

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

9 August, 2023
05
22/3965

SITE INFORMATION

RECEIVED	18 November, 2022
WARD	Wembley Park
PLANNING AREA	Brent Connects Wembley
LOCATION	1-4 and 9 Watkin Road, Wembley, HA9 0NL
PROPOSAL	Demolition of existing buildings and construction of two new buildings to provide commercial floorspace (Use Class: E) and student accommodation bedspaces (Use Class: Sui Generis), associated access and highways works, amenity space, cycle parking spaces, disabled car parking spaces and refuse/recycling stores.
PLAN NO'S	See condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_162738</p> <p><u>When viewing this as an Hard Copy _</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "22/3965" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to the referral of the application 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. Nominations agreement for student accommodation including affordable student accommodation – Agreement with one or more Higher Education Providers to secure nomination rights for at least 51% of the student bedrooms (315 bedrooms), including 35% (216 bedrooms) to be provided as affordable student accommodation (as defined within the London Plan), comprising a mix of units of different types and proportion of wheelchair accessible units to reflect the overall mix. Communal facilities including refuse storage, cycle storage, internal and external communal areas to be available equally to all students without additional charges. Early stage viability review if substantial implementation does not occur within two years.
4. Training and employment of Brent residents - Prior to a material start:
 - a. to inform Brent Works in writing of the projected number of construction jobs and training opportunities and provide a copy of the Schedule of Works;
 - b. to prepare and submit for the Council's approval an Employment Training Plan for the provision of training, skills and employment initiatives for residents of the Borough relating to the construction phase and operational phase of the Development
 - c. financial contribution to Brent Works for job brokerage services.
5. 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
6. Student Travel Plan – Submission and implementation of Travel Plan for student accommodation and commercial uses, with a target of 100% of trips to be made by foot, cycle or public transport , including monitoring and review arrangements under the i-TRACE or TRICS survey methodology,
7. Submission, approval and implementation of a waste management plan including commitment to fund and arrange independent collections from the site. Collections must be entirely privately funded and arranged unless an alternative plan showing a revised layout is submitted and agreed with the LPA which meets Veolia's requirements in respect of carrying distances.
8. A section 38/278 Agreement to secure highway works to provide:
 - (a) Widening footways around the site;
 - (b) Inset loading bay to Watkin Road;
 - (c) Disabled parking bays to Watkin Road.
9. Brent Financial contribution as set out below:
 - (a) Improved pedestrian crossing/traffic calming facilities within the vicinity of the site (£60,000)
 - (b) CPZ expansion (£50,000)
 - (c) Affordable Workspace Provision contribution (£200,500)
10. Transport for London: for improvements to public transport services (£475,000).
11. Surveys of television and radio reception in surrounding area, submission of a TV and Radio Reception Impact Assessment, and undertaking to carry out any mitigation works identified within the assessment and agreed;
12. Indexation of contributions in line with inflation

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

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

Conditions

Compliance

1. Three year rule
2. Approved drawings and documents
3. Restrict occupation to students
4. Restrict number of student bedrooms
5. Accessible rooms
6. Quantum and use of commercial floorspace
7. Provide bins, bikes, internal & external communal student spaces
8. Non Road Mobile Machinery
9. Residential parking permit restrictions.
10. Tenure blind access to internal and external amenity spaces
11. Flank wall windows
12. Compliance with Flood risk assessment and drainage strategy
13. Compliance with Preliminary Ecological Appraisal

Pre-commencement

14. Construction Method Statement
15. Construction Logistics Plan
16. Trees

During construction

17. Contaminated Land
18. Piling
19. Cycle Storage
20. District heat network connection
21. Ducting space
22. Materials samples
23. Landscaping scheme

Pre-occupation

24. Final Student Management Plan
25. Delivery and servicing plan
26. Circular economy reporting
27. Whole life cycle carbon reporting
28. External Lighting
29. Implementation of noise mitigation measures
30. Plant noise assessment

Post occupation

31. BREEAM certification

Informatives as listed in the Committee Report.

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

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

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

SITE MAP

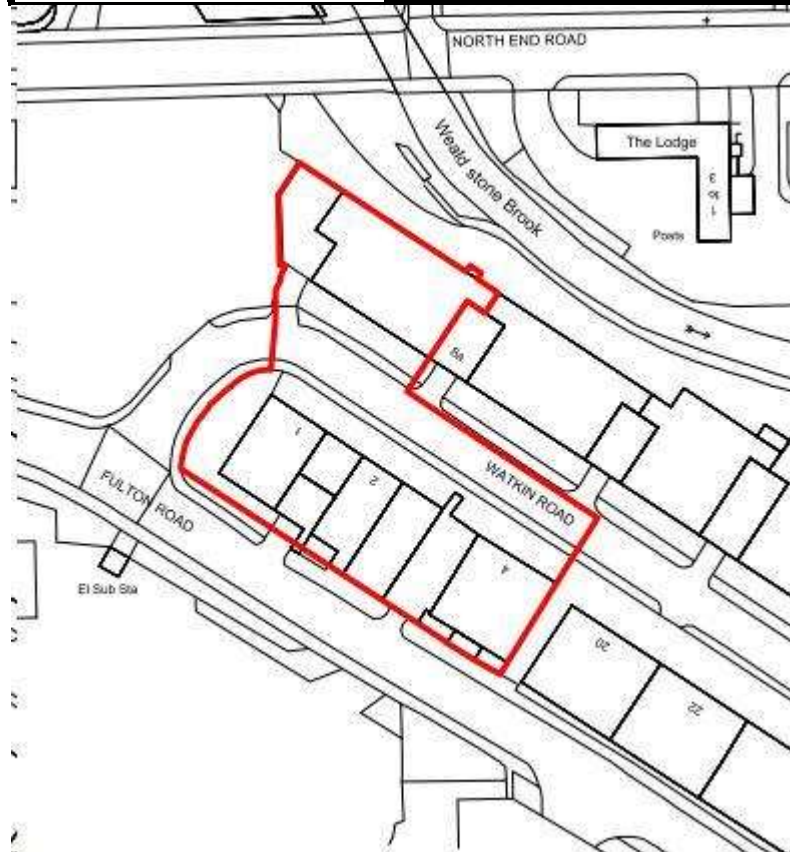


Brent

Planning Committee Map

Site address: 1-4 and 9 Watkin Road, Wembley, HA9 0NL

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This map is indicative only.

