
108. The report concludes that 235 out of 250 (94%) rooms assessed would meet or exceed their ADF benchmark score for daylight. It is also noted that the 15 rooms falling short of the ADF benchmark have balconies above them, and that, in the absence of the balconies, 100% of the rooms would meet or exceed their ADF benchmark score for daylight. Given that the balconies provide amenity benefits to residents, they are to be retained, but the high level of compliance for daylight in spite of this is acknowledged as positive. In terms of the distribution of light received by rooms, the applicant's skyline contour plans indicate that just one room would see daylight distribution (NSL) to less than 50% of its area, this being the bedroom serving a 1b2p flat on the first floor of the development.
109. In terms of sunlighting, 67 of the 79 (85%) of the flats have a living room which faces within 90 degrees of due south and 39 of those flats (49% of the overall flats / 58% of the flats with windows facing within 90 degrees of due south) have a living room window which meets the sunlighting target within the BRE. The proposed development has a good site layout design which has maximised sunlight availability as far as practically possible given the constraints.
110. Overshadowing assessments to the first floor, second floor and fifth floor communal gardens have also been undertaken and the results show that all rooftop gardens exceed the BRE recommendation of at least 50% of the garden receiving 2 hours of sunlight on 21st March. The proportion of the amenity spaces achieving the 2 hours of sunlight is lowest at the first floor garden (64%) but substantially higher for the second floor and fifth floor gardens.
111. Overall, the proposed development is considered to perform well against the recommended guidance. Considering the town centre setting and urban context of the scheme, the internal daylight and sunlight levels are acceptable.

Amenity Space

112. Policy BH13 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 is normally expected to be 50sqm per home for family housing (3 bedrooms or more) situated at ground level and 20sqm for all other housing."

113. 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 20qm per home and 50sqm for family housing situated at ground level, that is not an absolute policy requirement in all cases. This is reinforced by the supporting text to the policy (para. 6.2.98) 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".

114. 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 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.

115. Each flat would be provided with a generous private balcony space of between 5.2sqm and 11.5sqm, with larger balconies generally being provided to larger flats. Most of the balconies would be situated at corners of the building, benefitting from dual aspect outlook. Some of the family units would benefit from two balconies, affording these flats between 14sqm and 16.7sqm of combined private amenity space. One of the flats on the sixth floor would benefit from a large 50sqm terrace atop the six storey shoulder of the building fronting Elm Road. All of the private amenity spaces are London Plan compliant, exceeding the minimum space standards for their occupancy and all being at least 1.5m deep to ensure a high level of usability.

116. In addition to the private amenity space provision, the building's residents would benefit from access to communal amenity spaces across the first (177sqm), second (43sqm) and fifth (212sqm) floors of the development. The communal amenity spaces together provide 432sqm of amenity space. All residents, regardless of tenure, would have access to all of the amenity spaces.

117. The proposal would also deliver new landscaping amenity improvements to the public realm at ground floor. Whilst not constituting private or communal amenity space to residents alone, these improvements are a benefit of the scheme.

118. Overall, the amenity space provision, and associated shortfalls below BH13 is set out in the tables below (all in sqm):

First floor	Policy Requirement	Private Balcony	Shortfall
Main shoulder – NW corner unit	20	9	11
Main shoulder – NE corner unit	20	15.6	4.4
Main shoulder – SW corner unit	20	7.8	12.2
Main shoulder – SE corner unit	20	8	12
Secondary shoulder – North unit	20	7.1	12.9
Secondary shoulder – South unit	20	14	6
Total units (x6)	120	61.5	58.5

Second floor	Policy Requirement	Private Balcony	Shortfall
Main shoulder – NW corner unit	20	9.1	10.9
Main shoulder – NE corner unit	20	15.7	4.3
Main shoulder – SW corner unit	20	9	11
Main shoulder – SE corner unit	20	7.8	12.2
Secondary shoulder – North unit	20	6	14
Secondary shoulder – Central unit	20	5.2	14.8
Secondary shoulder – South unit	20	7.4	12.6
Total units (x7)	140	60.2	79.8

Third to fourth floor	Policy Requirement	Private Balcony	Shortfall
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Main shoulder – NW corner unit (x2)	20	9.1	10.9
Main shoulder – NE corner unit (x2)	20	16.2	3.8
Main shoulder – SW corner unit (x2)	20	9	11
Main shoulder – SE corner unit (x2)	20	7.8	12.2
Secondary shoulder – North unit (x2)	20	5.9	14.1
Secondary shoulder – Central unit (x2)	20	5.2	14.8
Secondary shoulder – South unit (x2)	20	7	13
Total units (x14)	280	120.4	159.6

Fifth floor	Policy Requirement	Private Balcony	Shortfall
Main shoulder – NW corner unit	20	9.1	10.9
Main shoulder – NE corner unit	20	15.8	4.2
Main shoulder – SW corner unit	20	9.1	10.9
Main shoulder – SE corner unit	20	7.6	12.4
Total units (x4)	80	41.6	38.4

Sixth floor	Policy Requirement	Private Balcony	Shortfall
Main shoulder – NW corner unit	20	9.1	10.9
Main shoulder – NE corner unit	20	9.1	10.9
Main shoulder – SW corner unit	20	9.1	10.9
Main shoulder – SE corner unit	20	60.1	0
Total units (x4)	80	87.4	32.7

Seventh to Seventeenth floors	Policy Requirement	Private Balcony	Shortfall
Main shoulder – NW corner unit (x11)	20	9.1	10.9
Main shoulder – NE corner unit (x11)	20	9.1	10.9
Main shoulder – SW corner unit (x11)	20	9.1	10.9
Main shoulder – SE corner unit (x11)	20	6.9	13.1
Total units (x44)	880	376.2	503.8

All floors	Policy Requirement	Private Balcony	Shortfall	Communal Spaces	Cumulative Shortfall	% of req
Total units (x79)	1580	747.3	872.8	432	440.8	72%

119. The summary position is that:
120. 45% of the required amenity space provision is achieved through the provision of private balconies
121. 72% of the required amenity space provision is achieved through the provision of private balconies and communal gardens
122. It is welcomed that amenity space provision has been reasonably maximised across the development, utilising most of the rooftop space where possible and incorporating public realm amenity improvements. The site is a relatively short distance from King Edwards Park (approximately 430 m) which provides a large, good quality area of public open space. On balance, the proposed amenity space provision is acceptable despite its shortfall against policy.

