

# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

12 July, 2023  
05  
23/0578

## SITE INFORMATION

RECEIVED	16 February, 2023
WARD	Wembley Park
PLANNING AREA	Brent Connects Wembley
LOCATION	Olympic Office Centre, 8 Fulton Road, Wembley, HA9 0NU
PROPOSAL	Demolition of existing building and erection of building for use as a purpose-built Further Education College Campus of up to 8 storeys high with associated plant at roof level, provision of hard and soft landscaping and cycle parking facilities, loading bay and accessible parking bays on Rutherford Road frontage and drop off bay on Fulton Road
PLAN NO'S	See condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u><a href="#">When viewing this on an Electronic Device</a></u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_163806">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_163806</a></p> <p><b><u><a href="#">When viewing this as an Hard Copy</a></u></b></p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"><li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li><li>2. Select Planning and conduct a search tying "23/0578" (i.e. Case Reference) into the search Box</li><li>3. Click on "View Documents" tab</li></ol>

## RECOMMENDATIONS

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

1. Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
2. Notification of material start 28 days prior to commencement
3. Training and employment of Brent residents - Prior to a material start:
  - a) to inform Brent Works in writing of the projected number of construction jobs and training opportunities and provide a copy of the Schedule of Works;
  - b) to prepare and submit for the Council's approval an Employment Training Plan for the provision of training, skills and employment initiatives for residents of the Borough relating to the construction phase and operational phase of the Development;
  - c) financial contribution (amount to be calculated in accordance with Brent's Planning Obligations SPD) to Brent Works for job brokerage services
4. Sustainability and Energy
  - a) Detailed design stage energy assessment. Initial carbon offset payment if zero-carbon target not achieved on site.
  - b) Post-construction energy assessment. Final carbon offset payment if zero-carbon target not achieved on site.
  - c) 'Be seen' energy monitoring requirements
5. Financial contributions (indexed from the date of committee resolution)
  - a) To TfL for public transport (£227,500 currently requested by TfL but applicant has proposed a contribution of £177,450 to take into account the trips associated with the existing college facility in Wembley. The final amount is discussed between applicant and TfL.)
6. Submission and approval of a Travel Plan for staff and students including targets for 3 and 5 year period and review mechanism to include the review of modal share and an associated uplift in the level of short stay cycle parking provided on-site (up to a maximum of 184 total short stay spaces) if cycle spaces are regularly over 80 % capacity.
7. A section 38/278 Agreement to secure highway works to provide:
  - a) the provision of 3m wide loading and 2.7m wide disabled parking bays and footway widening to retain a minimum 2.4m wide adopted footway along the Fulton Road and Rutherford Way frontages of the site;
  - b) traffic calming measures along Rutherford Way and Fulton Road comprising i) the provision of a speed table at the junction of Rutherford Way and Fulton Road and ii) on Rutherford Way at the southern end of the site (unless the Council agrees this is not feasible);
  - c) further details regarding the design and layout of the on-site servicing bay and associated access/egress within the Rutherford Way frontage including the narrowing of the vehicular access and egress points, location of bollards and precise siting of the bay and associated access/egress; and
  - d) works associated with the provision of the accesses to the highway to serve the proposed on-site servicing bay and the reinstatement of existing accesses made redundant by the proposal;
8. Indexation of contributions in line with inflation
9. Any other planning obligation(s) considered necessary by the Head of Planning.

That the Head of Planning is delegated authority to impose conditions and attach the following informatives in relation to the following matters:

#### Conditions


1. Three year rule for commencement
2. Approved drawings and documents
3. Use Class
4. Non-Road Mobile Machinery (NRMM)
5. Air Quality
6. Flood Risk Assessment (FRA)
7. Drainage Strategy (SuDS)
8. Noise Impact Assessment
9. Tree Protection
10. Construction Method Statement (CMA) and Air Quality and Dust Management Plan (AQDMP)
11. Construction Logistics Plan (CLP)
12. Contaminated Land
13. District Heat Network
14. TV Aerial/Fibre Connectivity Infrastructure
15. External Materials
16. Hard and Soft Landscaping
17. Cycle Parking
18. Counter Terrorism Measures
19. Thames Water Infrastructure
20. Community Access Plan
21. Whole Life Carbon
22. Circular Economy Statement
23. Delivery and Servicing Plan (DSP)
24. Temporary fencing
25. External lighting
26. Canteen Kitchen Extract and Ventilation and Odour Control
27. BREEM

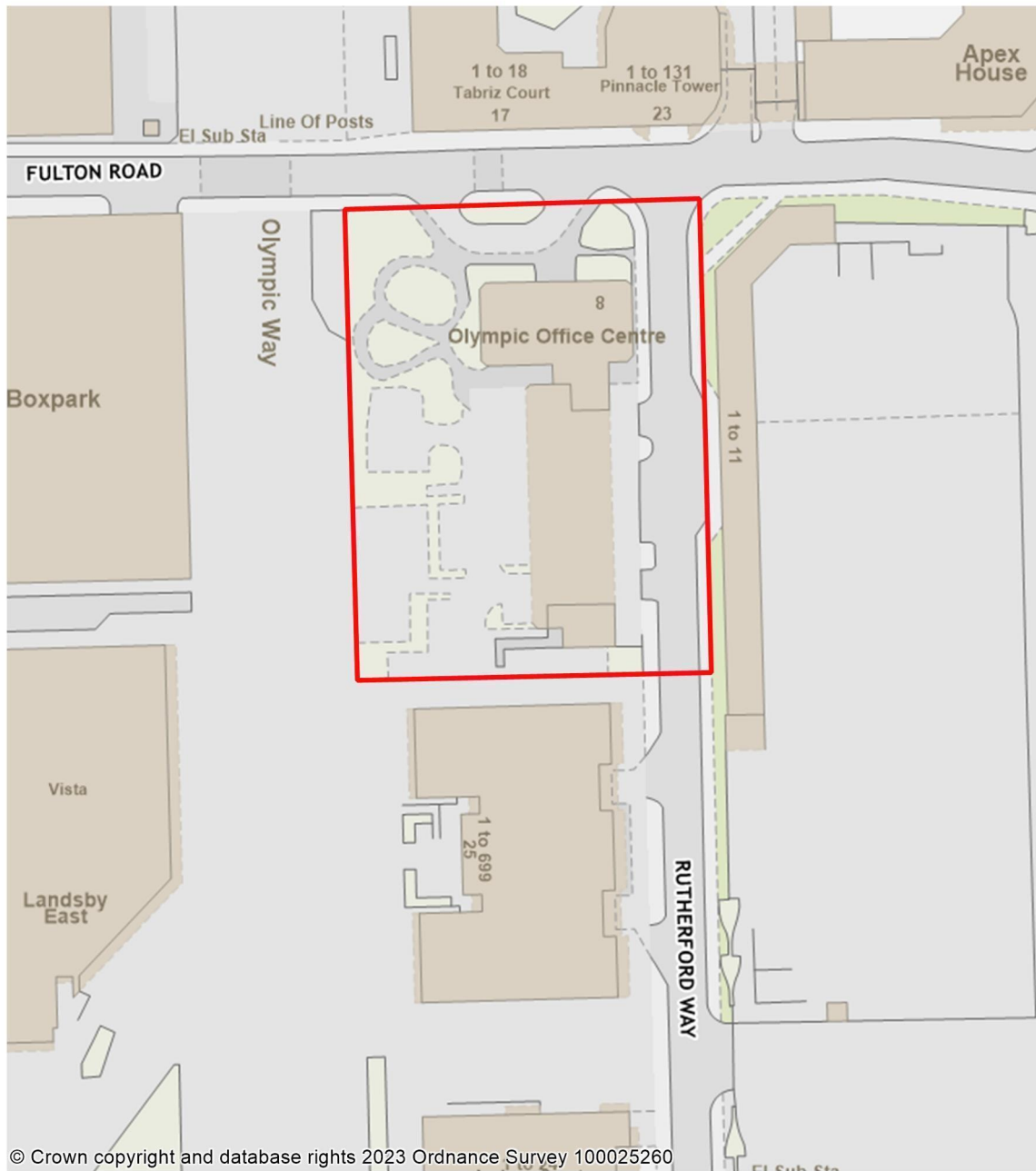
#### Informatives

1. CIL Liability Approval
2. Party Wall
3. Fire Statement Informative
4. Thames Water Assets
6. Asbestos Removal
7. In-situ Soil Sample
8. London Living Wage
9. Noisy Works

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

## SITE MAP

	<b>Planning Committee Map</b>
<b>Brent</b>	Site address: Olympic Office Centre, 8 Fulton Road, Wembley, HA9 0NU
	© Crown copyright and database rights 2011 Ordnance Survey 100025260



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This map is indicative only.

## PROPOSAL IN DETAIL

The application proposes the demolition of existing building and erection of building for use as a purpose-built Further Education College Campus of up to 8 storeys high with associated plant at roof level, provision of hard and soft landscaping and cycle parking facilities, loading bay and accessible parking bays on Rutherford Road frontage and drop off bay on Fulton Road.

## EXISTING

The site is located between Olympic Way and Rutherford Way and is currently occupied by an eight storey office building along with associated car parking and soft landscaping.

The site forms part of Wembley Growth Area and the site also forms part of a site allocation within the Local Plan 2019-2041. The allocated use is for mixed use main town centre uses, education/campus or residential incorporating flexible retail uses, leisure and community uses at ground floor level. The site falls within Wembley Town Centre boundary and the site is also situated with the Tall Building Zone. Elements of the site also fall within a Floodzone 3a for local surface water.

## AMENDMENTS SINCE SUBMISSION

During the course of the application the following amended documents and information was received:

- Revised Energy Assessment
- Revised Whole Life Carbon Assessment
- Revised Circular Economy Statement
- Confirmation of indicative temporary fencing
- Updated Flood Risk Assessment

Updated Drainage Strategy

## 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:** One letter of objection has been received, which raised concerns regarding the cumulative and specific impact of construction and associated traffic. A comment in support was also received. These are addressed in the Consultation section below.

**Principle of Development:** The site is allocated for development with an educational facility/ College of North West London campus as one of the proposed uses. The principle of development is in accordance with the Brent Local Plan policy BCSA5 and the Wembley Growth Area principles.

The proposed use would result in the loss of office/employment floorspace. While there has been no information provided to demonstrate that the maximum viable amount of office floorspace would be provided within the scheme in line with policy BE3, the site includes an allocation for educational development, therefore the provision of an educational facility which amalgamates two existing centres is a significant benefit that outweighs any harm in relation to the loss of office accommodation.

**Scale, Layout and Appearance:** The scale and layout of the proposed scheme is considered to be acceptable within the context of the surrounding area which comprises tall buildings in a dense urban context. It is considered that the layout of the building and the site would work successfully in providing a design which responds well to its context and offers public realm benefits. The development layout is reflective of the existing context and approach to development along Olympic Way.

**Protected views of the Stadium Arch:** The low level podium and set back massing protects views of Wembley Stadium with only slightly increase of 1.95m to the maximum height of the existing building to respect longer views. The dominance of the arch of the stadium is considered to be retained.

**Impact on Residential Amenity:** The relationship between existing and consented windows and the proposed development is not considered to be significantly harmful in terms of privacy and outlook having regard to the scale and density of development coming forward in the locality. In terms of daylight and sunlight, there would be some cases of noticeable reductions. However, when considering the extant consent and the urban nature of the subject site and surrounding area, the proposed development is considered to outweigh the harm associated with the loss.

**Transportation and Highways:** The development is car-free with the exception of on-street blue badge parking spaces. The Council's Highways Officers consider the proposal to be acceptable on transportation and highways grounds, subject to the various conditions and section 106 obligations which are set out in this report.

**Landscaping, Greening & Trees:** The proposals involve the loss of 27 individual trees. The indicative landscape plans shows the location of 19 proposed new trees, at street level and a further 22 trees on the L02 terrace. The proposal includes soft landscaping at ground level, on the terrace and green roof. This would result in biodiversity net gain net gain of 0.14 biodiversity units and an urban greening factor of 0.34. This will enhance the public realm and create ecological value to the application site.

**Environmental Health:** The development therefore complies with the relevant local plan and London Plan requirements subject to conditions to secure mitigation measures.