PROPOSAL IN DETAIL

The proposal includes land on both the northern and southern sides of Watkin Road, each containing blocks of purpose built student accommodation.

The southern site would contain a building that is a maximum of 27 storeys in height and is part 18 storeys and part 6 storeys and has a basement, whilst the northern site would contain a building that extends to 21 storeys in height.

The southern site is proposed to deliver 1,490sqm of commercial floorspace within the basement to 2nd floors and 419 student accommodation bed spaces (and ancillary amenity spaces) across the 3rd to 19th floors.

The northern site is proposed to deliver 200 student accommodation bed spaces (and ancillary amenity spaces).

They would be operated as one single student accommodation facility.

During the course of the application a number of amendments were received as summarised below:

- Secondary cores added to both buildings and an escape lift to each new stair core
- Slight reduction in footprint of both buildings
- Reduction in floor to floor-to-floor heights from 3m to 2.85m to provide additional storeys. The typical student accommodation floor to ceiling heights range from 2.5m to 2.55m;
- The northern block has increased from 20 to 21 storeys (with an increase in the overall height by 300mm) and the southern block has increased from part 6, part 18 and part 25 storeys to part 6, part 18 and part 27 storeys (through an increase in the height of the tallest block by approx. 2.4m and a decreased in the height of the lower block on the eastern end by approx.. 2.25m.
- Alterations to external elevations
- Alterations to cycle and bin stores
- Internal layout changes to increase the amount of industrial floorspace within the southern block from 1,407sqm to 1,490.2sqm,
- An increase in internal communal space within the northern block from 288sqm to 305sqm and increase in bedrooms from 190 to 200
- An increase in internal communal space within the southern block from 601sqm to 609sqm and increase in bedrooms from 404 to 419

The extent of the changes set out above was considered to warrant the need for re-consultation as discussed within the consultation section below.

EXISTING

The development site for this proposal is split into two. The southern site forms units 1, 2, 3 and 4 on the south western side of Watkin Road and fronts onto Watkin Road to the north east and north west, Fulton Road to the south west. This southern site is therefore located on a prominent corner along Fulton Road, one of the main thoroughfares through the Wembley Park area. The northern site forms unit 9 of Watkin Road on the north eastern side of the road. The site borders Watkin Road to the south-west, the under-construction development of 10-11 Watkin Road to the north-west, the Wealdstone Brook to the north-east and unit 8 of Watkin Road to the south-east.

The application site is located within the Wembley Growth Area and forms part of site allocation BCSA6: Watkin Road in Brent's Local Plan. The northern part of the site closest to the Wealdstone Brook lies within Flood Zone 3a as identified by the Environment Agency, and parts of the site are also within land that is liable to surface water flooding.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Thirty-four letters of objection and an

objecting petition were received regarding some of these matters. Members will have to balance all of the planning issues and objectives when making a decision on the application, against policy and other material considerations.

Neighbour objections: Thirty-four neighbour objections were received with one objecting petition with fifty-four signatures. These relate to the principle of high density development and student accommodation in Wembley, pressures on infrastructure and service provision, building heights and impacts on local and longer-distance views, overlooking of neighbouring buildings, impact on local parking and traffic, noise and pollution.

Principle of development: The proposal for a mixed use redevelopment of the site, comprising industrial floorspace and purpose-built student accommodation would respond well to the aims of the BCSA6 site allocation. The proposal includes the reprovision of the industrial floorspace to mitigate the loss of existing industrial floorspace on the site. The proposal would contribute to the borough's housing targets and need for industrial floorspace, and would contribute to the viability and vitality of Wembley Growth Area. The proposal is acceptable in principle.

Affordability and mix of student accommodation: The majority of the student accommodation (at least 51%, or 315 rooms) would be secured under a nominations agreement with one or more higher education providers, and 216 of these (35% of the total) would be affordable accommodation. The proposal includes 619 student bedspaces. The nominations agreement would secure proportionate numbers of each type, including for affordable accommodation.

Design and appearance: The two parts of the building on the opposite sides of Watkin Road would be 6, 18, 21 and 27 storeys tall, and would contribute to a varied and undulating skyline emerging in the area. The site is part of a Tall Building Zone designated in Brent's Local Plan, and the building heights are considered appropriate in this location. No harm would be caused to any heritage assets or protected views, and the massing and articulation of the building would enable it to be read as three separate parts to break up the visual impact of the overall bulk of the building. Active frontages and soft landscaping would create a successful relationship with the street, and the detailed design would be considered to be of high quality.

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

Quality of student accommodation: The student bedrooms have been designed with efficient layouts to maximise available space and would be comparable in size to other student accommodation schemes in the area. All rooms would receive adequate daylight and would not be unduly at risk of overheating. Communal amenity space, including landscaped external spaces, would be provided in a range of types and scales across the building.

Relationship with neighbouring properties: Impacts on daylight and sunlight to neighbouring properties have been analysed. Given the emerging high density developments in the locality, while some would experience a noticeable impact, existing residential properties in the area would be largely unaffected.