Playspace provision

123. London Plan Policy S4 requires development proposals to make provisions for play and informal recreation based on the expected child population generated by the scheme. Further detail is provided in the Mayor's 'Shaping Neighbourhoods: Play and Information Recreation' Supplementary Planning Guidance (SPG), which sets a benchmark of 10sqm of usable child place space to be provided per child and makes clear that playspace must not be segregated by tenure.
124. The child yield of the development is projected as:
- 19.5 children aged 0-4 (195sqm of playspace needed)
 - 15.6 children aged 5-11 (156sqm of playspace needed)
125. 12.4 children aged 12+ (124sqm of playspace needed)
126. The applicants have set out a play space strategy which provides on-site play spaces aimed at children aged 0-4 and 5-11.
127. The applicants have incorporated a ~60sqm play space for children aged 0-4 on the first floor communal amenity space. The landscaping plan demonstrates that a climbing wall, balancing posts and beams, springer play equipment, spinning play equipment as well as a tunnel slide (accessed from the stairs between the first floor and second floor amenity space) would be provided to serve this space. The space would be provided atop a soft play surface and mounded artificial grass.
128. The applicants have also incorporated a ~40sqm play space, comprising all of the 2nd floor amenity space, as under 12s play. This area would be less equipment heavy than the younger children's play space and would have more of an incidental play focus atop a paved surface. A final play space, also for children under 12, is proposed in a 30sqm grassed area atop the 5th floor amenity space, incorporating a balancing beam and stepping stones.
129. The play spaces are clearly of high quality design and have good variety, although the total quantitative provision (~60sqm for 0-4 and ~70sqm for 5-11) is acknowledged as falling short of the targets set out in S4, particularly in respect of children aged 12+, for whom there would be no on-site provision. However, in offsetting this, it is noted that the proposal is in close proximity to King Edward VII park, the entrance of which is 400m to the north of the development site, further up St Johns Road. Barham Park, whilst not as accessible, is also within a 900m walk to the west of the development site along High Road / Harrow Road.
130. In acknowledgement of the shortfall in play space provision for older children and the proximity of King Edward VII park, officers have secured a contribution from the developer (amounting to £20,000) to fund the supply, installation and maintenance of up to five items of play equipment for older children upslope of King Edward VII park's existing younger children's play area. This would be secured through the Section 106 agreement and would enable the delivery of an alternative play offer for older children of both the development and the wider community.
131. Further details of the play spaces and their individual features will be secured through a landscaping condition.
132. The play space provision is high quality and demonstrates good variety, although falls below policy requirements in terms of overall quantity and in respect of providing older children's play spaces. It is

welcomed that the applicant has focussed provision of younger children's play spaces on site, has spread the spaces across different parts of the site and that the applicant has reasonably maximised play space whilst still reserving some areas of the communal gardens for general recreational amenity. In offsetting the play space shortfall, officers welcome the applicant's £20,000 contribution towards the provision of older children's play equipment in King Edward VII park. On the above basis, officers consider that the play space provision of the scheme is acceptable.

Landscaping provision and Urban Greening

133. The applicant proposes a comprehensive landscaping strategy, seeking to implement improved landscaping and sustainable urban drainage (SuDS) planting along both the Elm Road and St Johns Road frontages, at the roadside edges of the footways.
134. Both the Elm Road and St Johns Road frontages are already well planted in terms of street trees. The applicant seeks to remove one low amenity value (category C) cherry tree along St Johns Road to enable realignment of the kerb as part of the highways works, but this tree is already damaged by vehicle collisions and the loss of the tree will be offset by the planting of two new trees of a similar size further along St Johns Road, adjacent to another cherry tree (which is to be retained). All other trees close to the site are to be retained and protected from damage during construction, this includes a high quality mature alder tree at the junction of Elm Road and St Johns Road.
135. Other proposals in the form of hard landscaping improvements to deliver an improved road junction and raised table also form part of the landscaping plan and are discussed elsewhere in this report.
136. As a result of the soft landscaping proposals, the applicant's urban greening factor (UGF) compared to the existing is 0.42, which is compliant with London Plan policy G5, which seeks a UGF of at least 0.4 for predominantly residential developments. The Urban Greening factor has been achieved through the greening of the site through both roof terraces and ground floor public realm and the incorporation of flower-rich perennial planting and climber planting.

Transport and highways

Site Context

137. The site is bounded by St Johns Road and Elm Road. St Johns Road is a local one-way (southbound) access road. It has an approx. 5m wide footway from the building to the carriageway, apart from an inset bay for motorcycle parking. There is a single yellow line on the eastern side of the carriageway, with permit / pay and display bays on the western side. Elm Road is a local access road with a parallel one-way (westbound) service road on its southern side, providing access to buildings and a Council pay and display car park with 8 spaces. Neither St Johns Road nor Elm Road are heavily parked at night. The roads are in Controlled Parking Zone 'C', which applies permit only restrictions between 8:00am and 6:30pm, Monday to Saturday.

Car Parking

138. As the site lies within a high PTAL area (6a), the car parking standards, as set out within the London Plan, are for the development to be 'car free' (excluding disabled parking requirements). The existing office, having a floor area of about 1,357m², is allowed three car parking spaces and with no off-street parking being available, maximum standards are complied with. No off-street car parking is again proposed, so maximum allowances are complied with.
139. Policy BT2 requires consideration to be given to the impact of overspill parking on-street. In this regard, as the site is in a CPZ, Transport would require all residents to be prevented from obtaining parking permits. This will be secured through a permit restriction in the Section 106 Agreement.
140. Under London Plan standards, the proposals require up to seven disabled parking spaces, with a minimum of 2.4 spaces being in place from the start. In order to meet this requirement, it is proposed to convert some of the existing spaces within the parking area along Elm Road to provide two disabled parking spaces. However, it should be noted that no disabled spaces will be provided until a request is received from a future resident for a dedicated space. In the meantime, any Blue Badge holding resident would still be eligible to purchase on-street parking permits, as they would be automatically exempt from the 'car-free' agreement. On that basis, the provision of blue badge car parking spaces will not be secured by condition in this instance, as they are intended to be delivered only according to bespoke

need.

141. Transport for London (TfL) have requested that a Parking Design and Management Plan and Electric Vehicle Charging Points are secured by condition. However, given the nil provision of parking at the outset, and with the blue badge bays being provided on public highway land by the Highway Authority (and only when necessary), it is not considered that these conditions need to or should be applied.

Cycle Parking

142. The proposals would require a minimum provision of 151 long-stay and 4 short-stay cycle parking spaces, in accordance with the London Plan requirements. The proposals include 152 cycle parking spaces, with 8 of them being suitable for accessible cycles, which complies with standards in terms of quantum. The cycle parking would be provided in large cycle stores at ground floor and be comprised of Josta two-tier stands.

143. Suitable visitor and short-stay cycle parking for the residential and commercial uses are proposed to be provided in the form of Sheffield Hoops on the public highway along St Johns Road, close to the commercial unit entrance.

144. In respect of the long-stay residential cycle parking, there are concerns about the usability of the cycle parking on the basis of the spacing shown in the plans and a revised arrangement that complies with the London Cycle Design Standards, as required by policy T6, would be sought. This can be secured by condition.

Delivery Servicing

145. Servicing standards for the commercial unit are set out in the appendices of the Local Plan. The proposal needs to be serviced by at least a transit-sized vehicle. The applicants have submitted a Delivery & Servicing Plan (DSP) which proposes that the site would be serviced from the existing lay-by along the east side of St Johns Road. The existing lay-by is partly occupied by a designated motorcycle parking area and the transport proposals seek to relocate this motorcycle parking to a location on the west side of St Johns Road, thus freeing up the lay-by to be used exclusively as a servicing space. The lay-by is large enough to accommodate two transit-sized vehicles at one time. This strategy is considered to be acceptable and the proposed location is agreed as optimal given the constraints of the site. The proposal would not be detrimental to highway flow and/or safety.

146. The details of likely delivery and servicing numbers as well as a wider strategy for managing deliveries will be secured through a condition requiring the submission of a revised DSP, to be approved prior to occupation of the development.