**Flood Risk and Drainage:** The flood risk assessment has been reviewed by the Local Lead Flood Authority (LLFA) who is satisfied with the finding of the report and the mitigation measures. The green and grey infrastructure proposed would result in significant betterment in the control of surface water flooding compared to the existing situation and is therefore considered acceptable.

## RELEVANT SITE HISTORY

Reference	Proposal	Decision	Date
20/3930	Certificate of lawfulness for proposed temporary use of the first and second floors as coronavirus vaccination centre	Certificate of Lawfulness Granted	04/12/2023
17/5097	Redevelopment of the Olympic Office Site and erection of a replacement building comprising residential units, flexible retail uses, car parking at basement level, associated landscaping, plant room and amenity space, subject to a Deed of Agreement dated 14th August 2020 and a subsequent Deed of Variation dated 7th April 2021 under Section 106 of the Town and Country Planning Act 1990, as amended.	Granted	15/04/2021

## CONSULTATIONS

417 neighbouring and nearby properties and Wembley Stadium Residents' Advisory Committee were consulted commencing 02/03/2023.

A site notice was also displayed on 8 March 2022 and the application was advertised in the local press on 9 March 2023.

One objection was received. The key concerns are summarised as follows:

Reasons for objecting	Officer's Comment
Concerns regarding impact of construction including noise pollution, air pollution, dust	Construction and demolition works are essential for the growth and redevelopment of Brent. This site has been designated as a development site

<p>particles, debris and street pollution</p> <p>Concerns regarding health and safety with multiple constrictions sites including dangerous road crossings</p> <p>Concerns regarding disruption to local economy and business interruptions during building works</p> <p>Concerns regarding impact to daily life and home life</p>	<p>allocation within the Brent Local Plan. However the noise and disturbance associated with such works can affect those living and working in close proximity.</p> <p>The Control of Pollution Act 1974 gives powers to the Council which can restrict working hours and allow conditions to be stipulated on the types of machinery/ plant that are used on construction sites and complaints can be made to the Council's noise team where nuisances occur. Due to there being other primary legislation which controls this work, these issues cannot be considered within the planning assessment.</p> <p>However, in order to mitigate concerns associated with construction a Construction Logistics Plan and Construction Management Plan is recommended to be secured via condition.</p>
<p>Concerns regarding additional traffic including during construction and event days</p>	<p>Please see Transport Considerations section of the report.</p>

One support comment was received but raised a number of matters to be considered within the design as summarised below:

<b>Comment</b>	<b>Response</b>
<p>Need for the new development to fully co-ordinate with existing infrastructure and public realm along Olympic Way</p>	<p>The final landscaping scheme will be subject to a condition including details of equipment and structures and functional services. However, the indicative layout has coordinated the planting and furniture with the existing public realm.</p>
<p>Landscape frontage to be designed in relation to crowd control on Stadium Major Event days with appropriate controls to prevent anti-social behaviour</p>	<p>During the course of the application meetings took place with stakeholders Public Safety team. Details of temporary fencing in relation to crowd control will be secured via a condition.</p>
<p>Proposed landscaping within the frontage should be considered in the context of the existing major drainage that runs under Olympic Way frontage</p>	<p>The submitted drainage strategy acknowledges the existing sewer crossing the site and the final landscaping scheme will be secured through condition including details of the frontage.</p>
<p>Met Police should be consulted on the location of hostile vehicle measures (HVM)</p>	<p>During the course of the application, the usage HVM was discussed with the Met Police and the exact location will be secured via a condition.</p>
<p>Appropriate traffic calming measures and improve pedestrian crossing facilities should be secured as highway works as seen within the earlier approved application reference 17/5097</p>	<p>Traffic calming measures and pedestrian crossing facilities will be secured via as part of the legal agreement in accordance with details discussed with Transportation while ensuring coordination with neighbouring schemes.</p>
<p>All frontages should be activated as far as possible</p>	<p>The proposed design includes a high level of active frontage with fenestration on all elevations.</p>

Delivery and servicing should be appropriately managed taking into account Stadium Major Event days	The proposed lay-by along the Fulton Road street frontage would not be accessible on event days. An updated Servicing and Delivery Plan will secured through condition.

## **External Consultation**

### **Greater London Authority including Transport for London feedback**

Confirmed that the proposal is supported in principle, but the scheme does not fully comply with policies within the London Plan as summarised below:

- Land use principles: The proposed loss of vacant office space at this allocated site within the Local Plan for educational use is supported in strategic planning terms.
- Urban design: The site is within a location identified as appropriate for tall buildings and the height raises no strategic concerns. The layout, public realm, landscaping, and architectural design are considered to be appropriately resolved.
- Transport: A contribution of £227,500 towards bus service improvements is requested. Any proposed highway improvements should be secured through a Section 278 agreement. Parking and Loading should be appropriately managed via a Parking Management Plan. A Parking Management Plan, EVCPs, Travel Plan, DSP and CLP should all be secured.
- Sustainable development: Further information on Energy, Whole Life Carbon and Circular Economy is required to ensure full compliance with London Plan requirements.
- Environment: Further information is required on sustainable drainage.

### **Thames Water**

Advised that there is insufficient capacity to foul water infrastructure and that a condition would be requires to consider an upgrade to the waste water network. No objections raised in relation to surface water network infrastructure capacity.

### **Met Police**

Advised revisions to proposal for the following reasons:

- Landscaping (pinch points and narrow paths, concealment opportunities with furniture and planters, lack of defensible border, anti social behaviour with landscaping, crowd management, position of HVM measures)
- Cycle Parking (poorly overlooked footpath between Olympic Way and Rutherford Way, need for CCTV system)

The recommended measures were:

- a secured locked/gate overnight and during event days
- good levels of external lighting
- modular seating
- planters with good sightlines and removing unofficial seating opportunities.
- secured by design accreditation

Conditions are recommended to be secured in relation to crowd control measures on Wembley Stadium Major Event days, counter terrorism measures, external lighting and CCTV.

## **Internal Consultation**

### **Environmental Health**

No objections raised on noise related matters subject to the proposal being carried out in accordance with the recommendations set out within the noise assessment. No objections were raised on air quality grounds as the scheme meets air quality neutral. Conditions are recommended in relation to contaminated land, and construction management.

### **Local Lead Flood Authority:**

No objections raised to either the flood risk assessment or drainage strategy.



## 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

Relevant policies include:

### London Plan 2021

SD1 Opportunity Areas  
SD6 Town centres and high streets  
D1 London's form, character and capacity for growth  
D3 Optimising site capacity through the design-led approach  
D4 Delivering good design  
D5 Inclusive design  
D8 Public realm  
D9 Tall buildings  
D11 Safety, security and resilience to emergency  
D12 Fire Safety  
D14 Noise  
E1 Offices  
S3 Education and Childcare Facilities  
G1 Green Infrastructure  
G5 Urban greening  
G6 Biodiversity and access to nature  
G7 Trees and woodlands  
SI1 Improving air quality  
SI2 Minimising greenhouse gas emissions  
SI3 Energy infrastructure  
SI4 Managing heat risk  
SI5 Water infrastructure  
SI6 Digital connectivity infrastructure  
SI7 Reducing waste and supporting the circular economy  
SI12 Flood risk management  
SI13 Sustainable drainage  
T1 Strategic approach to transport  
T2 Healthy Streets  
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  
BP1 Central  
BCGA1 Wembley Growth Area  
BCSA5 Olympic Office Centre - Site Allocation  
BD1 Leading the Way in Good Design  
BD2 Tall Buildings  
BSI1 Social Infrastructure and Community Facilities  
BE1 Economic Growth and Employment opportunities for all  
BE3 Local Employment Sites and Work-Live

BHC2 National Stadium Wembley  
BGI1 Blue and Green Infrastructure in Brent  
BGI2 Trees and Woodland  
BSUI1 Creating a Resilient and Efficient Brent  
BSUI2 Air Quality  
BSUI3 Managing Flood Risk  
BSUI4 On-Site Water Management and Surface Water Attenuation  
BT1 Sustainable Travel Choice  
BT2 Parking and Car Free Development  
BT3 Freight and Servicing  
BT4 Forming an Access on to a Road

#### Other material considerations

The following are also relevant material considerations:

- National Planning Policy Framework
- National Planning Practice Guidance
  - Supplementary Planning Guidance / Documents:
    - SPD1 Brent Design Guide 2018
    - Planning Obligations Supplementary Planning Document June 2022
    - Sustainable Environment & Development SPD June 2023
  - Greater London Authority guidance documents
    - Optimising Site Capacity: A Design-Led Approach LPG
    - Urban Greening Factor LPG
    - Sustainable Transport, Walking and Cycle LPG
    - Air Quality Positive LPG
    - Circular Economy Statements LPG
    - Whole-life Carbon Assessment LPG
    - 'Be Seen' Energy Monitoring Guidance LPG
    - Fire Safety draft LPG

## **DETAILED CONSIDERATIONS**

### **1. Principle**

#### *1.1 Site Allocation*

1.11 Brent Local Plan Policy BCSA5: Olympic Office Centre sets out the site allocation for this application site. The allocated uses are proposed as mixed use main town centre uses, education/campus or residential incorporating flexible retail uses, leisure and community uses at ground floor level with an indicative capacity of 253 residential units plus 1,051sqm of flexible retail uses/ or College Of North West London (CNWL) campus.

1.12 The allocation presents the infrastructure requirements of: public realm associated with removal of vehicle crossings/new access point, green and sustainable infrastructure and consideration to the critical trunk sewer and local water network capacity.

1.13 The application proposes the site's redevelopment into a college for further education which accords with the Brent Local Plan. The application provides open active frontage along Olympic Way together with green and blue sustainable infrastructure that will be discussed below. The principle of the development in this location is therefore supported.

#### *1.2 Wembley Growth Area*

1.21 Brent Local Plan Policy BP1 highlights there is a need to meeting social infrastructure requirements by securing provision for needs arising from new housing development, especially the provision of new

education, health, cultural and community facilities and Brent Local Plan Policy BCGA1 stipulates that Wembley will continue to drive the economic regeneration of Brent. It will become a high quality, urban, connected and sustainable city quarter generating new jobs across a range of sectors including retail, offices, conference facilities, hotels, sports, leisure, tourism and visitor attractions, creative and cultural industries and education facilities reflecting its recognised potential as a future metropolitan centre and cultural area of significance at the London level.

1.22 The application and proposed use also broadly accords with BP1 and BCGA1 by securing provision of new educational facility and driving regeneration within Wembley.

### *1.3 Loss of Employment Use and Provision of Education Use*

1.31 The site is within the Wembley Growth Area and also lies within the boundary of Wembley Town Centre. The site is occupied by an eight storey office building and was previously occupied by Network Homes, Reed Recruitment and some other small businesses.

1.32 Brent Local Plan Policy BE3 states that the council will only allow the release of development of a) continued wholly employment use is unviable; or b) development increases the amount of workspace as well as retaining the existing employment use or provides that additional workspace as affordable studio, research and development, light industrial or general industrial workspace, with maker space in light industrial use prioritised to meet demand; or c) the site is allocated for development. Where criterion a) or c) is being used to justify the release, the maximum viable replacement of the existing employment floorspace will be sought.

1.33 In this case the site is allocated for development, therefore meets criterion c). However no employment floorspace is to be provided given the nature of the use and the associated requirements for layouts. There are significant identified benefits in the provision of the education facility that meets a local need which will replace the existing college sites at Wembley Park and Willesden with significant improvement to the quality of facilities currently provided. This benefit is considered to outweigh the harm associated with the loss of the employment floorspace.

1.34 Brent Local Plan Policy BSI1 supports existing and new social in social infrastructure and community facilities. Proposals for new or enhanced social infrastructure facilities, including the consolidation of existing facilities, will be supported by the Council where:

- e) easily accessible by public transport, walking and cycling, preferably in town centres or Growth Areas;
- f) located within the community they are intended to serve;
- g) provided in flexible and adaptable buildings;
- h) ideally co-located with other social infrastructure uses; and
- i) maximising wider community benefit, through if necessary, requiring formal community use agreements.