Sustainability and energy: The building is predicted to achieve a 30% reduction (67.65 tonnes/annum) in carbon emissions against Building Regulations 2021 baseline in relation to the Purpose Built Student Accommodation (PBSA) and a 20.4% reduction (0.82 tonnes/annum) in relation to the industrial floorspace. The scheme will also achieve a BREEAM Excellent rating. A contribution to Brent's carbon-offsetting fund would be secured through the s106 agreement to offset residual emissions to net zero. In addition, a Whole Life Carbon Cycle and Circular Economy Statement would be secured.

Impacts on microclimate and reception of TV and radio services: The proposal would result in wind conditions within and around the site that would be suitable for the intended use or consistent with baseline conditions, with some localised improvements. A survey of predicted impacts on TV and radio reception to neighbouring properties would be secured through the s106 agreement.

Environmental health considerations: Air quality, noise and contaminated land impacts have been assessed and Brent's environmental health officers consider these to be acceptable subject to conditions. A construction method statement would be secured by condition.

Flood risk and drainage: The site is in a Flood Zone 3a indicating flood risk is high. The proposal includes

significant permeable surfaces and restriction of surface water flows from the site, reducing flood risk both on and off the site.

Trees, biodiversity and urban greening: There are no trees proposed to be removed as part of this application. A total of 16 medium and small sized trees will be planted as part of the proposals. The development would achieve a score of 0.4 UGF which is in line with the policy target.

Transport considerations: The site has good access to public transport (PTAL Rating 4) and the development would be car-free, with adequate provision made for cycle parking and sustainable transport further encouraged through the submission and monitoring of a Travel Plan secured under the s106 agreement.

RELEVANT SITE HISTORY

The site has an extant planning consent as follows:

20/0587. Full Planning. Granted. 13/09/2021.

Demolition of existing buildings and erection of a new mixed use building containing residential units and commercial floor space and a new building containing residential units; associated car and cycle parking, refuse storage, amenity space and associated landscaping subject to a Deed of Agreement dated 2 September 2021 under Section 106 of the Town and Country Planning Act 1990, as amended.

The site area has been expanded from the previous application to include Unit 4 Watkin Road. There are a number of other changes between the extant consent and the current proposal. Purpose built student accommodation is now proposed instead of Use Class C3 residential dwellings and the height of the proposed buildings has increased, with the previous consent ranging from 14- to 20-storeys in height and this proposal ranging from 6- to 27-storeys in height.

CONSULTATIONS

1259 residents' were consulted on 25/11/2022. Comments were received from residents of a newly occupied block at 581 North End Road (formally 10-11 Watkin Road) highlighting that their properties had been omitted from the consultation process.

On 22/02/2023, 1528 residents' were consulted, including those from the newly occupied development at 581 North End Road. This was due to revised plans being received as drawings were being updated to include a secondary stair core and a number of other amendments as set out in the "proposal in detail" section.

A site notice was attached on 06/03/2023. A press notice advertising the application was issued on 20/02/2023.

34 objections from neighbouring properties and an objecting petition with 54 signatories were received throughout the course of the application. Concerns were raised in relation to the following:

Objection Comment	Officer Response
Limited green space	The existing site predominantly consists of buildings and hardstanding. Whilst the new buildings take up the majority of the footprint of the northern and southern plots, the scheme includes the provision of new trees at ground floor level and new areas of soft landscaping within the communal gardens at roof levels. The scheme would provide an overall uplift in green landscaping as discussed within the remarks section below.
Loss of sunlight	This issue is discussed under 'Relationship with neighbouring properties'
Increased anti-social behaviour	The scheme will be subject to a management plan which will be conditioned.

Reduced air flow	Mircoclimate has been assessed within the remarks section below.
Lack of community feel	The London Plan set out Boroughs, student accommodation providers and higher education providers are encouraged to develop student accommodation in locations well connected to local services by walking, cycling and public transport, as part of mixed-use regeneration and redevelopment schemes. The site is located within the Wembley Growth Area and within an accessible location with good access to a variety of services.
Impact of high-rise developments which make the area dark, with no outlook	The site is located within a Tall Building Zone and therefore suitable in principle for a tall building. This has further been evidenced through the townscape visual assessment. The impact on neighbouring properties in terms of daylight and outlook has been discussed under 'Relationship with neighbouring properties'
Too many student developments in Wembley	This issue is discussed under 'Principle of Development: student accommodation'
Impact on local traffic and congestion	This issue is discussed under 'Transportation Considerations'.
Noise and building pollution	This issue is discussed under 'Environmental health consideration'.
Loss of value to property	This is not a material planning consideration.
Loss of privacy and overlooking	This issue is discussed under 'Relationship with neighbouring properties'

A Neutral comment was received from Quintain who advised that whilst they do not object to the redevelopment of the site in principle, they are concerned with the impacts in terms of daylight and sunlight considerations caused by the proposed development on North East Land and in particular Plot NE05, located immediately to the south of the application site. In response, daylight and sunlight has been discussed within the remarks section below.

A letter of support has been received from the University Campus of Football Business which has provided support for additional student accommodation given the additions of secondary campuses in the area.

External and statutory consultees

Greater London Authority / Transport for London initial Stage 1 response:

The GLA raised the following matters within their Stage 1 response:

Land Use Principles: Student accommodation-led mixed-use development in the Wembley Opportunity Area is supported. Further discussions are required in relation to re-provision of industrial floorspace and the securing of affordable workspace.

Further discussions continued between the applicant and the GLA and revised drawings for the industrial area were submitted. Since the Stage 1 review was carried out, the workspace offer has been improved in terms of gross internal floor area (GIA) and useability, and therefore the proposal has now demonstrated that the scheme is suitable for fast track.

Affordable student accommodation: The application proposes 35% affordable student rooms. As the scheme

does not currently re-provide the industrial/ employment floorspace capacity required it does not meet the Fast Track Route threshold and will need to follow the viability tested route.