147. TfL request that servicing is achieved on-site to align with the aspirations of policy T7, however given the constraints of the site, and the detriment to the scheme that would occur if part of the frontage were delivered as a vehicle portal, Brent would resist this request. It is considered that on-street servicing could occur safely and without disruption and would be the optimal solution for this proposal.

Refuse Servicing

148. The proposals would require a minimum refuse storage capacity of 19,080l, split evenly between recyclable waste and residual waste. This would result in over 17 x 1,100l Eurobins being required. Seventeen are proposed to be provided, along with food waste bins.

149. The applicant's transport strategy seeks to utilise the Elm Road Service Road for the residential refuse bins to be collected. This would enable a straightforward collection from the bin stores fronting Elm Road, across an acceptable carrying distance. The refuse vehicle would obstruct parking circulation space in the Service Road, but this would be for a very short period on a once weekly basis, which is considered to be acceptable. Commercial refuse collections (as privately arranged by the applicant) would likely be made from the St Johns Road lay-by, which is adjacent to the commercial bin storage.

Trip Generation

150. The Transport Statement also includes trip generation figures, based on surveys in the TRICS database. This predicts that the flats would result in an all-person trip rate of 11 arrivals/50 departures in the AM peak and 40 arrivals/19 departures in the PM peak. Of these, the vehicle trips are predicted at 13

in the morning peak and 15 in the pm peak. These figures do not take into account the 'car-free' nature of the development though, so are considered higher than expected in practice.

151. The TRICS analysis should also be used to assess the requirement for public transport capacity improvements, although it is for TfL to consider whether they require public transport impact to be assessed in more detail or not. In this instance, TfL highlight that the bus network in Wembley requires capacity mitigation due to the significant growth in the area. A bus contribution is to be requested by TfL on that basis, which will be calculated based on the additional demand generated by the development, expressed as a proportion of the overall capacity of a double-decker bus (75 passengers) and the total cost to provide an additional bus over a period of 5 years (£487,500). This amount, once agreed, will be secured through the Section 106 Agreement.

Active Travel Zone Assessment and Highway Works

152. The applicant has also submitted an Active Travel Zone Assessment, which has assessed the quality of pedestrian trips to important trip generators within the vicinity of the site. This makes recommendations for improvements, such as footway resurfacing and vehicle reduction.

153. It was recommend during pre-application discussions that improvements to the pedestrian realm outside the site at the junction of St John's Road with Elm Road should be made. The Transport Statement includes proposals for improvements to this junction, as well as other public realm improvements, that are acceptable in principle. In order to obtain service vehicle tracking, it is proposed to remove three standard car parking spaces from St Johns Road. The works proposed are as follows:

- Delivery of raised table at the junction of Elm Road, St Johns Road and Ecclestone Court, extending across the western part of Elm Road service road;
- Provision of tactile paving along pedestrian crossing desire lines to each of the arms of the junction;
- Narrowing of carriageway to Ecclestone Court arm of junction (this is not shown on the submitted plan but would be secured as part of the schedule of works);
- Relocation of motorcycle parking to west side of St Johns Road;
- Provision of on-street blue badge parking bays;
- Removal of parking bays on west side of St Johns Road opposite Elm Road Service Road;
- Provision of Sheffield Hoops;
- Alterations to junction radii;
- Strip of footway adjacent to carriageway on east of St Johns Road to be de-paved and replaced with planter bed incorporating two new street trees;
- Section of footway surrounding Alder Tree at junction of St Johns Road and Elm Road to be de-paved and replaced with planter bed, ensuring a paved footway is retained adjacent to carriageway;
- All associated lining, signing, drainage and Traffic Regulation Orders; and
- Other ancillary or accommodation works or works to alter or adjust statutory undertakers equipment in the land necessary as a result of the items above.

154. The latest proposals for these works under drawing number 3676A-LBA-XX-00-DR-L-200002 P9 are to be secured through a Section 106 obligation. The above schedule of highway works will also be secured

as part of this.

Travel Plan

155. The applicants have submitted a Travel Plan which provides a suitable suite of incentives to encourage modal shift towards active travel among residents of the development. This includes an offer of 3 years free membership to a local car club for each household. It has been confirmed that the local car club operator has sufficient provision in the local area to support the residents of this development without an additional bay needing to be proposed at this site. This obligation would be secured in the Section 106 Agreement.
156. As part of the proposed package from Zip Car, incentives of £50 + VAT driving credit would be offered to each household to promote the scheme and increase patronage. This incentive would be provided independently by Zip Car and hence would not form part of the Section 106 agreement.
157. Through their Travel Plan, the applicants also propose to offer a personalised journey planning service for residents. This would involve the provision of detailed end-to-end journey advice for specific journeys upon request, providing a greater level of convenience and confidence for less experienced travellers, and for those who may be less confident using web-based journey planning for example.
158. The Travel Plan's modal shift targets cover 1 year, 3 year and 5 year intervals as required, which are appropriately ambitious. The targets are that no resident journeys to/from the site will be undertaken as a car driver or passenger (with the exception of journeys undertaken by blue badge holders) after 1 year of operation through until at least 5 years from operation.
159. The Travel Plan, inclusive of revised targets as above, (and monitoring of it) is to be secured by Section 106 Agreement.

Construction Logistics

160. Finally, the applicants have submitted a Construction Logistics Plan (CLP), although it is considered that this is limited in detail. The CLP does indicate that the location best suited for construction vehicle parking would be where the motorcycle parking is currently located in the inset bay along St. John's Road. Transport would expect that this facility is temporarily re-provided elsewhere unless and until the highway works to permanently re-locate it are undertaken.
161. In addressing this, a revised CLP is to be secured by condition, to be submitted and approved prior to the commencement of the development.

Environmental Health Considerations

Air quality

162. 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 and the GLA's air quality team. The initial submission was not undertaken utilising dispersion modelling, which would predict the air quality levels at the facades of the proposed building. A revised air quality assessment which incorporates dispersion modelling methodology has now been submitted by the applicant and is currently under review by Brent's regulatory services team. Once the methodology and conclusions of the revised report are agreed, the revised report will be secured by condition.
163. Due to the proposed building emissions and transport emissions being zero, the development has been confirmed as air quality neutral, in line with the requirements of London Plan policy SI1.

Construction noise and nuisance

164. 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.

165. 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 and the GLA has recommended a condition requiring a Construction Environmental Method Statement to be submitted for approval before works start. This report will need to include management of dust through wheel washing and other mitigation measures.
166. 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 policy SI1(d).

Contaminated land

167. The applicant has submitted an initial site investigation report and this has been reviewed by the Council's Regulatory Services team. The report concludes that there is no risk of land contamination at the site to be redeveloped and at the surrounding area. These conclusions are agreed by the Council's regulatory services. Officers are satisfied that the proposals are acceptable in respect of land contamination and that no further work or planning conditions are necessary in relation to this matter.

Noise

168. The applicant has submitted a Noise and Vibration Impact Assessment that considers the potential emissions of noise and vibration from construction and the noise and vibration levels within residential dwellings once completed as a result of external noise levels and the proposed noise mitigation measures within the dwellings. The report confirms that it is possible to construct a building that will provide acceptable internal ambient conditions, with standard construction methods and readily available materials. The report has offered specific advice for the acoustic design of the external fabric of the building, including glazed elements, ventilation and main structural elements in achieving this.
169. The Council's Regulatory Services have reviewed this assessment and deem it suitable and therefore, provided the mitigation measures are installed, the scheme is acceptable in terms of noise considerations. The report also confirms that plant machinery on the building would not incur unacceptable noise pollution to surrounding properties.
170. The Noise and Vibration Impact Assessment is to be conditioned.