1.35 London Plan Policy S1 outlines that development proposals that provide high quality, inclusive social infrastructure that addresses a local or strategic need and supports service delivery strategies should be supported and new facilities should be easily accessible by public transport, cycling and walking and should be encouraged in high streets and town centres.

1.36 Local Plan Policy S3 explains development proposals for education and childcare facilities should:

- 1) locate facilities in areas of identified need
- 2) locate facilities in accessible locations, with good public transport accessibility and access by walking and cycling
- 3) locate entrances and playgrounds away from busy roads, with traffic calming at entrances
- 4) link to existing footpath and cycle networks to create healthy routes to schools, and other education and childcare facilities, to enable all children to travel actively to school (walk, cycle or travel by public transport)
- 5) maximise the extended or multiple use of educational facilities for community or recreational use, through appropriate design measures
- 6) encourage the shared use of services between schools, colleges, universities, sports providers, and community facilities, and between early years and health and social care providers
- 7) ensure that new developments are accessible and inclusive for a range of users, including disabled people, by adopting an inclusive design approach
- 8) ensure that facilities incorporate suitable, accessible outdoor space
- 9) locate facilities next to parks or green spaces, where possible

1.37 CNWL is a Further Education college with currently two campuses in the London Borough of Brent at

Wembley Park and Willesden. The College specialises in technical and professional courses focused on delivering the skills and qualifications necessary to help students develop.

1.38 The applicant has recognised that both existing campuses are no longer fit for purpose, inefficient and are unable to fulfil the College's full potential. The College's educational facilities will therefore be consolidated into one new-build campus on a prestigious site at Olympic Way in Wembley (Olympic Office Centre). The applicant states that both existing campuses are relatively environmentally poor and do not meet modern accessibility standards.

1.39 With regards to Brent Local Plan BS1, the proposal conforms with criterion e, in that the college is sited within an area with a PTAL rating of 5 and is within a Growth Area and Town Centre. As such, the site has an easily accessible location suitable for future students. The existing Wembley Park campus is located approximately 200m from the application site, therefore the development is considered to conform to criterion f. The applicant has advised the building is flexible and adaptable to meet the current and future educational needs. The site is located within Wembley Growth Area which contains a mix of uses including social infrastructure use such as Brent Civic Centre located nearby to the application site. The use of the facility for the wider community outside of educational hours and term times has not been raised in the submitted Planning Statement. Local community groups and social infrastructure providers should be approached to understand their needs, and incorporate them into any forthcoming Community Use Agreement, in accordance with criterion i). This will be secured via condition.

1.4 With regards to London Plan Policies S1 and S3, as stated above, the further education facility addresses a local need and provides high quality infrastructure in an accessible location. The identified need is recognised that the existing campuses do not meet accessibility standards and environmental standards. The college will include integrated and expanded supported learning for student with Learning Disabilities or Difficulties (LLDD) and Profound and Multiple Learning Difficulties (PMLD). The justification and specific education offer has been set out within the applicant's Planning Statement. Improvements to the surrounding site access will be further assessed below including links to existing the pedestrian environment on Olympic Way and traffic calming measures. While the site is somewhat constrained, a recreational terrace would be provided at level 2 to provide outdoor space for students. Overall, the proposed use accords with Development Plan Policies.

## **2. Design and Character**

### *2.1 Scale and Massing*

2.12 The NPPF emphasises that good design involves responding to local character and history and reflecting the identity of local surroundings and materials, while not discouraging appropriate innovation, and Brent Local Policy DMP1 requires the scale, type and design of development to complement the locality. Brent Local Plan Policy BD1 stipulates that innovative contemporary design will be supported where it respects and complements the historic character but is also fit for the future. All new development must be of the highest architectural and urban design quality. Brent Local Plan Policy DMP1 requires the scale, type and design of development to complement the locality.

2.13 Brent Local Plan Policy BD2 of the relates to tall buildings. It defines a tall building is one that is more than 30m in height. Tall buildings are directed to locations within the tall building zone and must be shown to be positive additions to the skyline that would enhance the overall character of the area. They should be of exceptional design quality, consistent with London Plan Policy requirements in showing how they positively address their visual, functional, environmental and cumulative impacts. The site lies within a tall building zone and therefore the principle of a tall building would be supported at the location subject to complying with policy D9 of London Plan and policy BD2 of Brent's Local Plan.

2.14 Policy BP1 of the Brent Local Plan highlights that tall buildings are appropriate within the tall building zone, taking care to preserve protected views of the stadium and create a high quality new neighbourhood, integrating well with the suburban character of the surrounding area. In this context policy BHC2 of Local Plan stipulates that development must not be to the detriment of the National Stadium and development must preserve and enhance the architectural integrity of the national stadium. Policy BC5A5 (Site Allocation: Olympic Office Centre) states that the site is suitable for a tall building subject to this not adversely impacting on protected key views of the National Stadium. Building height and massing should build upon the newly established rhythm along this part of Olympic Way and respond to surrounding development coming forward as part of the Wembley Park redevelopment. The ground floor/podium use should come forward towards the edge of Olympic Way to provide additional continuation of the active frontage edge formed by the adjacent Unite and Novotel developments, as well as along Fulton Road and Rutherford Way. The low level podium

and massing set out as such to protect the views of the stadium.

2.15 The proposed development would see the introduction of a single building with a height of 8 storeys with a flat roof design. A two storey podium to the building is created at street level housing the main entrance, foyer space and construction/ engineering spaces. This volume comes forward to align with the frontage of the adjacent buildings and interface more directly with Olympic Way. The workshop activities will be visible from this busy route and will help animate the street. The entrance will be defined on the corner of Olympic Way and Fulton Road. Above the podium, level 2 provides a central gathering area and a landscaped roof terrace fronting Olympic Way. Levels 2 and 3 act as a horizontal break between the workshop podium volume below and the main teaching accommodation above with a recessed facade design. The four storey element above would house the rest of the teaching department, cantilevered over the lower level 2 terrace. The upper volume is set back to comply with view corridor requirements and aligns with the approach of buildings to the north, Unite Students and Marathon House. At roof level, PV panels will be located on a planted green roof.

2.16 Around the building, to the frontage, the development proposes landscaping along Olympic Way. Rutherford Way to the east provides service access to the building for kitchen deliveries and refuse disposal, as well as access to the substations, gas and refuse stores. A dedicated off-street delivery area is proposed that serves the construction and engineering workshops and provides access to southern core and goods lift. A drop-off zone along Fulton Way will accommodate parent, taxi and bus drop off and pick up for the PMLD students, while accessible parking bays are positioned here for access to the main entrance. Bicycle hoops are provided along the south and north façades. The enclosed bicycle store is located to the south west corner of the building allowing easy access from both Olympic Way and Rutherford Way.

2.17 The proposed development would constitute a tall building, measuring approximately 38.35m including rooftop plant. It would be 1.95m taller than the existing eight storey building. The site allocation states that the site is suitable for a tall building, and the proposed height is considered acceptable as the low level podium and set back massing protects views of Wembley Stadium with only slightly increase to the maximum height of the existing building to respect longer views. The height sits at a similar height to Novotel Hotel with Unite Students stepping up in excess of 10m above the proposed development.

2.18 Behind the application site, the reserved matters application (Application Ref. 22/3208) at block NE01 exceeds heights at the application site. The massing and height therefore sits comfortably within the context of the predominant pattern of development, reducing in scale towards the podium creating a more human scale on Olympic Way. It is noted that the proposed building would be significantly shorter than the previous approval for the site which at its highest point would have been 21 storeys. (Application Ref: 17/5097).

2.19 The massing of the building is simple in its form and creates emphasis on the entrances and areas of amenity with the elevated terrace. The overall bulk is considered to be well suited to the emerging context of Olympic Way. The building reflects the identity of the local surroundings, complementing nearby typologies.

## *2.2 Detailed design and layout*

2.21 Brent Local Plan Policy BP1 outlines the need to enhance the public realm and stadium approach from Wembley Park and Wembley Stadium Stations and SPD1 highlights that the use of durable and attractive materials is essential in order to create development that is appealing, robust and sustainable and fits in with the local character.

2.22 The development layout is reflective of the existing context and approach to development along Olympic Way. A viewing corridor to Wembley stadium has been retained with a height of 10 metres along Olympic Way. This is enabled through an established set back, creating a shelf at first floor, and this design element reinforces the character of the area. At ground floor, the main entrance proposes a fully glazed screen creating a large covered space leading to an entrance foyer which brings users into a double volume space. Overall, the building's mixed floor plate allows a variety of different educational purposes including large teaching rooms and workshops, labs, IT rooms, informal social learning and general teaching rooms, gathering spaces, individual work areas and staff work rooms. Additionally, Level 2 contains a kitchen and canteen eating area while Level 3 provides the PMLD and leaning resource centre. Internally, the floor plans are formed around central voids and a continuous corridor/atrium that connects lift cores and staircases. The functional design of the building has been designed to accommodate the flexible needs of the teaching on offer at the college.

2.23 The ground floor layout provides an active frontage along the majority of the ground floor along the western elevation provided an improved relationship with Olympic Way, similar to adjacent development.

There would be an expanse of landscaped open space fronting the college with defensible planting, trees and an integrated bench immediately abutting the principal elevation. New trees will also be planted on along the Rutherford Way and Fulton Road frontages.

2.24 In terms of accessibility, London Plan Policy D5 seeks to ensure that new development achieves the highest standards of accessible and inclusive design while London Plan Policy S3 part 7 seeks to ensure that new developments for education are accessible and inclusive for a range of users, including disabled people, by adopting an inclusive design approach. Within the applicant's Design and Access Statement, it is set out that the building access strategy has been developed to be inclusive and intuitive to ensure clear navigation within and around the building is appropriate for all. This is particularly important given that the proposed building will include integrated and expanded supported Learning facilities including Learners with Learning Disabilities or Difficulties (LLDD) and Profound and Multiple Learning Difficulties (PMLD) provision.

2.25 The development has been designed to be entered and used safely, easily and with dignity by all. The proposal is convenient and welcoming (with no disabling barriers); and provides independent access without additional undue effort, separation, or special treatment.

2.26 Externally, the material palette has been chosen to articulate the components of the building. The overall approach is contemporary with facades composed of glass, metal, cladding and ceramics. The podium (Ground and Level 1) is formed of a ceramic plinth, ceramic rainscreen cladding panels, metal fin and curtain wall windows with smaller panels of opaque glass all set below the cantilevered metal perimeter canopy. Hostile vehicle mitigation measures (HVM) on north and east elevations will be coordinated with the plinth. The concourse facade (Levels 2 and 3) provide a different elevational approach while incorporating similar materials. This is designed to be predominantly a double glazed curtain wall system with elements of metal fins and ventilation louvres. The typical upper four facades use triple-glazed, composite glazing systems. In slab locations, glazed rainscreen panels will conceal the structure but continue the vertical appearance of the clear glazing elements. Full height aluminium semi-perforated rainscreen panels will create a further vertical rhythm with the glazed elements. The perforations to these panels will allow for mechanical ventilation to be provided.

2.27 The proposed materials approach would be acceptable and would replicate the modern context of buildings within the vicinity of the application site. Approval of final materials and key construction details will be subject to a planning condition.

## *2.8 Public Safety*

2.81 London Plan Policy D11 requires LPAs to consider safety, security and resilience to emergency as part of planning applications and to work with the Metropolitan Police and other bodies in doing so. London Plan policy sets out development must create a safe and secure environment which is resilient the impact of emergencies including fire and terrorism.

2.82 In order to achieve high quality amenity landscape to the frontage of the site and to balance the need to public and crowd safety specifically during Wembley events days, it will be necessary for a requirement of temporary fencing to be placed around the outside of the proposed planters at certain times on Stadium Major Event Days. This fencing will be subject to detailed specification including which days, times, precise location and type of fencing. This has been agreed as an acceptable solution of the management of egress crowds of event days. The detail is to be discussed pursuant to a condition and in collaboration with key stakeholders.

2.83 The Metropolitan Police have also advised planning conditions relating to public safety and counter terrorism which will be secured.

## **3. Impact on Residential Amenity**

3.1 SPD1 advises 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.

3.2 Reduced distances between new frontages may be acceptable subject to consideration of overlooking and privacy as well as high quality design and solutions which can sometimes mitigate impacts and allow for efficient use of land.