Urban design and heritage: The scheme design is good quality overall although some improvements should be made. A tall building is supported in this location in principle, but further work is required in relation to the visual, functional, environmental, and cumulative impacts. The proposals will not harm the significance of heritage assets.

Transport: Further improvements are required to support active travel and the public realm to mitigate the impact of the development. Additional information is required in relation to delivery and servicing, cycle and car parking, student travel management and construction logistics. A contribution of £487,500 towards bus service enhancements and £10,000 to improve pedestrian crossing facilities should be secured.

Thames Water: No objections subject to a condition being secured in relation to a piling method statement as the development is located within 15m of a strategic sewer. They have advised that both in relation to the foul water sewerage network and surface water network, there is no objection in relation to infrastructure capacity.

Environment Agency: No objections.

Health and Safety Executive: No objection.

Internal Consultees

Local Lead Flood Authority: No objection and confirmed that the layout and SuDS implementation has been reviewed and as the proposed design will offer a 82% reduction in discharge rates in a 1 in 100 year storm event, the proposal is acceptable.

Environmental Health including Noise Control Team: No objection subject to conditions in relation to contamination land, internal noise levels and plant, construction management plan

POLICY CONSIDERATIONS

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

The development plan, relevant to this proposal, is comprised of the:

London Plan 2021
Brent Local Plan 2019-2041

Key policies include:

London Plan 2021

SD1: Opportunity Areas
D3: Optimising site capacity through the design-led approach
D4: Delivering good design
D5: Inclusive design
D8: Public realm
D9: Tall buildings
D10 Basement development
D11 Safety, security and resilience to emergency
D12: Fire safety
D13: Agent of Change
D14: Noise
H1: Increasing housing supply
H15: Purpose-built student accommodation
E3 Affordable workspace
HC1: Heritage, conservation and growth
HC3 Strategic and Local Views

G5: Urban greening
G6: Biodiversity and access to nature
G7: Trees and Woodland
SI1: Improving air quality
SI2: Minimising greenhouse gas emissions
SI3: Energy Infrastructure
SI4: Managing heat risk
SI 5 Water infrastructure
SI 6 Digital connectivity infrastructure
SI 12 Flood risk management
SI 13 Sustainable drainage
SI6: Digital Connectivity Infrastructure
SI7: Reducing waste and supporting the circular economy
T1 Strategic approach to transport
T2: Healthy streets
T3: Transport capacity, connectivity and safeguarding
T4: Assessing and mitigating transport impacts
T5: Cycling
T6: Car parking
T6.5: Non-residential disabled persons parking
T7: Deliveries, servicing and construction

Brent Local Plan 2019-2041

DMP1 – Development Management General Policy Place:
BP1 – Central
BCGA1 – Wembley Growth Area
BCSA6 – Watkin Road

Design:

BD1 – Leading the way in good design
BD2 – Tall buildings in Brent
BD3 – Basement Development Housing:
BH1 – Increasing Housing Supply
BH2 – Priority Areas for Additional Housing Provision within Brent
BH7 – Accommodation with Shared Facilities or Additional Support
BH13 – Residential Amenity Space

Economy and Town Centres:

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

Heritage and Culture:

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

Green Infrastructure and Natural Environment:

BGI1 – Green and Blue Infrastructure in Brent
BGI2 – Trees and Woodland

Sustainable Infrastructure:

BSUI1 – Creating a Resilient and Efficient Brent
BSUI2 – Air Quality
BSUI3 – Managing Flood Risk
BSUI4 – On-site Water Management and Surface Water Attenuation

Transport:

BT1 – Sustainable Travel Choice
BT2 – Parking and Car Free Development
BT3 – Freight and Servicing, Provision and Protection of Freight Facilities
BT4 – Forming an Access on to a Road

The following are also relevant material considerations:

Brent guidance documents

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

Greater London Authority guidance documents

Housing SPG
Affordable Housing and Viability SPG
Optimising Site Capacity: A Design-Led Approach draft LPG
Urban Greening Factor draft LPG
Sustainable Transport, Walking and Cycle draft LPG
Air Quality Positive draft LPG
Circular Economy Statements LPG
Whole-life Carbon Assessment LPG
'Be Seen' Energy Monitoring Guidance LPG
Fire Safety draft LPG

DETAILED CONSIDERATIONS

Principle of development

Policy Background

1. Policy GG2 of the London Plan identifies the optimisation of land, including the development of brownfield sites, as a key part of the strategy for delivering additional homes in London. London Plan Policy H1 sets out housing targets across London, with the target for Brent being 23,250 new homes over the ten-year plan period, and Policy SD1 designates Wembley as one of a number of Opportunity Areas with development potential of strategic importance for London. Brent's Local Plan Policy BH1 responds to this by proposing plan-led growth concentrated in Growth Areas and site allocations, including a target of 15,000 new homes in the Wembley Growth Area. Policy BCGA1 also supports the delivery of high-quality homes and economic regeneration in the Growth Area.
2. The site forms part of the BCSA6 site allocation for Watkin Road, which sets out an indicative target of 717 dwellings with industrial floorspace at ground floor.
3. London Plan Policy H15 and Brent's Policy BH7 support the delivery of purpose-built student accommodation (PBSA) in well-connected locations to meet local and strategic needs, subject to specific criteria being met. It highlights the Boroughs, student accommodation providers and higher educational providers are encouraged to develop student accommodation in locations well-connected to local services by walking, cycling and public transport, as part of mixed-use regeneration and redevelopment schemes. The London Plan identifies a strategic need of 3,500 bedspaces across London. Whilst the site allocation does not refer specifically to student accommodation, this type of housing is acknowledged to relieve some of the demand for conventional housing and would contribute towards Brent's housing supply (at a ratio of 2.5 bedrooms to one conventional housing unit).
4. Policy BE3 also reflects the continued need for employment floorspace. Criteria c of the policy allows the release of local employment sites for non-employment uses in allocated sites where it has been demonstrated that the maximum viable replacement of the existing floorspace has been sought. Furthermore, BCSA6 site allocation seeks the maximum viable re-provision of industrial floorspace, given the identified need within the Borough.