Sustainability and energy

Policy background

171. Planning applications for major development are required to be supported by proposals for sustainable design that accord with various policies in the Brent Local Plan and the London Plan. This is designed to demonstrate, 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 (SI 5) and the use of sustainable drainage (BSU14).
172. Major residential and non-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 SI2. For the residential parts of the development, the policy also requires at least 10 percentage points of the minimum 35 percentage point reduction to be attributable to energy efficiency measures (known as 'be lean' measures) and for the commercial parts of the development, the policy requires at least 15 percentage points of the reduction to be attributable to 'be lean' measures. An Energy Assessment is required, clearly outlining how these standards would be achieved and identifying, where necessary, an appropriate financial contribution to Brent's carbon-offsetting fund to compensate for residual carbon emissions.
173. Major developments incorporating at least 1,000sqm of non-domestic floorspace are expected to be delivered to a BREEAM 'Excellent' standard of sustainable design. However, the size of the non-domestic floorspace is such that this is not a requirement of the development.

Carbon emissions

174. The energy assessment submitted sets how the London Plan energy hierarchy has been applied. At the 'be lean' stage of the hierarchy, applicants must achieve carbon emissions savings through passive

energy saving measures. For this proposal, the applicants have used high specification fabric, energy efficient services to minimise energy demand and the use of mechanical ventilation with heat recovery (MVHR).

175. For the 'be clean' stage, the applicants explored the potential to connect to a district heat network (DHN). Whilst relatively close, there is little feasibility to connect to the Wembley Park heat network as a railway separates the site from it. There are a number of smaller communal systems along Wembley High Road however, these are gas Combined Heat Power (CHP) systems and are unlikely to have sufficient capacity to connect. There are currently some high levels discussions on the potential for a heat network in Wembley High Road. On that basis, the development should ensure that it is designed to allow future connection to a heat network. The connection has been allowed for by the applicants and will be secured by condition. Nonetheless, in the absence of a connection to a DHN, the development will not achieve any carbon savings through the 'be clean' stage of the hierarchy.

176. For the 'be green' stage, applicants are required to maximise the use of onsite renewable technologies in further reducing carbon emissions. The applicants propose to utilise the roof of the main central part of the building to accommodate air source heat pumps, which would provide heating and hot water for all of the dwellings. A number of other renewable technologies were considered for inclusion, and photovoltaic panels were considered to be feasible for inclusion, with an array of such panels being proposed across the remainder of the roof. An array of 43 panels, producing 14,620 kWh of energy is proposed to be installed.

177. The assessment demonstrates that the residential scheme would deliver a 65% reduction in carbon emissions below the 2013 Building Regulations baseline, which is broken down into the following site-wide elements below:

	Regulated emissions CO2 p.a	Saving in regulated emissions CO2 p.a	% reduction
Baseline Building Emissions based on Part L 2013	84.3	n/a	n/a
Building Emissions following 'Be Lean' measures	71.2	13.1	15.5%
Building Emissions following 'Be Clean' measures	71.2	0	0%
Building Emissions following 'Be Green' measures	29.1	42.1	49.9%
Total		55.2	65.4%

178. The assessment demonstrates that the commercial scheme would deliver a 40% reduction in carbon emissions below the 2013 Building Regulations baseline, which is broken down into the following site-wide elements below:

	Regulated emissions CO2 p.a	Saving in regulated emissions CO2 p.a	% reduction
Baseline Building Emissions based on Part L 2013	3.0	n/a	n/a
Building Emissions following 'Be Lean' measures	2.2	0.8	26.7%
Building Emissions following 'Be Clean' measures	2.2	0	0%
Building Emissions following 'Be Green' measures	1.8	0.4	13.3%

Total		1.2	40%

179. The scheme would have a residual emissions amount of 56.4 tonnes of CO2 per year and would significantly exceed the baseline requirements in SI2 for both residential and commercial carbon savings, including exceeding the minimum reductions within 'be lean'. A carbon offsetting payment of £95 per year for 30 years for each tonne of emitted regulated carbon is to be secured from the developer in line with London Plan policy. This would amount to £160,740. The offsetting payment for this scheme would be secured in the s106 agreement.

180. A commitment has been provided that the development will be designed to enable post construction monitoring and that the information set out in the 'be seen' guidance is submitted to the GLA's portal at the appropriate reporting stages. This will be secured through the s106 Agreement.

Sustainable design

181. 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, as is required by London Plan policy SI5.

182. With regard to overheating, the applicants have submitted an overheating report setting out a number of measures being used to achieve the requirements of London Plan Policy SI4.

183. A Whole Life Cycle (WLC) Carbon Assessment has been provided, as required by London Plan policy SI2, demonstrating whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrating actions taken to reduce life-cycle carbon emissions. The applicants have noted that the use of timber-aluminium composite windows in place of aluminium framed windows could reduce carbon emissions by 1.56% over a 60 year period and will incorporate the change. Another change is in relation to the use of cement replacements within concrete applications, replacing 40% of cement binders with a recycled alternative. This could reduce carbon emissions by 12.5% over a 60 year period and the option will be explored with the project structural engineer going forward. The GLA are set to comment on the WLC ahead of the Stage 2 referral. By undertaking a WLC, and engaging with Circular Economy, the development has demonstrated (subject to further Stage 2 consideration by the GLA) that options for reducing carbon emissions has been considered and implemented where feasible.

184. A Circular Economy statement has been submitted, as required by London Plan policy SI7, demonstrating:

- How demand for materials will be minimised.
- How secondary materials can be used.
- How new materials are being specified to enable their reuse.
- How construction waste will be minimised and how much waste the proposal is expected to generate, and how and where the waste will be managed in accordance with the waste hierarchy.
- How the proposal's design and construction will enable building materials, components and products to be disassembled and re-used at the end of their useful life.
- Opportunities for managing as much waste as possible on site.
- Adequate and easily accessible storage space to support recycling and re-use; and,
- How much waste the proposal is expected to generate, and how and where the waste will be handled.

185. The GLA is reviewing this statement and will provide comments in due course. Any concerns raised by the GLA can be addressed as part of a Stage 2 referral. It is likely that the GLA will recommend a condition securing the WLC submissions at Stage 2 referral. In anticipation of this, a condition relating to

WLC has been applied accordingly.

186. In relation to carbon emissions and sustainable design, the GLA has sought points of clarification on the strategy and these are currently being addressed by the applicant ahead of a Stage 2 referral.

Flooding and Drainage

187. The site is entirely in Flood Zone 1, which is the lowest category for flood risk. On that basis, and given the small size of the site, a Flood Risk Assessment is not necessary for submission and policies BSUI3 in the Local Plan and SI12 in the London Plan, which relate to flood risk, are not applicable.

188. Policy SI13 in the London Plan requires major developments to implement sustainable drainage (SuDS) techniques, in line with the drainage hierarchy. Policy BSUI4 in Brent's Local Plan requires all developments to incorporate SuDS techniques and to ensure the separation of surface and foul water drainage. A drainage strategy has been submitted as required by these policies.