3.3 The building envelope should be set below a line of 30 degrees from the nearest rear habitable room window of adjoining existing property, measured from height of two metres above floor level. Where proposed development adjoins private amenity / garden areas then the height of new development should normally be set below a line of 45 degrees at the garden edge, measured from a height of two metres.

3.4 To the north, the development adjoining Fulton Road and beyond this No.5-9 Olympic Way, comprises of Novotel hotel and residential developments Tabriz Court and Pinnacle Tower, adjacent to this is Apex House. To the rear/east the development site is bordered by Rutherford Way and beyond this plot NE01 on the Wembley Park Masterplan. To the south, the site is bordered by Unite Student Building (Student Accommodation). To the west, across Olympic Way the site faces Boxpark with plot NW08 sitting to the south west.

### *3.5 Privacy and Overlooking*

3.51 The development achieves appropriate separations from neighbouring buildings and plots in line with relevant SPD1 guidance, this includes a separation in excess of 40m from any future emerging residential buildings on the western side of Olympic Way, a 19m separation from the hotel and Tabriz Court and Pinnacle Tower to the north and a separation of 23m to the edge of the future building on the NE01 plots along the east side of Rutherford Way. The Unite Student Accommodation Building to the south has a small number of side facing windows and a 11m separation is achieved which is considered sufficient to retain suitable outlook to the facing windows despite being shorter than the privacy distances specified in SPD1 guidance. It should be noted that the proposed building sits slightly further away than the closest point of the existing building towards Unite Students Building. However, while the close relationship with the Unite building already exists, the proposal would have a greater depth along this boundary.

3.52 Overall, it is considered that the relationship between windows on this elevation is acceptable. The character along the pedestrian route on the southern side of the building will be far more enclosed than the other sides of the building, and it is considered that while the proposal will have an impact on privacy to side facing windows of the adjoining block with the greater depth of the proposed building when compared to the existing. However, this is not considered to be significantly harmful having regard to the scale and density of development coming forward in the locality.

### *3.6 Massing, Daylight and Sunlight*

3.61 The site benefits from an extant planning consent (Application Ref: 17/5097) for the redevelopment of the site and erection of a building comprising of residential units, flexible retail units and car parking at basement level. The tallest element of the extant consent reached 102.225 AOD in comparison to the proposed scheme set at 70.82 AOD.

3.62 In relation to the SPD1 45 degree line. The application does not adjoining private garden areas but is opposite the balconies of flats fronting Fulton road. The development exceeds a 30 degree line towards the north, east (under construction) and west (outline consent but not yet constructed) neighbouring properties. However, the proposal sits approximately 1.95m taller than the existing eight storey building and, the existing building also breaches the 30 degree line. Given the density of development expected in the area, most of the new developments would project above the 30 and 45 degree lines taken from the homes within the lower floors of the developments within the growth area. The applicant has provided a Daylight & Sunlight Report to demonstrate the impact on neighbouring buildings.

3.63 For impact to neighbouring buildings, the BRE Guidelines recommend two measures for daylight. Firstly, the Vertical Sky Component (VSC) assesses the proportion of visible sky and is measured from the centre of the main window. If this exceeds 27% or is at least 0.8 times its former value, residents are unlikely to notice a difference in the level of daylight. Secondly, the No Sky Contour or Daylight Distribution assesses the area of the room at desk height from which the sky can be seen. If this remains at least 0.8 times its former value, the room will not experience a noticeable level of impact.

3.64 To assess impacts on sunlight to existing south-facing windows and amenity spaces, assessment of Annual Probable Sunlight Hours (APSH) is recommended. Adverse impacts occur when the affected window receives less than 25% of total APSH including less than 5% in winter months, or when amenity spaces receive less than two hours sunlight on 21 March or less than 0.8 times their former value.

3.65 However, the BRE also recognise that different criteria for daylight and sunlight may be used in dense urban areas where the expectation of light and outlook would normally be lower than in suburban or rural areas. The NPPF recognises that a flexible approach should be taken when applying policies or guidance

relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site, and the resulting scheme would provide acceptable living standards.

3.66 The assessment has been undertaken using the VSC, NSL, and APSH (sunlight) tests set out within the BRE guidance 'Site layout planning for daylight and sunlight: A guide to good practice' (2022).

3.67 The two buildings affected the most by the proposed development area No.5-9 Olympic Way containing Novotel Hotel, Tabriz Court and Pinnacle Tower to the north and Unite Students Building to the south. Both Wembley Park (Plot NW08) and Apex House meet BRE Guidelines as such there is no impact beyond recommendations. For Plot NE01 to the east of the application site, the applicant has noted that as this site is yet to be built or occupied a separate indicative assessment (VSC facade study) to understand the potential impact of the proposal on the daylight (VSC) amenity to this portion of the masterplan. The results highlight that a central low portion of windows will experience VSC reductions in excess of 20%, however these will be limited between 20% and 30% which is considered to be a minor adverse change in daylight.

3.68 For No.5-9 Olympic Way containing Novotel Hotel, Tabriz Court and Pinnacle Tower residential accommodation is located across the 1st to 19th floors of the property. 252 windows serving 170 rooms were tested. Of the 252 windows tested for VSC, 191 windows (75%) will adhere to the BRE Guidelines for VSC, therefore continue to achieve 27% VSC or will experience less than a 20% change. Of the 61 windows that do not meet the BRE criteria, 35 will experience an alteration between 20% - 30%, which is typically considered to be minor adverse, nine will experience an alteration between 30%-40%, which is typically considered moderate adverse and 17 will experience an alteration above 40%, which is typically considered major adverse. For VSC levels, of the 61 windows that do not meet the BRE criteria, 28 will retain a VSC value between 18.2% - 26.2%. The remaining 33 windows will retain a VSC value between 0.9% -6.1%. The applicant has advised this is primarily due to the existing architectural features of the property in that windows located behind recessed balconies are limit in achieving natural light. It is noted that all existing values are below 10% in existing conditions, therefore any meaningful development at the site would cause disproportionate percentage loss changes.

3.69 Of the 170 rooms tested for NSL 152 (c.89%) are considered to fully comply to the BRE Guidelines. Of the 18 rooms that do not meet the BRE criteria, six will experience an alteration between 20% - 30%, five will experience an alteration between 30%-40% and seven will experience an alteration in excess of 40%. The applicant understands that five of these are LKD's and 13 are bedrooms.

3.70 The sunlight assessment (APSH) shows that 221 of the 231 windows assessed will meet the BRE recommendation for APSH. When considering winter sunlight levels, seven of the 10 windows which exceed the BRE recommended criteria will continue to retain an APSH level in excess of the permissive 5% value. Turning to the annual sunlight levels, the three windows which do not meet the winter will retain winter APSH values of 3%, reduced respectively from existing levels between 9%-13% and therefore fall short of the recommended values in the existing conditions.

3.71 For the Unite Student Building, of the 197 windows tested for VSC, 160 windows (c.81%) will adhere to the BRE Guidelines for VSC, therefore continue to achieve 27% VSC or will experience less than a 20% change. Of the 37 windows that do not meet the BRE criteria, seven will experience an alteration between 20% - 30%, which is typically considered to be minor adverse, nine will experience an alteration between 30%-40%, which is typically considered moderate adverse and 21 will experience an alteration above 40%, which is typically considered major adverse.

3.72 With regards to the VSC levels, of the 37 windows that do not meet the BRE criteria, 10 will retain a VSC value above 15% with the remaining 27 windows will retaining a VSC value between 2.6% -14.2%.

3.73 Of the 95 rooms tested for NSL 70 (c.74%) are considered to fully comply to the BRE Guidelines. Of the 15 rooms that do not meet the BRE criteria, one will experience an alteration between 20% - 30%, two will experience an alteration between 30%-40% and 22 will experience an alteration in excess of 40%. The applicant understands that all 15 rooms are bedrooms. The results of the assessment demonstrate that this property is compliant against the APSH methodology to assess sunlight.

3.74 The report has further provided a comparative assessment with the consented scheme versus the proposed and a cumulative baseline analysis. When considering the daylight and sunlight impacts of both the Wembley Masterplan outline consented scheme and the Proposed Development, should they come forward successfully on site at a similar time. The results of the cumulative assessment demonstrate that these properties will experience additional daylight and sunlight transgression. The consented scheme generally has a greater impact on daylight with absolute change around to 2-2.5% for VSC and 0.3 to 8.2% for NSL.



Where windows do experience transgressions beyond the previously consented levels, they are nearly identical.

3.75 While the numerical values stated in the BRE guide provide useful guidance, it is important to consider the local context of the site. High density urban areas, for example, the massing and density proposed and existing across the Wembley Growth Area may often experience greater site constraints when compared to low-rise suburban areas, and thus some detrimental impact can be unavoidable. In this instance, it is considered that the results are acceptable given the high density and heavily urban character of the surroundings. The windows which are affected in the Unite Student building are north facing windows which were constructed close to the boundary within a Growth Area. The associated rooms are bedrooms within cluster units which have a corner kitchen/living/dining room with outlook to the East (towards Rutherford Way) or West (towards Olympic Way). Furthermore, the student rooms are occupied in a more transient way, where students are typically only present during term times and spend a lot of time away from their rooms.

3.76 Overall, the impact of the proposal on surrounding daylight and sunlight levels for existing and emerging buildings is considered acceptable. There are instances where reductions would be noticeable in some cases, however, when considered the extant consent and the urban nature of the subject site and surrounding area, the proposed development is considered to outweigh the harm associated with the loss of daylight and sunlight in this context.

## **4. Transport and Highway Considerations**

### *4.1 Highway Considerations*

4.11 Fulton Road and Rutherford way are local commercial access roads & bus routes. On-street parking prohibited at all times along site frontages, with loading prohibited on Fulton Road. There is a bus stop at the south end of Rutherford Way frontage and both roads are lightly parked at night. Olympic Way is pedestrian access only. The site is within a PTAL area of 5 with very good access to public transport

4.12 The application proposes inset bays along Rutherford Way and Fulton Road to provide two disabled parking spaces with loading bay and drop off bay with footway widened behind.

### *4.2 Parking and Servicing*

4.21 Car parking allowances for Brent are set out in Appendix 4 of the adopted Local Plan. For education uses with a PTAL rating of 5, any parking aside from disabled and operational parking needs to be justified by a Transport Assessment. Servicing standards are set out in Appendix 5, but there are no specific standards for colleges.

4.22 Two disabled parking spaces are proposed to be provided through the use of a lay-by within the existing footway along the Rutherford Way street frontage, so maximum standards would be complied with. However, the spaces are shown at just 2.4m width, which is substandard for disabled spaces and needs to be increased to 2.7m which can be secured through the S278 works. The spaces would sit within the public highway, so will fall under the control of the Local Highway Authority and cannot therefore be specifically allocated to the college. Electric vehicle charging points should be provided for these spaces and this will be added to the scope of the S278 Agreement.

4.23 An unobstructed footway will also need to be constructed to the rear of the lay-by to a minimum width of 2.4m and adopted under a S38 highways agreement. No details of the future adopted footway boundary have been provided at this stage, but this can be agreed as part of the S278 approval process as there is sufficient landscaping space shown to accommodate the footway.

4.24 Two loading areas are proposed as follows:-

(i) A lay-by within the existing footways along the Fulton Road street frontage. This would lie beyond the Hostile Vehicle Measures (HVM) on the approach to Olympic Way, so would not be accessible on event days. Transport have therefore liaised with the Met. Police and they have confirmed that it would be acceptable for a lay-by to be created here, as long as it is understood that no vehicles are to be parked within the layby when HVM measures are put in place on Event Days. The waiting and loading restrictions will need to reflect this requirement to prevent any waiting or loading on event days between 8am-midnight, so that any vehicles that flout this would be towed away. As above, the works to create the lay-by will require a Section 278/38 Highways Agreement and a new highway boundary line at the rear of the widened footway will need to

be agreed.

The Fulton Road frontage will also need to include complementary HVM measures to ensure the measures in the public highway cannot be by-passed and HMV bollards have been indicated on the drawings which align with the measures within the street.