Student Accommodation

5. As noted above, student housing contributes to Brent's housing targets, at a rate of 2.5 bedspaces to one conventional housing unit, and the provision of accommodation for 619 students would equate to 247.6

new homes, which would contribute towards the wider target of 717 dwellings within the whole of the site allocation. The recently constructed development at former 10 – 11 Watkin Road (now known as Barratt Homes) includes 219 residential homes and also sits within the wider allocation.

6. Policy BH7 of Brent's Local Plan sets out the need for purpose-built student accommodation to demonstrate that there is a London wide need for the development. In response, the applicant has provided a demand assessment and market analysis for purpose-built student accommodation. This concludes that the location of the proposed PBSA development on Watkin Road in Wembley is preferable as a location to live for students, and in particular those studying locally at Middlesex University and the Harrow campus of the University of Westminster. Due to its high level of accessibility, the Watkin Road site is also desirable to students studying in central London, including those enrolled at University College London and King's College London. The data presented indicates that there is an existing market for both PBSA and conventional rented housing within both the immediate area itself and within a 45-minute travel time catchment.
7. The report highlights that currently, up to 70% of full time Higher Education students across London and 77% within a 45-minute travel time of the Watkin Road site are required to find accommodation within private rented HMOs or by living at parental/guardian home and would otherwise be unable to access university or private sector purpose-built accommodation. It goes on to say that there are 4.3 students per available purpose-built bed space (0.23 students per bed) studying at higher education providers within a 45-minute travel time of the Watkin Road site. Full time student numbers at higher education providers within the catchment based on historic trends are projected to rise by 25% (6,126 students per annum) to 2024/25, whilst the development pipeline of student accommodation over the same period would not meet this increase in demand (based on all 6,274 potential bed spaces in the planning pipeline (as of November 2022)). Whilst there has since been an approved scheme at Fairgate House and a current application in at Glynn Skips, the student housing supply/demand imbalance is expected to remain relatively unchanged at around 4.4 students per bed space (0.23 students per bed), and as a result, would still continue to place unwanted pressure on the local private rented market. It is therefore considered that there is a London wide demand for PBSA in line with policy BH7.
8. The accommodation would be secured by condition for occupation by full students' full time students enrolled on UK accredited and based further education courses during term time (for not less than 39 weeks of the year). The remaining time, (outside term time,) the Council is content that the units may be rented out on short-term lets, perhaps assisting tourism within the summer vacation period. This will apply to all of the student rooms. The majority of the units (51% of bedrooms) would be provided through a nominations agreement with one or more higher education providers, through the s106 agreement. This demonstrates that the accommodation would meet a specific London need, in line with policy H15 of London Plan and policy BH7 of Brent's Local Plan.

Reprovision of Employment Floorspace

9. The site contains 1,407sqm of existing industrial floorspace. As it is a local employment site, in line with policy requires the maximum viable replacement of existing employment floorspace to be sought. The application is proposing 1,490.2sqm of replacement light industrial floorspace (use class E(g)(iii)) located within the southern block. Whilst the applicant has not submitted marketing evidence to demonstrate that the maximum viable amount of employment floorspace would be re-provided, the scheme proposes a net increase in employment floorspace compared to the existing provision (an uplift of 83sqm). When compared to the extant consent (20/0587) the proposed exceeds the delivery of the industrial floorspace by 486.2sqm, providing a 148% uplift.
10. In line with comments raised by the GLA and Brent's affordable workspace officer, the layout of the workspaces has been adjusted since submission to optimise loading areas, accessibility and bin storage areas as well as to provide a larger lift opening to enable increased manoeuvrability for loading.
11. The applicant has also agreed to provide an off-site contribution of £200,500 towards affordable workspace provision within the Borough.

Relationship with wider site allocation

13. The BCSA6 site allocation seeks to ensure that the development would not adversely affect the ability of other plots within the allocation to maximise their own development potential, while securing active frontages and improvements to the public realm and Wealdstone Brook.

14. Both the northern and southern buildings have been designed to not result in student bedrooms that rely on outlook over the adjoining sites to the south east. This would allow a condition to be secured for windows on the southern eastern elevation to be obscured glazed and high opening only. The Design and Access Statement has also provided an indicative masterplan showing how the remaining plots within the site allocation could come forward for redevelopment.

The appropriateness of developing on land within a high-risk flood zone

15. The site is part of a wider residential allocation which acknowledges that the site sits within a high-risk flood zone (3a) for surface, fluvial and tide, owing largely to its proximity to the Wealdstone Brook to the north. Flood zone 3a indicates that flooding risk is high on the site but it does not necessarily indicate that development on the land is inappropriate, as is the case with land in flood zone 3b which generally indicates that a site should be retained undeveloped as functional flood plain.
16. The site allocation for Watkin Road does not indicate that the flooding designations on site should preclude development opportunities but does acknowledge that flood mitigation measures will be necessary, and that flood mitigation should not compromise a high quality deliverance of public realm and interface between street and ground floor use. The development proposals achieve this allocation requirement, and this will be detailed in depth in later sections of this report. Furthermore, the applicant's drainage strategy (as detailed below) presents an opportunity to provide flood risk betterment on site.
17. On this basis, it is considered that as long as there is no real increase in flood risk, and ideally betterment as established through improvements to site drainage, that an approach of moving forward with a mixed-use scheme at this site is an appropriate position to support. The Environment Agency have been consulted on the proposal and have raised no objections to the site's development in principle from a perspective of flood risk.