189. The proposal is to provide attenuation in the form of blue roofs on each of the three building shoulders. The three blue roofs combined will provide 63m³ of attenuation and will be able to store rainfalls up to and including a 1:100-year storm event + 40% for climate change, discharging into the existing Thames Water sewer at a rate of 2 litres per second, which is lower than the general greenfield runoff rate target of 5 litres per second. Other SuDS measures are not suitable in this instance as there are no external areas at ground floor level for this particular development.

190. The surface and foul water will discharge to separate foul and surface water Thames Water sewers, located to the north of the site beneath Elm Road. Thames Water have confirmed capacity on both the foul and surface water sewers for the development, and have also agreed to the discharge rate proposed (2 litres per second).

191. The SuDS strategy generally complies with SI13 and is supported by the GLA, subject to some further points of clarification in relation to showing areas of green roof and exploring the potential for rainwater harvesting. The GLA have also queried the proposed water efficiency strategy for the non-residential uses on site and have requested the applicant consider water harvesting and reuse to reduce consumption of water across the site. These comments will be addressed by the applicant ahead of a Stage 2 referral.

192. The submitted drainage strategy is considered to comply with SI13 (subject to any further work as agreed with the GLA) and BSUI4 and will be secured by condition.

193. 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 sewer capacity. However they have requested a condition is attached requiring a piling method statement is submitted for approval before such works take place. Some additional advice for the application in relation to green roofs and waste water will be communicated to the applicant by way of informative.

Wind and Microclimate

194. A microclimate assessment has been submitted by the applicant, undertaken in line with the Lawson Criteria for wind suitability.

195. Wind tunnel testing was undertaken on a scale model in both the existing and proposed scenarios, with the measurements of mean and gust windspeed being made at a number of locations on and around the development, including at ground and rooftop amenity space levels.

196. The testing indicated that the proposed development will noticeably increase the windspeeds at a small number of roadway locations around the site. However, the increase in wind speed will not be to an extent that makes them unsuitable for their intended pedestrian usage. However, the higher wind speeds will have the benefit of more rapidly dispersing vehicle effluent. Aside from the roadway conditions discussed above, in both summer and winter all of the remaining test locations have wind conditions that are suitable of any intended pedestrian activity. These test locations include both ground level and roof terrace test points.

197. In summary, all of the roof top terrace locations tested have wind conditions in summer and winter that are suitable for this usage. There are a few test points (which have wind conditions that are suitable for strolling and more strenuous pedestrian activities such as business walking. These test points are all

located in the middle of roads, and the wind conditions at these points are suitable for this activity. None of the locations tested exceed upper or lower distress wind conditions.

198. Microclimate mitigation is not required for this development.

Trees and Landscaping

199. The applicant has submitted an arboricultural impact assessment which identifies 8 trees close to the site, although none on the site itself.

200. The 8 nearby trees line the Elm Road and St Johns Road frontages and present a good existing coverage of street tree planting in front of the site. One of the trees is a high quality mature alder tree (category A), close to the junction of Elm Road and St Johns Road, whilst the others are 3x category B lime trees, 2x category C cherry trees, 1x category C elder tree and a stump. The applicant seeks to remove one low amenity value (category C) cherry tree along St Johns Road to enable realignment of the kerb as part of the highways works, but this tree is already damaged by vehicle collisions. The loss of the tree will be offset by the planting of two new trees of a similar size further along St Johns Road, adjacent to the other cherry tree (which is to be retained). All other trees close to the site are to be retained and protected from damage during construction. In respect of the mature alder tree, the arboriculturalist's report notes that the paving slabs and underlying concrete at its base have become embedded into the tree and it is proposed to improve this situation by removing the paving slabs and concrete from around the base.

201. The proposals would result in a net gain of trees (+1). Given the good amount of existing tree coverage in this location and the lack of any ground floor open spaces within the development site itself, this is considered to be a suitable uplift in tree planting. The submissions comply with the relevant policies BGI2 in the Local Plan and G7 in the London Plan.

202. 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 the tree to be planted. Another condition will secure the tree protection measures set out within the arboricultural impact assessment.

Ecology and Biodiversity

203. The site is not close to any designated ecological assets.

204. The applicants have submitted an assessment appraising the ecological value of the land with a view to recommending mitigation and enhancement measures to preserve and increase ecological value and biodiversity on site.

205. The existing site is dominated by urban features, namely the Boots chemist and the Jobcentre buildings, both of which are flat roofed, heavily disturbed by people and in a highly urban location. No significant wildlife interest or potential was identified on the site and it is judged to have negligible wildlife value, with a high degree of ecological isolation. On that basis, there is no need for any ecological mitigation measures. Nonetheless, policy G6 of the London Plan, as well as BGI1 of the Local Plan, require that developments achieve a net gain in biodiversity.

206. The ecological assessment sets out a number of ecology enhancement measures including:

- Planting of locally native species or others which might be appropriate in an urban setting and which are of acknowledged value in providing resources (e.g. pollen and nectar) for native species.
- Incorporation of swift bricks or boxes into the design. Suitable locations are sheltered from direct sun and rain (e.g. on a north-facing aspect under a small overhang at eaves level or similar uncluttered vertical surface) at least 5 m above ground level and with clear airspace around.
- Provision of insect shelters in sunny locations around the ground and roof level planting.
- Inclusion of small log heaps in shaded locations amongst vegetation in the planted areas and small heaps of stones/rubble in more exposed locations to provide habitat for invertebrates.
- Inclusion of a rainwater-fed depression within at least one planted area to provide a water source for

wildlife.

207. The applicants have also submitted a Biodiversity Net Gain assessment, which provides quantitative evidence that the proposed development secures a net gain in biodiversity. This report details the following provisions for biodiversity gain:

- Provision of 30 swift nesting sites on the upper northern aspect of the new building.
- Creation of flower-rich perennial vegetation (approximately 161 m²) on levels 1, 2 and 5.
- Creation of a green wall (approximately 200 m²) on levels 1 and 2.
- Creation of amenity grassland (approximately 30 m²) on level 5.
- Creation of an extensive Sedum mat (approximately 288 m²) on level
- Planting of two new street trees to compensate for the loss of a single damaged street tree.

208. The biodiversity metric calculation identifies the existing site as having a habitat value of 0.00, and the site post development having a habitat value of 0.14, which equates to a very significant gain in biodiversity value.

209. The recommendations and enhancement suggestions are considered to be thorough and robust given the local ecological context, 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. On the same basis, the proposals would also comply with BG11 and G6.

210. A condition will require that the abovementioned biodiversity enhancement measures are submitted in plan form for approval. This will be incorporated as part of the landscaping condition.

Fire Safety

211. Policy D12 of the London Plan states that major applications should be accompanied by a fire statement, prepared by a suitably qualified third party assessor, demonstrating how the development proposals would achieve the highest standards of fire safety, including details of construction methods and materials, means of escape, fire safety features and means of access for fire service personnel. Further to the above, Policy D5(B5) of the London Plan seeks to ensure that developments incorporate safe and dignified emergency evacuation for all building users, with fire evacuation lifts suitable to be used to evacuate people who require level access from the buildings.