(ii) A loading area set back behind the existing footway along the Rutherford Way frontage, thus sitting within private land. This would have carriage drive style access and egress similar to that outside the Unite Student housing block to the south. However, the pedestrian environment outside the Unite building is poor and encourages unauthorised parking on the site forecourt which obstructs access by delivery vehicles. The applicant is looking to address this through the use of bollards to discourage vehicles driving over the footway (outside of the vehicular access and egress points), level surfacing and the use of much higher quality of hard landscaping materials.

4.25 The applicant has advised that an off-street servicing bay is required due to the nature of the goods that would need to be delivered, which includes construction materials for the associated courses that are taught at the facility. The applicant considers it necessary to ensure that a servicing space is available for these materials immediately adjacent to the workshops, which could not be guaranteed with an on-street bay. They also consider it more practical and safe to unload these heavy goods onto the private forecourt rather than onto (and then across) the footway.

4.26 The Council's Transportation officers initially raised concern about the layout of the carriage way style servicing bay as initially proposed as it was not considered to demonstrate that a good pedestrian environment would be provided. However, following further discussions, bollards have been introduced to mitigate the potential for vehicles to drive outside of the proposed vehicular area and the layout has been adjusted slightly. While the changes are welcomed, further amendments to the precise layout of the bollards would be required. It is likely that the width of the access and egress to the highway can be reduced further if the service vehicles utilities both sides of the carriageway when accessing and egressing. This would be considered safe and appropriate given the lightly trafficked nature of Rutherford Way. The further consideration of the location and layout of the accesses and bay will also ensure that the provision of the bay does not prejudice the provision of a raised table across Rutherford Way connecting Olympic Way and the new Quintain park along the route between Unite and the proposed building, and between the new Quintain buildings being constructed opposite the site (known as plots NE01 and NE02). These changes would be secured through the S278 works for the scheme and are therefore included under Highways works within the Section 106 heads of terms.

4.27 Officers would continue to be concerned if a significant amount of servicing took place within this bay and an updated Delivery and Servicing Plan (DSP) is therefore recommended to be secured through condition which includes measures to limit the use of this bay and to prevent unauthorised use of the bay. The provision of the Rutherford Way serving bay is considered to be acceptable on this basis.

### *4.3 Cycle Parking*

4.31 The proposals would need to provide cycle parking spaces in accordance with London Plan standards, which are based on the number of staff and students (long-stay parking at one space per 4 staff and one space per 20 students, with short-stay parking at one space per 7 students).

4.32 The submission suggests that there will be capacity for 1,401 students and 242 desks for staff, which would result in a minimum requirement for 130.7 long-stay spaces (60.5 for staff and 70.2 for students) and 200.14 short-stay spaces. The applicant has indicated that the college would only be occupied by, at most, by 60% of students at any time. If so, these requirements would fall to 78.42 long-stay and 120.08 short-stay spaces. A total of 78 long stay and 120 short stay cycle parking places are proposed.

4.33 It is accepted that the London Plan standards are based on full-time equivalent levels for both staff and student numbers and it is also accepted that not all students would be expected on site at all the time, so a 60% level would be reasonable. The applicant through further discussions has indicated that 60% capacity would also apply to staffing levels. On this basis, the provision would align with London Plan standards.

4.34 However, the trip generation figures from the Transport Assessment predict that 20% of the students would access the site by bike while 13% of staff would. If only 60% of the students and staff attended at any one time, this would result in a demand for 168 student cycle parking spaces and 19 staff cycle parking, resulting in a total demand for 187 spaces. The proposed provision of 198 cycle spaces would therefore meet this demand.

4.35 The Travel Plan has a target to increase the student cycle trip generation by 6%, which would then result in an increase of 50 student cycle spaces and 9 staff cycle spaces (again based on the 60 % occupancy level). The applicant has indicated that there is scope to increase future provision of short stay spaces by up to 64 which could be based on operational surveys and this will form part of the Travel Plan.

4.36 The long-stay cycle parking is proposed to be located in a store located on the south west corner of the site, whilst the college entrance is located on the north west corner on the Olympic Way, some 70m away. The London Cycle Design Standards recommend placing cycle parking as close to the main entrance as possible, however, it is considered that the location allows for convenient access to/from Rutherford Way.

#### *4.4 Healthy Streets and Active Travel*

4.41 In line with London Plan policy T2 all developments are expected to deliver improvements that support the 10 Healthy Streets indicators. An Active Travel Zone Assessment (ATZ) and Healthy Streets assessment has been carried out in line with London Plan Policy T2.

4.42 A Healthy Streets Assessment has been included within the Transport Assessment and this includes routes to Wembley Central Station, Asda on Forty Lane and bus stops at the junction of East Lane with Wembley Hill Road. All routes identified areas for improvement, which were principally improved pedestrian crossing facilities, traffic reduction, street furniture, vegetation and re-paving. These improvements to the active travel environment/public realm should be secured in line with London Plan policy T4 to mitigate transport impacts. The use of planters instead of bollards is supported to ensure the permeability of the footway and given with clear widths are provided to support pedestrian demand.

4.43 It is noted that the previously approved redevelopment of this site included traffic calming measures (two speed tables) in Rutherford Way fronting the building to facilitate a 20mph speed limit, as well as the widening of the highway along the Fulton Road frontage to provide public space. Given the high level of pedestrian movement expected for this development and the future provision of public open space to the east of Rutherford Way, the provision of traffic calming in Rutherford Way would be expected to be secured again. The provision of a raised table at the junction of Rutherford Way and Fulton Road is to be secured through this consent (through the S278 process). Transportation officers consider that the provision of the southern speed table (across Rutherford Way at the southern end of the site) is important for traffic calming and to ensure a good pedestrian route to the new park, but this would be contingent on the relocation of the bus stop. The changes to the Rutherford Way servicing bay discussed above will ensure that the proposed loading bay (and associate accesses) does not prejudice the delivery of the additional raised table across Rutherford Way. The provision of this will be secured subject to the feasibility of such works (as set out in the Recommendation section of this report) given the need to relocate the bus stop. The delivery of streetscape improvements and road calming measures will be secured through a legal agreement.

#### *4.5 Trip Generation*

4.51 A multi-modal trip generation assessment has been provided based on full time occupancy. The TRICS sites selected included surveys from 2022 through to 2015. A revised Trip Generation Assessment was requested by TfL due to the concern that the impact on the surrounding transport network is being underestimated

4.52 Noting capacity issues on the local bus network, TfL are seeking a financial contribution towards improvements, including but not limited to capacity enhancements, in line with Policy T4. The submitted trip generation assessment identified that the proposal is forecasted to generate a net bus demand of 35 two-way trips in the AM peak period. Based on this assessment, and in line with other developments in the area, a financial contribution of £227,500 would be requested. The applicant has requested a reduction based on the fact that the development is consolidating two existing campuses into a single purpose-built facility. One of those campuses is on Olympic Way within 100m of the application site. In total 22% of students will be transferred from the existing facility on Olympic Way and consequently the suggested financial contribution (based on the request) is £177,450.

4.53 The final amount will be considered at stage 2 referral to the GLA and written into the S106 agreement.

#### *4.6 Travel Plan*

4.61 A Travel Plan has been submitted and although the baseline data matches that within the Transport

Assessment, all targets are yet to be confirmed. Transportation Officers have set out that proposed targets for future staff and student modal-share should be set out now for 3- and 5-year periods. The majority of measures contained within the Travel Plan are about providing information, when this only has a limited impact on behaviour change. Nevertheless, given the limited opportunity for car parking in the area should in itself be successful in restraining car use amongst staff and students.

4.62 A revised version of the Travel Plan with clear targets will be sought, enforced, monitored, and reviewed through the Legal Agreement.

#### *4.7 Construction*

4.71 Finally, the applicant has submitted a Construction Management Plan, which includes some details of traffic management and confirms that throughout the construction works, vehicles would be able to enter the site. This is welcomed in principle, but it needs to be borne in mind that no deliveries will be permitted to the site within four hours of an event on Wembley Stadium Event Days. A full Construction Logistics Plan (CLP) would need to be conditioned identifying appropriate mitigation measures for event days.

### **5. Environmental Health Considerations**

#### *5.1 Air Quality*

5.11 London Plan SI2 seeks to tackle poor air quality and ensure development proposals do not lead to further deterioration of existing poor air quality. Part 2c sets out that major development proposals must include Air Quality Assessment. Development proposals in Air Quality Focus Areas or that are likely to be used by large numbers of people particularly vulnerable to poor air quality, such as children or older people should demonstrate that design measures have been used to minimise exposure.

5.12 Policy BSUI1 of Brent's Local Plan requires all major developments in Growth Areas to be air quality positive. The assessment should consider the potential emissions to the area associated with the development as well as the potential impact on receptors to the development. The assessment shall include mitigation proposals for any identified adverse impacts. The assessment should also analyse the relationship between the nearby highway. Any necessary mitigation measures if required should be fully considered within the design of the building.

5.13 The application is a major development in a Growth Area and is also within the Air Quality Action Area. The applicant has submitted an air quality assessment. The report is of sufficient technical quality and the development is air quality neutral. The proposed development will be provided with heat and hot water by Air Source Heat Pumps (ASHPs) and roof mounted Photovoltaic (PV) panels, which have no on-site emissions. The site will include an emergency generator. The assessment of generator emissions has concluded that the off-site impacts of emissions associated with the testing and maintenance of the emergency generator will be negligible. The building and transport related emissions associated with the proposed development are both below the relevant benchmarks. The submitted air quality positive statement also sets out that the development will remove an existing car park and replace this with two blue badge parking spaces along with no direct emissions from the routine heating and hot water provision. The statement has also set out a range of mitigation measures to demonstrate an air quality positive approach. These include: better design to reduce exposure such as measures for the building facades set back to reduce exposure to future users as well as the delivery of green amenity areas, reduction of building emissions such as the usage of an ASHP and PV Panels and the exhaust stack diesel generator located in an area with good dispersion, and the reduction of transport emissions including provision of good pedestrian and cycle access, car free development (two disabled on street bays only) and a travel plan to encourage alternative active travel. Furthermore, impact to mitigate dust emissions during the construction phase of the development, the report recommends a dust management plan (DMP) is conditioned.

5.14 Overall, the site is considered suitable for use and there will be no adverse impact on air quality. The proposed development therefore complies with the relevant local plan and London Plan requirements subject to conditions to secure mitigation measures set out above.

#### *5.2 Land Contamination*

5.21 The applicant has submitted a RSK Geo-environmental and Geotechnical report dated March 2021. This report concludes that a clean cover system will be required due to the presence of asbestos in soils and further gas monitoring is being undertaken to conclude the requirements of the gas regime. As such further information will be requested via condition to ensure safe development and secure occupancy of the site in

the form of a site investigation setting out remediation options and a verification report to confirm that such remediation works have been carried out.

### *5.3 Odour*

5.31 The application contains a kitchen/canteen on the second floor along with training domestic kitchens for students. The applicant has not provided an Odour Risk Assessment, however the applicant has provided a Ventilation and Extract Statement dated December 2022. The main kitchen includes a dedicated mechanical ventilation system including exhaust canopies with integral filters and kitchen exhaust flue. The training kitchen will provide domestic canopies and ductwork. The main kitchen follows guidance of DW172: Specification for Kitchen Ventilation Systems. As such, the documents demonstrate that consideration to the impact of the kitchens has been considered in line with benchmark standards.

### *5.4 Construction Management*

5.4 The applicant has submitted a construction management plan and this does have controls to minimise noise and dust from the site during construction. However, it is also recommended that on-site plant and machinery must comply with the London Non-Road Mobile Machinery (NRMM) Low Emission Zone standards for Opportunity Areas and this will be secured through condition. Further measures to control emissions should be submitted during the construction phase must be incorporated into an Air Quality and Dust Management Plan (AQDMP), or form part of a Construction Environmental Management Plan, in line with the requirements of the Control of Dust and Emissions during Construction and Demolition SPG. The Council's Environmental Health Officers have also recommended that CFA piling is undertaken on site.

### *5.5 Noise*

5.51 London Plan Policy D14 states that where it is not possible to achieve separation of noise-sensitive development and noise sources without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through applying good acoustic design principles. Proposals should manage noise by promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.