Conclusion

18. Whilst it has not been demonstrated that the maximum viable re-provision of employment floorspace would be provided within the development, the scheme would secure an uplift in industrial floorspace compared to existing provision and such floorspace would be secured as affordable workspace. The limited conflict with policy would be outweighed by the benefits. The provision of student accommodation would meet a specific London need, would be acceptable in this location and would contribute to Brent's housing targets.

Affordability and mix of student accommodation

Policy background

19. London Plan Policy H15 sets out a requirement for all purpose-built student accommodation (PBSA) to secure the maximum level as affordable student housing. This is defined as a bedroom (together with all services and utilities offered to equivalent non-affordable rooms) provided at a rental cost equal to or below 55% of the maximum income that a new full-time student studying in London and living away from home could receive from the Government's maintenance loan for living costs for the academic year.
20. In order to follow the fast track route (where viability testing is not required), at least 35% of the accommodation must be secured as affordable student accommodation or 50% where the development is on public land or industrial land appropriate for residential use in accordance with policy E7 where the scheme would result in a net loss of industrial capacity. Floorspace capacity is defined here as either the existing industrial and warehousing floorspace on site or the potential industrial and warehousing floorspace that could be accommodated on site at a 65 per cent plot ratio, whichever is the greater. Fast track route schemes would however need to secure an early-stage viability review would be required if development does not commence within two years, to incentivise early delivery.
21. Policy H15 also requires the use of the accommodation to be secured for students, with the majority of rooms including all of the affordable student housing being subject to a nominations agreement with one or more higher education providers.

Assessment

22. The scheme would provide 1,490sqm of industrial floorspace. This would be a net increase in the existing provision (1,407sqm) and given then developable area of the site is 2,130sqm (0.213Ha) the scheme

would meet the 0.65 plot ratio. Therefore, the scheme would be eligible to qualify for fast track with 35% of student bedrooms to be affordable.

23. The application states that 35% of the student bedrooms would be provided as affordable student housing (216 bedspaces), within an overall 51% that would be provided through a nominations agreement with one or more higher education providers. These matters would be secured through the s106 agreement, together with an early-stage review mechanism to incentivise delivery of the development within two years.
24. The remaining 49% of bedrooms could be let to students taking courses at other higher education providers in London. As there are a number of other existing and emerging PBSA schemes in Wembley Park, the proposal would contribute to an emerging student community in the area and would offer residents the opportunity to widen their social circle by mixing with students studying at other establishments or living in other developments. Term time residency would be restricted by condition to students in full-time higher education, however the use of the building for other types of short-term accommodation at other times would also support the cultural and night-time economy of Wembley.
25. There is no policy requirement to provide any particular mix of types of accommodation. However, the proposal has been informed by advice from an experienced provider of purpose-built student accommodation. On this basis, four types of bedroom are proposed: cluster rooms (a group of eight within the north block or of nine or ten bedrooms in the south block sharing a communal kitchen, dining and lounge area accessed off a shared corridor); small studios (bedrooms with private kitchenette) and typical and accessible studios (larger bedrooms with private kitchenette).

Type	Number	Percentage
Cluster	500	80.8%
Studios	119	19.2%

26. The proposal thus would offer a degree of choice for students in different circumstances according to their lifestyle choices and needs. The s106 agreement would secure a proportionate number of each type of room as part of the nominations agreement, including for affordable accommodation.

Design, scale, layout and appearance

Policy background

27. London Plan Policy D3 sets out a design-led approach to new development that responds positively to local context and optimises the site's capacity for growth by seeking development of the most appropriate form and land use, while Policy D5 seeks inclusive design without disabling barriers. Policy D9 sets out a framework for assessing proposals involving tall buildings including their visual impact, functional impact and environmental impact. The policy requires proposals to be justified with reference to existing and proposed long range, mid-range and immediate views, to demonstrate the impact of the proposal upon the surrounding streetscape.
28. Brent's Policy BD1 seeks the highest quality of architectural and urban design, whilst Policy BD2 directs tall buildings (defined as those of over 30m in height) towards to the locations shown on the policies map in Tall Building Zones, intensification corridors, town centres and site allocations. Whilst the entire development site sits within a tall buildings zone it is noted that the southern site sits within the 'core' section of the zone whilst the northern site is split between the 'core' section of the tall buildings zone and the general section of the zone.
29. Furthermore, the site allocation within Brent's Local Plan notes that "tall buildings will be acceptable taking into account the need to mediate between heights of the adjacent Wembley masterplan sites, plus Parkwood House, Apex House and Amex House and Empire Court" tall buildings designated Tall Building Zones and expects these to be of the highest architectural quality.
30. Section 16 of the NPPF advises Local Planning Authorities to recognise heritage assets as an "irreplaceable resource" and to "conserve them in a manner appropriate to their significance". Any harm to designated heritage assets requires clear and convincing justification. With regard to non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Brent's Policy BHC1 requires new developments to demonstrate and justify any impacts on heritage assets, and Policy BHC2 identifies and protects a number of important views of the Wembley Stadium arch.

Site Context

31. The development site is split into two. The southern site forms units 1, 2,3 and 4 on the south western side of Watkin Road and fronts onto Watkin Road to the north east and north west, Fulton Road to the south west and unit 4 of Watkin Road to the south east. This southern site is therefore located on a prominent corner along Fulton Road, one of the main thoroughfares through the Wembley Park area. The northern site forms unit 9 of Watkin Road on the north eastern side of the road. The site borders Watkin Road to the south-west, the recently completed 10-11 Watkin Road to the north-west, the Wealdstone Brook to the north-east and unit 8 of Watkin Road to the south-east. Each of the sites is to accommodate a new block, as follows.
32. The southern site would contain a building that, in part, extends to 6 to 18 storeys in height and in part extends to 27 storeys in height, whilst the northern site would contain a building that extends to 21 storeys in height.