212. A fire statement prepared by a suitably qualified third-party assessor has been submitted in support of the application. This statement addresses the requirements of Policy D12 including: the buildings construction (materials etc); the means of escape for all users; features which reduce the risk to life; how access for fire service personnel and equipment is achieved; how within the curtilage of the site fire appliances gain access to the buildings; and ensures that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures. The GLA have confirmed that the fire statement is suitable to meet the requirements of D12. The fire safety strategy is to be secured by condition. The Health and Safety Executive (HSE) is a statutory consultee for this application and the applicants have submitted a second fire statement in line with the 'Planning Gateway One' requirements as set out by the Department for Levelling Up, Housing and Communities. The HSE has reviewed the fire statement submitted by the applicant and raises the following queries:

213. A query has been raised as to whether a qualitative design review (QDR) was undertaken for the development, as this is a requirement of the British Standards Institution (BSI) Code of Practice for buildings that are greater than 50m in height and which are served by a single firefighting shaft constituting both the firefighting stair and escape stair. A QDR would assess the implications of fire safety systems failure or foreseeable events. In response, the applicant set out that their submitted outline fire strategy confirms that a QDR was undertaken in May 2021 through which all fire safety provisions were evaluated and deemed appropriate for use given the increased design demand on structure integrity, services, fire safety systems, means of firefighting and evacuation for a building of this height.

214. The escape route from the building has been queried, with reference being made to the fire safety standard cited in the BSI Code of Practice requiring that only stairs which are not the only escape route from flats may serve ancillary accommodation, providing that the stairs are separated from the ancillary

accommodation by protected lobbies or corridors; and that a single staircase should not also serve ancillary accommodation. In response, the applicant's fire safety consultant notes that a building wide sprinkler system, smoke-ventilated lobbies and choices of escape routes have been incorporated and that these are commonly employed and represent robust design solutions when combined with all other fire safety measures and systems within the building. On that basis, the applicant's fire safety consultant considers that the ground floor discharge of the stair is suitable and reasonable in accordance with the functional requirements of the Building Regulations. The consultant also notes that these points will be expanded upon in the next stage of design, when a detailed fire safety strategy is produced. Further to this, officers are content that, were it to transpire at a more advance design stage that amendments are required to re-route the escape route from the stairwell so as not to serve ancillary accommodation, this could be easily achieved through non-material amendment of the scheme.

215. The presence of service risers accessed off the firefighting lobby at ground level have been questioned, as standard guidance states that no services other than those associated with firefighting activities should be accessed from the firefighting shaft. In response, the applicant's fire safety consultant notes that this only occurs at ground level and is therefore unlikely to have an adverse effect on firefighting activities at that level. To further reduce this risk, the applicant's fire strategy proposes to increase the fire resistance of the service riser doors on this level as well as installing fire-stopping within the protected service riser shafts at first floor level (where these are not otherwise required) to greatly reduce the volume of space that the ground level firefighting lobby is potentially exposed to. This is considered a reasonable and robust approach to satisfying the functional requirements in the Building Regulations.
216. Officers are satisfied that the applicant has applied a suitably rigorous approach to fire safety, insofar as is necessary at this early stage of detailed design required for the purposes of planning submissions. Given that the fire matters are addressed fully through separate regulations and would not have a bearing on the planning consent, further work associated with more detailed design stages will not form a part of the planning requirements. The second fire statement submitted in line with 'Planning Gateway One' requirements is to be secured by condition.

Television and Radio Reception Impact

217. In line with London Plan SI6, a Television and Radio Reception Impact assessment should be submitted to demonstrate that no issues (or suitable mitigation of issues) arising from obstruction of the reception to local television and radio receivers will be incurred by the development.
218. The applicants have submitted a Television, Radio and Mobile Reception Impact assessment to consider the potential impacts that the development could have on local TV and radio signals. Four different signals have been assessed as follows:
219. Digital Terrestrial Television (DTT) – Due to the relationship between the building and existing dwellings to the north west of the site (along the directional plane from Crystal Palace Transmitter), there is the potential for some interference in localised areas immediately north west of the site, on both Elm Road and St Johns Road. Such interference is possible as some antennas receiving signals from Crystal Palace are located in this area. Interference could be mitigated through satellite betterment / dish movement / relocation, which can be undertaken by a suitably qualified professional.
220. Digital Satellite Television – Freesat and Sky – Due to the relationship between the building and existing dwellings to the north west of the site (along the directional plane from Crystal Palace Transmitter), there is the potential for some interference up to 131m away from the site and up to 325.6 degrees with respect to north from the base of the centre of the proposed building. Such interference is possible as some satellite dishes are located in this area. Interference could be mitigated through satellite dish relocation, alternative use of DTT receiving equipment or the use of Sky via Broadband (if available).
221. VHF (FM) Radio – Radio signals are unlikely to be adversely impacted due to the existing good coverage in the survey area and the technology used to encode and decode radio signals.
222. Mobile Phone Networks – Mobile phone signals are unlikely to be adversely impacted due to the existing good coverage in the survey area and the technology used to encode and decode such signals.
223. Overall, some interference to existing TV signals is possible as a result of this development. A Section 106 obligation will require the applicant to carry out a survey before the commencement of the

development and following completion of the development to clearly identify any interference that has been caused. The Section 106 obligation will also require that the applicant underwrites all mitigation required in addressing any interference identified.

Training and Employment

224. Brent's Local Plan policy BE1 'Economic Growth and Employment Opportunities for All' states an Employment and Training Plan will be required for all major developments, to be prepared in partnership with Brent Works or any successor body.
225. A commitment to submit an 'Employment and Training Plan' to the Council for its approval prior to the material start of the development will be secured by way of a Section 106 obligation. This obligation is required of all major development schemes within the borough which comprise of 50 or more dwellings or at least 5,000sqm of floor space.
226. As set out in Brent's Draft Planning Obligations SPD (2022), the obligations in this respect require that 1 construction job (for a minimum period of 26 weeks) for an unemployed resident is secured per ten homes delivered, and that 50% of those jobs should be secured as apprenticeships for Brent residents, for a minimum period of 52 weeks. It also requires that a minimum of 20% of the operational phase jobs should be secured for Brent residents. The operational job requirements are set out in the Homes and Communities Agency Employment Density Guidance 3rd Edition (2015), requiring 1 operational job per 15-20sqm of commercial floorspace.
227. When applying these standards to the development, 7 construction jobs should be secured for unemployed residents, with 3 of these jobs being in the form of year+ apprenticeships. In addition, 1 to 2 operational phase jobs should be secured for unemployed residents.
228. The standards also set out a requirement for financial contributions to deliver support fees for each of the local resident jobs to be secured of £2,750 per job. This would equate to a £19,250 contribution to support the 7 construction jobs and a £4,400 contribution to support the 1 to 2 operational phase jobs, for a total contribution towards employment and training opportunities of £23,650.
229. If the job targets are not met, an additional payment of £5,000 per the number of jobs below the target is to be secured to help secure other job opportunities for Brent residents. If the applicant fails to meet the job targets but can demonstrate that reasonable endeavours were undertaken to seek to meet the job targets, an increase in the base contributions will not be required. On the other hand, if the number of apprenticeship positions delivered for Brent residents exceeds the apprenticeship target, a reduction in the base contribution of £1,000 per additional apprenticeship would be applied.
230. The Council is endeavouring to achieve 'London Living Wage' standards, and encourages developers to use their best endeavours to achieve this across all of their development sites in the borough. An informative will advise the applicant of this.