5.52 The applicant has submitted a noise assessment. This assessment considers ventilation and glazing specifications to ensure that noise levels within the college are in line with BB93 (acoustic design for school). In addition, a BS4142 assessment has been submitted for the plant associated with the development and this concludes that plant noise at the nearest residential receptor will be 10dB below background noise levels. Therefore provided the glazing and ventilation specification is implemented and the plant equipment remains the same levels as those stated within the report then the proposal is considered to not cause undue harm on surrounding sensitive uses.

### *5.6 Lighting*

5.61 London Plan places importance on tall buildings being designed to minimise light pollution as well as the importance of lighting of the public realm to ensure safety and security issues.

5.62 With regards to the ground floor lighting LED strip lighting will be installed to the base of all benches and raised planters. This allows the space to be well lit but with discreet luminaries and lighting systems, and also mitigates against surrounding light pollution due to the sites proximity to Wembley Stadium. Internally, the building form has relatively high ceilings and with the introduction of the central atrium spine allows good levels of daylight to all levels, thereby reducing artificial lighting use. Further, an advanced LED digital lighting system is linked to daylight levels and occupancy to reduce unnecessary usage.

5.63 The applicant has submitted an Architectural Exterior Lighting Statement which applies to the ground floor landscaping to the north, east, south and west sides of the site together with level 02 terrace and roof level. The report outlines the initial concepts and approach for the exterior lighting. The strategy has included recommended illuminance levels for the external lighting, which vary between 5 lux to 50 lux for different parts of the application site. The report sets out that the lighting would be controlled by full automation.

5.64 It is noted that the site is situated in an urban area surrounded by high levels of footfall with social, entertainment and hospitality uses in close proximity. However, some routes including the southern gap between Unite Students building may have lower footfall and closer to residential accommodation. The site is not adjacent or nearby to SINC or green corridor. Overall, the report demonstrates that exterior lighting takes consideration of the various standards with particular focus on target illuminance in accordance with

CIBSE/SLL guidance and stipulations from Department of Education, with aim to creating a lit environment that follows best practice. The final lighting strategy will be subject to a condition.

## **6. Sustainability**

6.1 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 the use of sustainable drainage (BSUI4).

6.2 Major residential and non-residential developments are expected to achieve zero carbon standards, including a 35% reduction on Building Regulations 2021 Target Emission Rates (TER) achieved on site, in accordance with London Plan Policy SI2. Policy SI2 also sets out more detailed requirements, including the 'Be Seen' requirement for energy monitoring and reporting and (for proposals referable to the Mayor) a Whole Life Cycle Carbon Assessment). Policy SI4 requires the energy strategy to include measures to reduce the potential for internal overheating and reliance on air conditioning systems.

6.3 Any shortfall in achieving the target emissions standards is to be compensated for by a financial contribution to the Council's Carbon Offsetting Fund, based on the notional price per tonne of carbon of £95, or through off-site measures to be agreed with the Council. Policy BSUI1 also requires any proposal for commercial floorspace of over 1,000sqm to demonstrate that it achieves BREEAM Excellent standards. Given the size of the non-domestic floorspace, this would be a requirement of the development.

6.4 Policy SI2 also 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.

### *6.5 Carbon Emissions*

6.51 The applicant has submitted an Energy and Sustainability Statement.

6.52 The proposed development aims to be zero carbon and with 'Be Lean', 'Be Clean' and 'Be Green' measures incorporated the remaining CO<sub>2</sub> emissions for the scheme is set at 27.5 tonnes per annum. This demonstrates a total carbon emissions reduction of 36% when compared to the 2021 building regulations baseline that includes heat pumps. This is equivalent to 68% saving versus a gas-boiler baseline. The shortfall will be met through a Brent council's carbon offset fund. This is currently set at £95 per tonne of CO<sub>2</sub> which is payable for a period of 30 years for the calculation of offset payments. The predicted CO<sub>2</sub> offset price for the application site is calculated to be £78,375 based on a 36% on site reduction. A more detailed energy statement would be secured within the Section 106 Agreement.

6.53 The details of the energy efficiency improvements are as follows:

#### *6.44 Be Lean:*

- Total savings from 'be lean': 4.4 tonnes / 10%
- The use of incorporating efficient fabric
- The use of natural ventilation,
- The use of efficient mechanical ventilation with heat recovery and high efficiency lighting

#### *6.45 Be Clean:*

- The London Heat Map shows no existing district heatworks with capacity for new connections
- The plant is configured to facilitate future connects to a District Heat Network

#### *6.46 Be Green:*

- Total savings from 'be green': 11.0 tonnes / 26 %
- On site renewable energy in the form of high-efficiency heat pumps providing space heating, cooling and hot water. It will also include a significant amount of photovoltaic (PV) panels on the roof.
- The reduction is relative to a baseline that includes heat pumps

#### *6.47 Be Seen:*

- The development will be provided with a comprehensive set of energy sub-meters to track and record the developments energy use to ensure the development's energy use can be monitored and tracked

post completion

6.48 The GLA has reviewed the energy and sustainability aspects of the proposal. The applicant is required to further refine the energy strategy and submit further information to fully comply with London Plan SI2 and SI2. A roof layout should be supplied with the extent of PV provision demonstrating that renewable energy has been maximised. Be Lean requires further exploration of energy efficiency measures for the non-domestic element. Further details on the design of district heating network connection is required, and the future connection to this network must be secured by condition. The above information would be required ahead of stage 2 referral to the GLA.

#### *6.5 Sustainable Design and Construction*

6.51 A number of the applicant's submission documents outline sustainability benefits which would be incorporated into the scheme.

#### *6.6 BREEAM rating*

6.61 As discussed above, the scale of the commercial development within the proposal is such that a BREEAM rating of 'Excellent' is required to be achieved in terms of sustainable construction and fit out, to accord with Local Plan Policy BSUI1. The submitted BREAM pre-assessment sets out that the applicant is provisionally targeting the achievement of an 'Outstanding' rating with a targeted score of 88.09%. A condition will require that a BREEAM post-assessment is submitted following first operation of the development to confirm that a minimum "Excellent" rating is achieved.

#### *6.7 Overheating*

6.71 With regard to overheating, the applicants have submitted an overheating report setting out a number of measures being used to help eliminate or reduce overheating risk, and achieve the requirements of London Plan Policy SI4.

#### *6.8 Whole life carbon cycle and Circular Economy Statement*

6.81 A Whole Life Cycle (WLC) Carbon Assessment was initially 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. By undertaking a WLC, the development has demonstrated that options for reducing carbon emissions have been considered and implemented where feasible. The GLA noted that the original documentation did not comply fully with policy SI2. However, the applicant has submitted further information in response to these comments and the GLA considers these matters acceptably addressed

6.82 A Circular Economy (CE) statement was submitted, as required by London Plan policy SI7. The GLA have reviewed the Circular Economy Statement and noted that it does not yet comply with London Plan Policy SI7. During the course of the application, further information was submitted and the GLA, this suitably addresses previous concerns.

### **7. Trees**

7.1 Policy BGI2 of the Local Plan stipulates that development with either existing trees on site or adjoining that could affect trees will require the submission of a BS5837 or equivalent tree survey detailing all tree(s) that are on, or adjoining the development site. In the case of major development to make provision for the planting and retention of trees on site. Where retention is agreed to not be possible, developers shall provide new trees to achieve equivalent canopy cover or a financial contribution for off-site tree planting of equivalent canopy cover will be sought. Replacement canopy cover will be measured as total canopy area of new trees at time of planting being equal to canopy area of existing mature trees proposed for removal.

7.2 The application is supported by an Arboricultural Report produced which includes an Arboricultural Survey, Site Plans (existing and proposed), a Tree Protection Plan and Arboricultural Method Statement relating to the one tree to be retained T28. The proposals involve the loss of 27 no. individual trees including 2 no. category B trees and 21 no. category C trees. There is only one Category B tree which is to be retained as part of these proposals.

7.3 The indicative tree planting plan shows the locations of 41 proposed new trees. This includes 19 trees at ground level and a further 22 on the level 2 terrace. This would result in the net gain of 13 trees across the

site. Although, the Council's Tree Officer would require the planting of an additional 8 trees at ground level. These will be secured via a Hard and Soft Landscaping Scheme along with a Tree Protection Plan to ensure protection of the retained T28.

7.4 Utilities including new water supply and drainage should be achieved without negatively impacting on the numbers of trees to be planted on site. The planting of additional trees and other planting at level 2 terrace is welcomed.

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

### *8.1 Urban Greening*

8.11 London Plan Policy G1 states proposals should incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network and London Plan Policy G4 supports the creation of areas of publicly accessible open space. Policy G5 requires major development proposals to contribute to the greening of London by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. The Major recommends a target Urban Greening Factor (UGF) of 0.3 for predominately commercial development. Local Plan Policy BG11 supports meeting the UGF with emphasis on solutions to support biodiversity.

8.12 The applicant demonstrates consideration of access to public open space across the site, including green structure, opportunity to improve pedestrian routes through materiality and opportunities for active frontages, in accordance with London Plan Policy G4. The applicant has calculated the Urban Greening Factor (UGF) score of the proposed development as 0.34, which exceeds the target set by Policy G5 of the London Plan.

8.13 The proposed development presents a well-considered approach to integrating green infrastructure and urban greening across the masterplan which is strongly supported and should be brought to fruition. This includes landscape pockets to the college frontage on Olympic Way with the incorporation of standard trees, planting beds, rain gardens and seating. Elsewhere proposed trees and ornamental flower rich perennial planting are proposed at ground level with the Level 02 terrace providing further trees and ornamental and climber planting. At roof level a green roof is proposed. This supports multifunctionality, in accordance with Policy G1 of the London Plan. The management and maintenance of the areas will be subject to condition to ensure the spaces develop and thrive.

### *8.2 Biodiversity*

8.21 London Plan Policy G6 along with Brent Local Plan Policy BG11 with set out that development proposal should aim to secure net biodiversity gain.

8.22 The survey area extends to 0.48ha and comprises building, developed land sealed surface, modified grass, introduced shrubs and scattered trees. Proposed habitat creation includes biodiverse roof, trees, shrubs, and rain garden. The proposals stand to result in a net gain of 0.14 biodiversity units associated with area-based habitats compared with pre-development value. This is equivalent to a total net increase of 19.6% in ecological value. Detail relating to the proposed ecological compensation and enhancement actions in relation to habitat creation and management should be provided within an Ecological Management Plan (EMP) for the site which will be secured through planning condition. It is noted that any additional trees would further increase the biodiversity gain.

### *8.3 Ecology*

8.31 The applicant has submitted a Preliminary Ecological Appraisal. The report concludes that the survey, undertaken on the 4th March 2021, alongside data received from a desk top study, confirmed the site has low potential to support foraging/commuting bats and high potential to support nesting birds. The report recommends that site clearance should be undertaken outside of the nesting bird season or after a nesting bird check by a qualified ecologist confirms the likely absence of nesting birds from areas of the site to be cleared. A sensitive lighting strategy is also recommended to address potential impacts upon foraging and commuting bats. In addition to these mitigation actions, any areas of vegetation lost should be compensated for through the provision of enhanced wildlife friendly landscaping. This could include provision of: Biodiverse living roofs; Wildlife friendly landscaping; Vertical greening; Invertebrate habitat features including bee houses/log piles; and Bird and bat boxes. An Ecological Management Plan secured through the landscape planning condition should provide detail on all ecological mitigation and enhancement associated along with a Construction Environmental Management Plan (CEMP).



## **9. Flood Risk and Drainage**

### *9.1 Flood Risk*

9.11 Policy BSUI3 of the Brent Local Plan highlights that proposals requiring a Flood Risk Assessment must demonstrate that the development will be resistant and resilient to all relevant sources of flooding including surface water. The application is accompanied by a Flood Risk Assessment. It sets out that the site lies within Flood Zone 1 and would be at low/negligible risk of flooding from fluvial, tidal, sewer, infrastructure (reservoir) and ground water sources. The site lies within Brent's Critical Drainage Area and parts of the site are liable to surface water flooding. The report highlights that the proposals are shown to experience flood depths of up to 600mm in the design surface water flood event during the Medium Risk (1 in 100 year RP) surface water flood event. Only a very limited area at the centre of the site is shown to experience such flood depths, with the majority of the site remaining unaffected. It is unlikely that the site is affected by overland flows in the design event, and as such is likely to be managed through SuDS onsite.