Southern site Layout

33. The southern site would contain all of the development's commercial floor space (floors ground to two) and 419 bedspaces of student accommodation (floors three and upwards). The PBSA use would be accessed from a wide, colonnade covered frontage on the north eastern elevation, at the corner with Fulton Road. The student accommodation lobby area and the base of the core is contained on the south western side of the building and fronts both Watkin Road and Fulton Road. The light industrial workspace would also be located along this elevation from an adjacent entrance and additionally one core with access from both Fulton Road and Watkin Road in the centre of the southern building. The ground floor would largely comprise of residential bin stores, commercial bin stores, commercial bike stores and back of house / plant spaces for both the residential and commercial uses. A basement level would also be provided for this building, containing plant rooms and four-cycle stores.
34. The first-floor level would largely comprise the light industrial workspace, fronting the two Watkin Road frontages and the Fulton Road frontage. The second-floor level would entirely be commercial in nature and comprise the largest units forming the scheme's light industrial workspace offer.
35. From third floor to the fifth, the building is entirely for the student use and would see 29 student units being provided on each floor, in a mix of studios and cluster apartments. On the sixth floor there are four areas of internal amenity and one large area of external amenity for the students, in addition to two studio units, one of which is accessible. From the 7th to 17th floor 19 student units are provided in the form of cluster units of 10 and 9. Above the 18th to 26th floor, the building includes 10 cluster student units per floor with a further external communal amenity space at 18th floor level. At the building's apex, PV panels and a plant room have been allocated.

Northern site Layout

36. The northern site would comprise the student accommodation use only, with 200 bedspaces. The building is accessed from a legible, covered access at the south western corner of the building, at its most prominent corner, across from the emerging development at 10-11 Watkin Road. The ground floor is formed of the entrance lobby, and a residents' lounge on the easy side of the block, the residential core and bin storage centrally in the block and plant rooms to the east side of the block.
37. The first and second floors are largely comprised of internal amenity space for the flats, but the first also includes water services and two studio units. The building would contain an 8-unit cluster apartment, with 1 'small studio' and 2 further 'accessible studios' between floors 3 to 8. There would be 1 accessible unit, a 'small studio' and additional premium studio from floors 9 to 20. The tallest residential storey in the northern block is the 21st floor, and it is used for roof plant and occupants of this blocks rooftop amenity space.

Scale, height, massing and design of the development

38. The proposed building would comprise two buildings of the southern building, the central part presents a height of 6 storeys which extends to 18 storeys to the east and 27 storeys to the west at the corner of Watkin Road and Fulton Road. The northern site extends to a height of 21 storeys.

39. The site falls within the Tall Building Zone and is also located within the Watkin Road site allocation. As the site sits adjacent to the edge of the Wembley masterplan zone it is closer to the dense development (either built or consented) and therefore less sensitive, however, there are locations to the north and east of the allocation site which are more sensitive given their proximity to lower scale development (low scale industrial and the residential buildings forming Empire Court) where no change is anticipated in current policy.
40. The proposed development is up to 27-storeys within the southern site, stepping down to 18 and 6 storeys on its eastern side. It is noted that this building would sit on a prominent junction (Watkin Road/Fulton Road) within the eastern side of the masterplan area. The plot is very visually prominent, particularly from the junction of Olympic Way and Fulton Road, where it would centrally frame the view eastwards along Fulton Road. However, it is noted that the plot is located fairly centrally in a site allocation and that its location is slightly more peripheral to the masterplan area than the immediately neighbouring sites to the west and south, such as 10 – 11 Watkin Road (24 storeys), Quintain NE05 (23 storeys and Quintain NE06 (34 storeys). When taking this emerging context into account, the proposal for a building between 18 and 27-storeys on this plot is considered to appropriately mediate between the taller heights and denser development to the east and south and the requirement for development to transition to a smaller scale at the western edges of the site allocation and massing will also provide a prominent landmark framing for the view along Fulton Road from the west, as shown in the applicants' Townscape and Visual Impact Assessment
41. The proposal seeks a development of 21 storeys within the northern site. Unlike the southern site, this building would not sit on a prominent junction and would sit more peripherally within the site allocation adjacent to the Wealdstone Brook, across from which the Empire Court development (4 storey apartment blocks) sits. The block would, however, sit immediately adjacent to 10 -11 Watkin Road (24 storeys) to the east. The 21-storey massing is considered to result in an effective transition from the taller developments further east within the masterplan and the existing Empire Court, as the site would sit to the west of 10-11 Watkin Road, it provides an adequately reduced height of 21 storeys.
42. The 21-storey massing would also respond effectively to the transitional tall building zone, within which the northern site sits (between the 'core; and general tall building zone), proposing a massing which is not significantly in excess of the base definition of tall buildings as set out in the Local Plan (i.e. 30 metres of about 10 storeys). Vertical articulation adds to the depth of the façade of the taller buildings through the use of horizontal bands of brickwork, including in contrasting tones, vertical arrangements of windows and aluminium panels create alternating projecting brick detail bands.
43. The extant consent of 20/0587 proposed lower building heights overall, including a 17-20 storey building on the southern site and a 14 storeys situated in the northern site. While lower in overall height, the 17- and 20-storey elements resulted in a large overall form, whereas the current proposal includes a lower 6-storey element separating the taller 27 and 18 parts of the building, breaking up the visual form of the building.
44. The extant permission included projecting balconies, this element (which formed part of the extant consent 20/0587) has been omitted from this submission. The materiality has sought to improve the articulation of the blocks through the use of differing bricks which accentuate the verticality of the building.
45. The building's footprint has reduced since the earlier extant consent which presented a much more rectangular southern building, whereby the current one has now been set in from the pedestrian walkways and allows for a chamfered entrance which alleviates the pinch points which were slightly more prevalent subject of the earlier consent. The buildings have also now incorporated level access within the site, negating the requirement for external ramps which while providing a necessary use did reduce the legibility for the site and created additional hardstanding in areas that have now benefitted from improvements in soft landscaping, further buffering the building from its surroundings.
46. The 6-storey central element of the south block is treated with simplicity and acts as a connection between the two larger vertical components, allowing the taller elements to express themselves as independent elements.
47. The south west corner of this block is chamfered to create an improved sense of arrival from Fulton Road. The first three floors of the chamfered section are designed with contrasting materials to the remainder of the building to further emphasise the entrance.