Utilities

231. The applicants have submitted a report setting out the existing and required utilities / statutory services for the scheme, including clean water supply, sewer connection, gas, electric and internet. The details of the report are not considered to contravene any relevant planning policies.
232. The statutory services report indicates that fibre internet is proposed to be delivered to the homes, which would accord with the aims of London Plan policy SI6.

Equalities

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

Conclusion

235. Following the above discussion, officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to conditions and completion of a Section 106 Agreement.
236. The development would provide a suitable and attractive built addition to the Wembley growth area in line with local policy objectives. The development would provide all of its 79 homes as affordable housing (incorporating an above policy compliant provision of Social Rent homes), and has been designed so that 25% of its homes are family sized and that 94% of its homes are dual aspect. A new, active commercial space is to be provided at ground floor alongside positive public realm improvements that would increase urban greening and improve pedestrian priority and accessibility. In addition, the proposal, in offsetting its shortfall of on-site play space, would enable the delivery of an older children's play area at King Edward VII park for the use of the public. These aspects carry significant weight in favour of the scheme. The proposed building has positive urban design, with a slender profile and a vertical emphasis. Whilst it would be a tall building in its immediate context, its massing would enable it to define itself as a landmark building within the wider context of other existing and emerging tall buildings in the surrounding area, whilst being a subservient building in the context of this wider tall buildings cluster. This height would also be consistent with the Tall Building Zone designation of the site and the aspirations of a local site allocation that anticipates re-development of considerable density to the north of the town centre. Whilst the development would incur some limited level of harm to the daylight and sunlight enjoyed at neighbouring properties and would fall short on external amenity space standards, a balance has to be struck between different planning objectives.
237. The conflict with policy is considered to be limited overall and would be outweighed by the wider benefits of this mixed use re-development, including the provision of 100% affordable housing, including Social Rent housing, and the provision of new commercial floorspace and improved public realm.
238. Following the above discussion, and weighing up all aspects of the proposal, officers consider that the proposal should be approved subject to conditions, a Section 106 obligation and referral of the application to the Mayor for his Stage 2 response.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 21/4155

To: CMA Planning
CMA Planning
113 The Timberyard
Drysedale Street
London
United Kingdom
N1 6ND

I refer to your application dated **08/11/2021** proposing the following:

Demolition of existing building and proposed erection of a part 5 and part 18 storey mixed use building containing commercial floorspace (Use Class E) on the ground floor and comprising 79 residential units on the upper floors

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

at **6 St Johns Road, Wembley, HA9 7JD**

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: 08/04/2022

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 London Plan (2021)
- Brent's Local Plan (2019-2041)

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)

Other Material Planning Considerations

- The National Planning Policy Framework (2021)

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

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

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

3676 LBA XX GF DR A 0105 Existing Site Location Plan P1
3676 LBA XX GF DR A 0110 Existing Site and Ground Floor Plan P1
3676 LBA XX 01 DR A 0111 Existing First Floor Plan P1
3676 LBA XX RF DR A 0112 Existing Roof Plan P1
3676 LBA XX XX DR A 0120 Existing Elevations P1
3676 LBA XX XX DR A 0130 Existing Sections AA P1
3676 LBA XX XX DR A 0131 Existing Sections BB and CC P1
3676 LBA XX 01 DR A 1001 Proposed Site Plan - First Floor P2
3676 LBA XX RF DR A 1002 Proposed Site Plan - Roof P2
3676 LBA XX GF DR A 1050 Proposed Demolition - Ground Floor P1
3676 LBA XX 01 DR A 1051 Proposed Demolition - First Floor P1
3676 LBA XX RF DR A 1052 Proposed Demolition - Roof P1
3676 LBA XX GF DR A 1100 GA Ground Floor P5
3676 LBA XX 01 DR A 1101 GA First Floor P3
3676 LBA XX 02 DR A 1102 GA Second Floor P3
3676 LBA XX XX DR A 1103 GA Third and Fourth Floor P3
3676 LBA XX 05 DR A 1105 GA Fifth Floor P3
3676 LBA XX XX DR A 1106 GA Sixth and Seventeenth Floor P3
3676 LBA XX RF DR A 1108 GA Roof Plan P3
3676 LBA XX XX DR A 1350 Dwelling Types P2
3676 LBA XX XX DR A 1351 Dwelling Tenure P2
3676 LBA XX XX DR A 1352 Accessible Dwellings P1
3676 LBA XX XX DR A 2000 Proposed Site Elevation - St John's Road P1
3676 LBA XX XX DR A 2001 Proposed Site Elevation - Elm Road P1
3676 LBA XX XX DR A 2100 Proposed Elevation - St John's Road P2
3676 LBA XX XX DR A 2101 Proposed Elevation - Elm Road P2
3676 LBA XX XX DR A 2102 Proposed Elevation - North East P2
3676 LBA XX XX DR A 2103 Proposed Elevation - Courtyard South P2
3676 LBA XX XX DR A 2104 Proposed Elevation - Courtyard South and East P1
3676 LBA XX XX DR A 3060 Proposed Section AA P1
3676 LBA XX XX DR A 3061 Proposed Section BB and CC P1

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

- 3 The scheme hereby approved shall contain 79 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.

- 4 The development hereby approved shall contain 167sqm GIA of commercial floor space which shall not be used other than for purposes within Use Class E, 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 within the borough.

- 5 The development hereby approved shall be built so that no fewer than 71 of the residential units achieve Building Regulations requirement M4(2) - 'accessible and adaptable dwellings' and that no fewer than 8 of the residential units achieve Building Regulations requirement M4(3) - 'wheelchair accessible dwellings'. The residential units achieving Building Regulations requirement M4(3) shall be fit out such that they are accessible to wheelchair users at the time of first occupation.

Reason: To ensure that the development achieves an inclusive design in accordance with London Plan Policy D7.

- 6 Prior to occupation, a communal television aerial and satellite dish system linking to all residential units within the building shall be installed and retained in perpetuity. No additional 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 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.

- 8 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance.

Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reason: To protect local amenity and air quality in accordance with Brent Policy and London Plan (2021) Policy SI 1.

- 9 The refuse storage shall be installed prior to occupation of the building hereby approved and thereafter retained and maintained for the lifetime of the development. The refuse storage facilities shall not be used other than for purposes ancillary to the occupation of the building hereby approved.

Reason: To ensure that the development is fit for purpose.

- 10 Between the 2nd and 4th floors of the development (inclusive), the windows to the south facing elevation of the southernmost flat (which forms a 3 bedroom 4 person flat) that serve the combined living, kitchen and dining rooms (as shown on the approved plans) shall be constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.7m above floor level) and shall be permanently returned and maintained in that condition from first occupation thereafter unless the prior written consent of the Local Planning Authority is obtained.

Between the 2nd and 17th floors of the development (inclusive), the easternmost flats within the development (which comprise a 3 bedroom 5 person flat between 1st and 5th floors, and both a 2 bedroom 3 person flat and 2 bedroom 4 person flat between 6th and 17th floors, as shown on the approved plans) shall have their east facing windows (with the exception of windows serving balcony spaces) constructed with obscure glazing and non-opening or with openings at high level only (not less than 1.7m above floor level) and shall be permanently returned and maintained in that condition from first occupation thereafter unless the prior written consent of the Local Planning Authority is obtained. For clarity, this restriction would apply to one bedroom window to each floor between the 2nd and 5th floors and to six windows to each floor between the 6th and 17th floors.