9.12 A number of flood resilient measures are proposed given the risk of surface water flooding as noted above to the construction of the building and interior fit out. The report has also set out that given the site's location in Flood Zone 1 and relatively low risk of flooding from surface water sources with consideration of mitigation measures, and safe access and egress in the Medium Risk (1 in 100 year RP) Surface Water flood event, no full Flood Warning and Emergency Plan is required for the development proposals. The flood risk assessment has been reviewed by the LLFA who has confirmed that are satisfied with the finding of the report and the mitigation measures. Such details are recommended to be conditioned to any forthcoming consent.

### *9.2 Sustainable Drainage*

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

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

9.22 The application has been accompanied by a drainage strategy. It is proposed all runoff from the proposed impermeable area (0.444 ha) is attenuated and controlled to 2.0 l/s for all storm events up to and including the critical 100 year plus 40% climate change event. In addition, it is proposed for green roofs to be incorporated to roof areas providing interception storage, slowing down runoff and providing treatment. The measures would be result in a significant betterment in the control of surface water flooding compared to the existing situation for 1, 30 and 100 year storm events (existing rate of 36.97l/s, 90.65 l/s and 165.59 l/s). Confirmation has been provided the surface and foul water would be separated, and that the sustainable drainage measures would be managed and maintained for the lifetime of the development by an appropriate managing body. The Local Lead Flood Authority has reviewed the proposal and considered that the sustainable drainage measures are acceptable and in accordance with policy BSUI4. Such details are recommended to be conditioned to any forthcoming consent.

9.23 Thames Water were consulted during the course of the application and confirmed that they would have no objections in relation to surface water drainage capacity. They did however advise that there is capacity issues with foul water and a condition has been recommended.

9.24 The GLA had advised rain water harvesting and water reuse to reduce consumption of water across the site, however this was deemed not feasible. This is based on an assessment accounting for the statistical rainfall data within the Wembley area and the potable water demand of the proposed development. As such, the water efficiency is considered to generally meet the requirements of London Plan Policy SI5.

## **10. Fire Safety**

10.1 Policy D12b of the London Plan (as well as the draft London Plan Fire Safety Guidance) requires all major development proposals to submit a Fire Statement which is an independent fire strategy, produced by a third party, suitably qualified assessor. The statement should detail how the development proposal will function in terms of:

- 1) the building's construction: methods, products and materials used, including manufacturers' details
- 2) the means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach
- 3) features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans
- 4) access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these
- 5) how provision will be made within the curtilage of the site to enable fire appliances to gain access to the building
- 6) ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.

10.2 The applicant has provided a Fire Statement which has addressed the above requirement, in accordance with policy D12B of the London Plan.

## **11. Training and Employment**

11.1 Local Plan policy BE1 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. As part of this, the Council will seek a financial contribution for this job brokerage service, which includes both pre and post-employment support and mentoring. The fee will also support residents with low skills who would benefit from opportunities to develop new skills and will fund initiatives such as CSCS Training, recruitment, events and information days.

## **12. Public Sector Equality Duty**

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

## **13. Conclusion**

13.1 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.

13.2 The proposal will bring forward a CNWL further education campus which aligns with the site allocation and aspirations of the Wembley Growth Area. The proposal will create a well designed, sustainable building complete with high quality public realm. The benefits of the scheme are considered to outweigh the loss of employment floorspace and harm to neighbouring amenity.

13.3 The application is therefore recommended for approval subject to the conditions set out in this report.

## DRAFT DECISION NOTICE



# Brent

## DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

## DECISION NOTICE – APPROVAL

Application No: 23/0578

To: Jonathan Bainbridge  
Bidwells  
25 Old Burlington Street  
London  
W1S 3AN

I refer to your application dated **15/02/2023** proposing the following:

Demolition of existing building and erection of building for use as a purpose-built Further Education College Campus of up to 8 storeys high with associated plant at roof level, provision of hard and soft landscaping and cycle parking facilities, loading bay and accessible parking bays on Rutherford Road frontage and drop off bay on Fulton Road

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

at **Olympic Office Centre, 8 Fulton Road, Wembley, HA9 0NU**

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

Date: 04/07/2023

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 the:-

National Planning Policy Framework 2021  
The London Plan 2021  
Brent Local Plan 2019-2041

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

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

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

Drawings:

Existing Ground Floor Plan 01554-WEA-XX-00-DR-A-1000 P01  
Proposed Ground Floor Plan 01554-WEA-XX-00-DR-A-1200 P01  
Proposed First Floor Plan 01554-WEA-XX-01-DR-A-1201 P01  
Proposed Second Floor Plan 01554-WEA-XX-02-DR-A-1202 P01  
Proposed Third Floor Plan 01554-WEA-XX-03-DR-A-1203 P01  
Proposed Fourth Floor Plan 01554-WEA-XX-04-DR-A-1204 P01  
Proposed Fifth Floor Plan 01554-WEA-XX-05-DR-A-1205 P01  
Proposed Sixth Floor Plan 01554-WEA-XX-06-DR-A-1206 P01  
Proposed Seventh Floor Plan 01554-WEA-XX-07-DR-A-1207 P01  
Proposed Roof Plan 01554-WEA-XX-RF-DR-A-1208 P01  
Existing East Elevation 01554-WEA-XX-E-DR-A-2001 P01  
Proposed East Elevation 01554-WEA-XX-E-DR-A-2101 P01  
Existing North Elevation 01554-WEA-XX-N-DR-A-2002 P01  
Proposed North Elevation 01554-WEA-XX-N-DR-A-2102 P01  
Existing South Elevation 01554-WEA-XX-S-DR-A-2003 P01  
Proposed South Elevation 01554-WEA-XX-S-DR-A-2103 P01  
Existing West Elevation 01554-WEA-XX-W-DR-A-2000 P01  
Proposed West Elevation 01554-WEA-XX-W-DR-A-2100 P01  
Existing Typical Upper Floor Plan 01554-WEA-XX-XX-DR-A-1001 P01  
Existing Site Plan 01554-WEA-XX-ST-DR-A-0002 P01  
Proposed Site Plan 01554-WEA-XX-ST-DR-A-0012 P01  
Proposed Site Sections 01554-WEA-XX-XX-DR-A-3000 P01  
Proposed GA Section A-A 01554-WEA-XX-XX-DR-A-3001 P01  
Proposed GA Section B-B 01554-WEA-XX-XX-DR-A-3002 P01  
Proposed GA Section C-C 01554-WEA-XX-XX-DR-A-3003 P01  
Proposed Olympic Way Elevational Detail 01554-WEA-XX-XX-DR-A-4000 P01  
Proposed Olympic Way Entrance Elevation Detail 01554-WEA-XX-XX-DR-A-4001 P01  
Proposed Rutherford Way Elevation Detail 01554-WEA-XX-XX-DR-A-4002 P01  
Proposed South Elevation Detail 01554-WEA-XX-XX-DR-A-4003 P01  
Proposed Fulton Road Elevation Detail 01554-WEA-XX-XX-DR-A-4004 P01  
Proposed Typical Upper Elevation Detail 01554-WEA-XX-XX-DR-A-4005 P01  
19182-BBUK-ZZ-00-DR-L-0100 Rev P02 GA plan Ground Floor  
19182-BBUK-ZZ-02-DR-L-0102 Rev P02 GA plan L02 Terrace, Roof

Documents:

Air Quality Assessment J10/13818A/10/2/F2 dated 15 December 2022 prepared by Air Quality Consultants Ltd  
Arboricultural Method Statement P2688-AMS01 V1 dated 04/10/2022 prepared by Ligna Consultancy  
Tree Survey dated 04/10/2022 prepared by Ligna Consultancy  
Biodiversity Impact Assessment 551314sm08Feb23FV02\_BIA dated February 2023 prepared by Greengage  
Preliminary Ecological Report 551314smSept21DV02\_PEA.docx dated 24/9/21 prepared by Greengage  
Noise Impact Assessment 6610-MXF-UCG-XX-RP-J-56002 Rev P03 dated 19/12/22 prepared by Max Fordham  
Drainage Strategy 1-572 Rev D dated 21/06/23 prepared by Civilistix  
NPPF Flood Risk Assessment 6827-RHD-ZZ-XX-RP-Z-2500 dated 29 June 2023 prepared by Royal HaskoningDHV  
Circular Economy Statement Spreadsheet dated 22/05/2023 prepared by Max Fordham  
Circular Economy Memo dated 22/05/2023 prepared by Max Fordham  
Circular Economy Appendix I to VI dated 22/05/23 prepared by Max Fordham  
Circular Economy Statement Written evidence P03 dated 22/05/2023 prepared by Max Fordham  
Whole Life-Cycle Carbon (WLC) Memo dated 31/01/23 prepared by Max Fordham  
Whole Life-Cycle Carbon Assessment P04 dated 31/01/23 prepared by Max Fordham

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

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any amending Order, the Development hereby approved shall only be used for purposes within Use Class F1(a), as defined by the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To safeguard the amenity of residents and in the interest of ensuring appropriate access and servicing.

- 4 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 BSUI1 and London Plan Policy S11.

- 5 The development shall be carried out fully in accordance with the mitigation measures set out within the approved Air Quality Assessment, prepared by Air Quality Consultants dated December 2022, unless alternative mitigation measures are submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate arrangements for drainage of the site, in accordance with London Plan Policy S11 and Brent Local Plan Policy BSUI1.

- 6 The development shall be carried out in full accordance with the "Flood Resilient Construction Techniques" set out within the "Recommendation" section of the NPPF Flood Risk Assessment

prepared by Royal Haskoning DHV dated 29th June 2023, unless alternative measures are submitted to and approved in writing by the Local Planning Authority, and the scheme is thereafter implemented in full accordance with the alternative measures.

Such measures as noted above should be retained throughout the lifetime of the development.

Reason: To ensure that the scheme is resilient to all sources of flooding including pluvial flooding.

- 7 The works shall be carried out in full accordance with the recommendations set out within the approved Drainage Strategy prepared by Civilistix Consulting Engineers dated June 2023 in relation to the proposed surface water drainage strategy. The measures shall thereafter be maintained in accordance with the surface water management and maintenance schedule as detailed within the approved document throughout the lifetime of the development, unless an alternative strategy is submitted to and approved in writing by the Council and thereafter implemented in full.

Reason: To ensure that surface water flooding is reduced and controlled within the site.

- 8 The Development hereby approved shall only be undertaken in accordance with the details provided in the approved Noise Impact Assessment produced by Max Fordham LLP (ref: 6610-MXF-UCG-XX-RP-J-56002 Rev P03). Should any plant/glazing or the ventilation strategy subsequently proposed differs from that considered within the approved Noise Impact Assessment, the proposed plant/glazing or the ventilation strategy shall not be installed until full details have been submitted to the Local Planning Authority for approval in writing. Such detail to include:

- (i) Details of the glazing and their minimum sound insulation performance;
- (ii) the particulars and or specification of noise levels, vibration and where relevant odour control of each item of mechanical plant;
- (iii) details of any ducting in terms of its appearance and siting;
- (iv) demonstrate that the individual and cumulative predicted noise levels from any mechanical plant together with any associated ducting, shall be 10 dB(A) or greater below the typical background noise level (LA90) during the time of plant operation at 1 m from the nearest on and off-site NSR: the method of assessment should be carried out in accordance with BS4142:20147 'Method for rating industrial noise affecting mixed residential and industrial areas'; and
- (v) include a scheme of mitigation in the event the predicted noise levels of the plant exceed the criteria in part (ii)
- (vi) include a scheme of mitigation in the event the predicted vibration levels of the plant exceed acceptable norms
- (vii) include a scheme of mitigation in the event the predicted odour levels of the plant exceed acceptable norms

The development shall thereafter be installed in accordance with the approved details and maintained thereafter for the lifetime of the Development.

Reason: To ensure that users of the surrounding area do not suffer a loss of amenity by reason of noise, vibration and odour nuisance

- 9 The development shall be implemented in strict accordance with the Tree Protection Plan and Arboricultural Method Statement (Ligna Consultancy ref: P2688-AMS01 V1 dated 04/10/2022) or subsequent approved revisions.