Reason: To minimise interference with the privacy of the adjoining occupiers and to prevent compromising the development potential of neighbouring sites.

- 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 SJ Stephens Associates, dated 13th April 2021) shall be fully implemented following the commencement of the development where relevant.

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, the development hereby approved shall be carried out in full accordance with the submitted Drainage & SuDS Strategy Revision 03 (prepared by Curtins Consulting Limited - ref. 077041-CUR-00-XX-RP-D-92001 - dated 22nd October 2021) following the commencement of the development where relevant.

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

- 13 Unless alternative details are first agreed in writing by the Local Planning Authority, the recommendations set out in the submitted Air Quality Assessment Revision A (prepared by Aeolus Air Quality Consulting, dated 1st April 2022) shall be fully implemented following the commencement of the development where relevant.

Reason: To ensure a suitable air quality impact from the development.

- 14 Unless alternative details are first agreed in writing by the Local Planning Authority, the mitigation recommendations set out in the submitted Noise Assessment Report for Planning Revision 1.2 (prepared by Cahill Design Consultants, dated 19th October 2021) shall be fully implemented following the commencement of the development where relevant.

Reason: To demonstrate a suitable noise environment for prospective residents.

- 15 Unless alternative details are first agreed in writing by the Local Planning Authority, the development shall be implemented in accordance with the details contained in the submitted Outline Fire Safety Strategy Issue 01 (prepared by Ashton Fire – ref. AF1611 – dated 20th October 2021) and in the submitted Fire Statement Form (prepared by Austin Coyle Associates,

dated 17th January 2022).

Reason: In the interests of fire safety.

- 16 Prior to the commencement of the development, a Construction Environmental Method Statement which incorporates a dust management plan shall be submitted to and approved in writing by the Local Planning Authority, through the submission of an application for approval of details reserved by condition. The Construction Environmental Method Statement shall outline measures that will be taken to control dust, noise, construction traffic and other environmental impacts of the development. The statement shall also incorporate details of measures to control emissions during the construction phase relevant to a Medium Risk site for demolition, High Risk site for Earthworks and Construction, and Low Risk site for Trackout, in line with the requirements of the Control of Dust and Emissions during Construction and Demolition SPG. 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 revised Construction Logistics Plan shall be submitted to 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 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.

- 18 No development shall take place until a detailed Circular Economy Statement and Operational Waste Management Strategy in line with the GLA's Circular Economy Statement Guidance is submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved.

Prior to final occupation of the development, a Post Completion Report setting out the predicted and actual performance against all numerical targets in the relevant Circular Economy Statement shall be submitted to the GLA at: circulareconomystatements@london.gov.uk, along with any supporting evidence as per the GLA's Circular Economy Statement Guidance. The Post Completion Report shall provide updated versions of Tables 1 and 2 of the Circular Economy Statement, the Recycling and Waste Reporting form and Bill of Materials. Confirmation of submission to the GLA shall be submitted to, and approved in writing by the Local Planning Authority prior to occupation, through the submission of an application for approval of details reserved by condition.

Reason: In the interests of sustainable waste management and in order to maximise the re-use of materials.

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

- 19 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface 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 (through the submission of an application for approval of details reserved by condition). Any piling shall be

undertaken in accordance with the terms of the approved piling method statement.

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.

- 20 Details of all external materials of the development, 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 (through the submission of an application for approval of details reserved by condition) prior to the installation of any external materials. 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.

- 21 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 (through the submission of an application for approval of details reserved by condition) that provides details of all landscaped areas. Such approved landscaping works shall be completed prior to first occupation of the development 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

c) Biodiversity enhancement measures, as set out within the submitted Ecological Assessment (prepared by Richard Tofts Ecology, dated July 2021) and the submitted Biodiversity Net Gain Assessment (prepared by Richard Tofts Ecology, dated February 2022).

d) Treatment of areas of hardstanding and other areas of hard landscaping or furniture, including materials

e) Details of all play spaces, as outlined within the Design and Access Statement – Landscape Addendum (prepared by Levitt Bernstein, dated January 2022).

f) 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.

- 22 Within six months of commencement of works above ground level, the following shall be submitted to and approved in writing by the Local Planning Authority (through the submission of an application for approval of details reserved by condition):

- A revised plan of the long-stay residential cycle storage area that demonstrates an altered arrangement that incorporates suitable circulation space to comply with the London Cycle Design Standards (LDCS).

The approved details shall be implemented by the time of the first occupation of the residential component of the development hereby approved. The cycle storage shall thereafter not be used other than for purposes ancillary to the occupation of the building hereby approved and shall be retained and maintained in good condition for the lifetime of the development.

Reason: To ensure that the development is fit for purpose and will establish a suitable living

environment for residents.

23 Within six months of commencement of works above ground level, the following shall be submitted to and approved in writing by the Local Planning Authority (through the submission of an application for approval of details reserved by condition):

- Details of suitable privacy screening to the southern edge of the balcony serving the southernmost flat (which is a 3 bedroom 4 person flat) on the 2nd, 3rd and 4th floors of the development (as shown on the approved plans)
- Details of suitable privacy screening to the eastern edges of the balconies serving the easternmost flats (which comprise a 3 bedroom 5 person flat on the 1st to 5th floors and both a 2 bedroom 3 person flat and a 2 bedroom 4 person flat on the 6th to 17th floors of the development) across all floors of the development (as shown on the approved plans)
- Details of suitable privacy screening to the northern and eastern edges of the large terrace serving the 2 bedroom 4 person flat on the 6th floor of the development (as shown on the approved plans)

The approved details shall be implemented prior to the first occupation of the residential component of the development hereby approved and shall thereafter be retained and maintained in good condition for the lifetime of the development.

Reason: To protect the privacy of neighbouring occupiers and to avoid compromising the potential for development at neighbouring sites.

24 Prior to occupation of the development hereby approved, 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 through the submission of an application for approval of details reserved by condition.

The development shall be completed in accordance with the approved details prior to occupation of the development.

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

25 Prior to the first occupation of the development hereby approved, a final Delivery, Servicing and Long Term Maintenance Management Plan shall be submitted to and approved in writing by the Local Planning Authority (through the submission of an application for approval of details reserved by condition). The development shall thereafter operate in accordance with the approved management plan unless an alternative arrangement is first agreed in writing by the Local Planning Authority.

Reason: To minimise negative impacts associated with servicing.

26 Prior to the occupation of the building hereby approved, the post-construction tab of the GLA's whole life carbon assessment template shall be completed accurately and in its entirety in line with the GLA's Whole Life Carbon Assessment Guidance. The post-construction assessment shall provide an update of the information submitted at planning submission stage, including the whole life carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. This shall be submitted to the GLA at: ZeroCarbonPlanning@london.gov.uk, along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to and approved in writing by the Local Planning Authority (through the submission of an application for approval of details reserved by condition) prior to occupation of the relevant building.

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

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 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 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 Thames Water wishes to advise the applicant that opportunities for green roofs should be maximised. Thames Water also advises that the foul water connection point for this development is into a 150mm sewer, not a 225mm sewer.
- 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.

Any person wishing to inspect the above papers should contact Toby Huntingford, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1903