REASON: To ensure that the tree T28 is to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with DMP1 and BGI 2.

- 10 Prior to the commencement of the development a Construction Method Statement shall be

submitted to and agreed by the Local Planning Authority outlining measures that will be taken to control dust, noise and other environmental impacts of the development. In addition, measures to control emissions during the construction phase relevant to a medium risk site should be written into an Air Quality and Dust Management Plan (AQDMP), or form part of a Construction Environmental Management Plan, in line with the requirements of the Control of Dust and Emissions during Construction and Demolition SPG. The AQDMP should also be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be constructed in accordance with the approved Construction Method Statement, together with the measures and monitoring protocols implemented throughout the construction phase.

The development shall thereafter be constructed in accordance with the approved Construction Method Statement, together with the measures and monitoring protocols implemented throughout the construction phase.

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

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

- 11 Prior to commencement of the development hereby approved (including site clearance and demolition works), a Construction Logistics Plan (CLP) shall be submitted to and approved in writing by the Local Planning Authority. The CLP shall include, but is not limited to the following:
- i. Construction programme, forecast construction trip generation (daily) and mitigation proposed;
  - ii. Site set up and access arrangements and booking systems, ensuring vehicle loading and unloading takes place clear of the highway and that no construction vehicles will visit site within 4 hours of any major stadium event taking place;
  - iii. Construction phasing and details of times when the use of a crane would be required;
  - iv. Vehicular routes to the site;
  - v. Parking of vehicles of site operatives and visitors;
  - vi. Storage of plant and materials used during the construction period;
  - vii. Wheel washing facilities;
  - viii. Any temporary lighting;
  - ix. Protection of the carriageway and any footway users at all times during construction;
  - x. Erection of hoardings, security fencing and scaffolding on/over and pavements and carriageway;
  - xi. Contact details of personnel responsible for the construction works

Details of measures to be used to ensure that disruption to existing nearby residents is minimised as much as possible during the construction period (including demolition) shall also be provided.

The development shall thereafter be constructed fully in accordance with the approved Construction Logistics Plan, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the development is constructed in an acceptable manner and in the interests of pedestrian and highway safety.

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

- 12 (a) Following the demolition of the building and prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to and approved in writing by the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to

any identified receptors.

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

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

- 13 Prior to commencement of development (excluding site clearance and demolition works), details of how the development is designed to allow future connection to a district heating network should one become available, shall be submitted to and approved in writing by the local planning authority.

The development shall be completed in accordance with the approved details thereafter unless otherwise agreed in writing by the local planning authority.

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

- 14 Prior to the commencement of Development, but excluding site clearance and demolition, detailed plans demonstrating sufficient ducting space and routing for the provision of a communal television system/satellite dish/full fibre connectivity infrastructure shall be submitted to the Local Planning Authority for approval in writing.

The Development shall only be undertaken in accordance with the approved detail.

Reason: To mitigate the possibility of numerous satellite dishes and infrastructure being installed on the Development in the interests of the visual appearance of the Development and the locality in general and future proofing the Development.

- 15 Prior to commencement of development (excluding demolition, site clearance and laying of foundations), details of materials for all external building work, 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. Detailed studies shall be submitted to and approved in writing by the Local Planning Authority which shall include detailed sections, elevations and where relevant, technical specifications illustrating how specific elements of the façades will be constructed, to include typical windows, parapets, soffits and the junctions between key materials. The development shall be carried out in full accordance with the approved details.

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

- 16 Prior to commencement of development (excluding demolition, site clearance and laying of foundations) a detailed landscaping scheme and implementation programme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall incorporate the hard and soft landscaping details proposed on the approved plans, as well as further details of, but not limited to the following:

- Proposed materials for all hard surfaces and the permeable qualities;
- Details and sizes of all raised planters, including any trellises;
- Details of all external furniture (including refuse or other storage units) and informal seating/benches;
- Species, locations and densities for all trees, grass and shrubs, which shall include a minimum of 27 individual trees at ground floor level
- Proposed walls, fencing, screening treatment (including to all roof terraces) and gates and any other permanent means of boundary treatment/enclosure, indicating materials, position and heights;



- Existing and proposed functional services above and below ground in relation to proposed landscaping (e.g. drainage, power, communications, shared ducting provision)
- Details of any signs and signboards within the site;
- Tree pits for all new tree planting;
- Soil depth and composition on roof terraces, and details of plants and shrubs for these areas;
- Details of biodiversity enhancement measures based on measures as set out in the submitted Biodiversity Net Gain Assessment 551314sm08Feb23FV02\_BIA dated February 2023 prepared by Greengage
- Details to maximise the urban green factor (UGF) for the site in line with policy G5 of London Plan (with a minimum target of 0.3), including the requirement to submit a UGF Masterplan
- Details of any external CCTV installations
- An Ecological Management Plan with details of habitat creation and enhancement
- A Landscape Management and Maintenance Plan setting out details of the proposed arrangements for maintenance of the landscaping, including management responsibilities.

The approved landscaping scheme and implementation programme shall be completed in full;

(a) prior to first occupation or use of the building, in respect of hard landscaping components and boundary treatments;

(b) during the first available planting season following completion of the development hereby approved, in respect of all other soft landscaping components.

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

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

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

- 17 Prior to commencement of development (excluding demolition, site clearance and laying of foundations), a plan showing the arrangement of cycle storage within the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

The submitted scheme shall set out the following cycle storage provision:

- 78 long-stay cycle parking spaces to be provided;
- 120 short-stay cycle parking spaces surrounding the perimeter of the building;

All of the cycle parking within the development shall be made available for use prior to the first occupation of the development hereby approved and thereafter retained and maintained for the life of the development unless alternative details are agreed in writing by the Local Planning Authority.

Reason: To ensure that the development adequately provides for and encourages uptake of cycling among building users

- 18 Prior to commencement of development (excluding demolition, site clearance and laying of foundations), details of any proposed counter-terrorism measures including location of HVM measures shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Metropolitan Police and the approved details shall be implemented in full prior to first occupation of the development hereby approved.

Reason: To ensure a satisfactory development that accords with London Plan policy GG6.

19 Prior to the occupation of the development, details shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Thames Water) that confirm that either:

(a) All foul water network upgrades required to accommodate the flows from the development have been completed; or

(b) A development and infrastructure phasing plan has been agreed with Thames Water to allow the development to be occupied.

Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan

Reason: Network reinforcement works are required to accommodate the proposed development. Reinforcement works are necessary in order to avoid sewage flooding and/or potential pollution incidents.

20 Prior to first occupation or first use, a Community Access Plan shall be submitted to and approved in writing by the Local Planning Authority. The Community Access Plan shall include details of rates of hire (based upon those charged at other public facilities), terms of access, hours of use, access arrangements and management responsibilities, inclusive of any specific for Event Days.

The approved Community Access Plan shall be brought into operation within 3 months of first occupation or use of the facilities and it shall remain in operation for the duration of the use of the Development.

Reason: To secure well-managed, safe community access, to ensure sufficient benefit to the Development of a community facility and to accord with Local Plan.

21 Prior to the occupation of the development the post-construction tab of the GLA's whole life carbon assessment template should be completed accurately and in its entirety in line with the GLA's Whole Life Carbon Assessment Guidance. The post-construction assessment should provide an update of the information submitted at planning submission stage, including the whole life carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. This should be submitted to the GLA at: [ZeroCarbonPlanning@london.gov.uk](mailto:ZeroCarbonPlanning@london.gov.uk), along with any supporting evidence as per the published guidance.

Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation of the relevant building.

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

22 Prior to the occupation of the development, a Post Completion Report setting out the predicted and actual performance against all numerical targets in the relevant Circular Economy Statement shall be submitted to the GLA at: [CircularEconomyLPG@london.gov.uk](mailto:CircularEconomyLPG@london.gov.uk), along with any supporting evidence as per the GLA's Circular Economy Statement Guidance 2022. 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.

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

23 Prior to the first occupation of the development hereby approved, a Delivery and Servicing Management Plan including details of long term maintenance and management shall be submitted to and approved in writing by the Local Planning Authority. The Delivery and Servicing Plan shall include details of how adopted footways would be protected and how arrangements can be made for safe and efficient operations without detrimental impact on

pedestrian movement. The plan shall include a strategy for the management of delivery and servicing on event days at Wembley National Stadium which shall be worked on up in consultation with the stadium, and shall ensure that no deliveries take place between four hours prior to the start of an event, to four hours after the end of an event.

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

Reason: To minimise negative impacts associated with servicing demand of the proposed development.

- 24 Prior to the first occupation of the development hereby approved, details of temporary fencing for Event Day events, together with precise locations, specification and a management plan, shall be submitted and approved in writing by the Local Planning Authority. The details shall be agreed in collaboration with Public Safety Officers.

The fencing and associated management procedures shall be fully implemented in accordance with the approved details, without any deviation, for the lifetime of the Development, unless prior written approval to alternative fencing and/or management have been granted by the Local Planning Authority and those alternative details are implemented in full.

Reason: To ensure appropriate crowd and public safety in relation to Wembley events.

- 25 Prior to the installation of any external lighting, details of such lighting shall be submitted to and approved in writing by the Local Planning Authority. This shall include, but is not limited to, details of the lighting fixtures, luminance levels within and adjoining the site, as well as ecological sensitivity measures that form a part of the lighting strategy. The lighting shall not be installed other than in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of safety and the amenities of the area.

- 26 Details of the extract ventilation system and odour control equipment for the commercial kitchen, including all details of external ducting, shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any such equipment. The approved equipment shall be installed prior to the commencement of the relevant use and shall thereafter be operated at all times during the operating hours of the relevant use and maintained in accordance with the manufacturer's instructions.

Reason: To protect the amenity of existing and future nearby residential occupiers.

- 27 Within six months from practical completion of the development hereby approved, a revised BREEAM Assessment and Post Construction Certificate, demonstrating compliance with the BREEAM Certification Process for non-domestic buildings and the achievement of a BREEAM Excellent rating, unless otherwise agreed in writing, shall be submitted to and approved in writing by the local planning authority.

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

## INFORMATIVES

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

2 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the government website:  
<https://www.gov.uk/government/publications/preventing-and-resolving-disputes-in-relation-to-party-walls/the-party-wall-etc-act-1996-explanatory-booklet>

3 The submission/approval of the Fire Safety Statement does not replace the need for building regulation approval in relation to fire safety, nor does it convey or imply any approval under those regulations.

4 The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read the guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near Thames Water pipes or other structures

[https://urldefense.com/v3/\\_\\_https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes\\_\\_;!!CVb4j\\_0G!RxnLifSEK11bRT8zKi4SJQ0iskpqs2xQ-zFFIhgkFEZLhp1UmaAo68McAhMuKU3atXK-\\_CkpPuKRZb1mryuQ1mQqube8xVo\\$ .](https://urldefense.com/v3/__https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes__;!!CVb4j_0G!RxnLifSEK11bRT8zKi4SJQ0iskpqs2xQ-zFFIhgkFEZLhp1UmaAo68McAhMuKU3atXK-_CkpPuKRZb1mryuQ1mQqube8xVo$.)

Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

5 Due to the age of the buildings asbestos may be present. Applicants are reminded of hazards caused by asbestos materials especially during demolition and removal works and attention is drawn to the Asbestos Licensing Regulations 1983. Licensed Contractors only are permitted to remove asbestos which must be transferred to a licensed site. For further advice the Council's Chief Environmental Health Officer should be contacted.

6 The quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.

7 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.

8 The applicant is advised that noise and vibration is controlled by the Control of Pollution Act 1974 and statutory nuisance provisions contained within the Environmental Protection Act 1990 and the British Standard Codes of practice 5228:1997 Parts 1 to 4. Key issues relating to noise from construction sites include: (i) prior consent may be sought from the Council relating to noise from construction activities (s.61 of COPA 1974); (ii) if no prior consent is sought, the Authority may serve a notice on the site/works, setting conditions of permitted work (s.60 of COPA 1974); (iii) an action in statutory nuisance can be brought by a member of the public even if the works are being carried out in accordance with a prior approval or notice (s.82 of the EPA 1990). In particular, the normal hours of work shall be between the following hours:

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

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



Any person wishing to inspect the above papers should contact Lena Summers, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5233