48. The proposal would sit within the viewing corridor of the Wembley Stadium Arch as seen from Chalkhill Park, which is a strategically protected view within Local Plan Policy BHC2. The applicants' Townscape and Visual Impact Assessment illustrates the impact the development would have on this view. The previous extant consent saw a stepping down of the massing which ensured that whilst the northern site's block would not impede the view of the Wembley Stadium Arch from the park, the southern site's block would impede the view of the arch to an extent on the building's eastern side. However, as part of the submitted development, while the height has been increased within all three blocks, the massing has been separated to allow for an uninterrupted gap allowing for sightlines through to Wembley Arch from Chalkhill Park. The separation ensures that the viewing corridor is clear and would continue to allow for the stepping down from the remainder of the consented and built massing.
49. The GLA has also considered the visual impact on the arch from a strategic perspective and notes the following:

"The height and massing approach is generally supported... the tall elements have been arranged logically on the site and are appropriate in the emerging context. The variation in height and particularly the much lower central section in the south building is positive... The submitted TVIA View 5a from Chalkhill Park illustrates how the height of the east part of the South block has been reduced to sit beneath the Wembley arch in the view. This is a positive step."

Townscape and Visual Impact Analysis

50. This development site sits centrally within the site allocation and is adjacent to development of significant density, particularly in the southern section. It is acknowledged that the northern part of the development site would act as a buffer space between the tall emerging development of 10-11 Watkin Road to the west and the Wealdstone Brook and low-scale Empire Court to the east and should be designed accordingly.
51. A Townscape and Visual Impact Assessment has been provided with the planning application and provides the following existing and proposed views, including cumulative views which take into account other emerging developments. These are described and assessed in the following paragraphs. Additionally, a discussion on the extant consent and its impact on the arch as a comparison is set out below.

View 1: Watkin Road/ Fulton Road

52. This view is considered to be of low value as it is not within a designated area and the location does not have any cultural associations. The proposed development would be immediately apparent in the close range view at ground level and limit sky views, however, the detailing and wayfinding provided with the chamfered corner are considered to provide a strong emphasis to the slender appearance of the built form. The pronounced change to this view and the magnitude of the effect is considered to be large. The view is of a moderate beneficial significance.
53. When compared to the extant consent, the massing as visible from this viewpoint would be largely similar, with the building being very pronounced on this elevation, limiting the sky views. While the building is presented with largely the same massing, the removal of the balconies from the earlier consent have been removed which would to an extent have reduced the massing, with the chamfered edge of the building fronting Fulton Road now allowing for an increased feeling of subservience.

View 2: Fulton Road

54. This view is considered to be of a low value as it is not within a designated area and the location does not have any cultural associations. The proposed development would be seen in the middle of the ground of view alongside the existing and emerging high-rise forms. The buildings are continued to introduce vertical interest and will break up the horizontal form of surrounding buildings. The reduction in height of the 6 storey elements allows that it does not appear as a block of development, with rhythm introduced. The proposed development is considered to help create a smoother transition in scale when taking into account the adjacent tall buildings. The view is of a minor beneficial significance.
55. When compared to the extant consent, the proposed view from Fulton Road would be largely similar to the proposal given the building would show the northern and southern building, however, as the site now incorporates No. 4 Fulton Road the buildings massing would be situated closer to the Fulton Road viewpoint. The site would still fall within the site allocation though. The sky views would still be limited and

from this angle there would be no discernible difference in the heights from street level.

View 3: Empire Court

56. This viewpoint is located on North End Road and is considered to be of a low value as it is not within a designated area and the location does not have any cultural associations. The proposed development would be visible beyond the intervening built form and would reduce the extent of the sky visible, taking up a substantial proportion of the view. The proposed development would be large with some disruption of views towards the Wembley Arch. However, the development would be seen alongside other high-rise developments and the disruption would be lesser than the extant consent. The view is of a moderate adverse significance.
57. The extant consent as viewed from the Empire Court viewpoint appears as a block like building, with dense massing. While other buildings obscure the arch from this view, the building does not provide a comfortable break in development. When compared to the proposed view subject of this application the building allows for visibility through the massing of the development and while it obscures more of the arch from this view, it is not negligible worse than the existing view of which a building is already situated in the background.

View 4: Dane Court

58. This viewpoint is located on North End Road and is orientated to the south-east. The proposed development is expected to be entirely screened by intervening built form, such that no change will be perceived. The view is of a neutral significance.

View 5a Chalkhill Park

59. The viewpoint is located within Chalkhill Park and is orientated south-west. The foreground of the view comprises the flat amenity grassland associated with the park. The park is bordered by semi-mature planting to its southern edge. The value of the view is judged medium due to it being noted as a locally protected view and is therefore of a high overall sensitivity. The proposed development would be visible in the background of the view, filtered by intervening built form and vegetation. While the introduction of the south and north block would result in a partial reduction in the extent of the sky visible, these buildings would be seen alongside other existing and emerging high-rise developments that populate the skyline in this locality.
60. Views of the lowermost portion of the Wembley Stadium arch will be retained through the drop in height of the south block, with the eastern part of this block sitting below the oversailing height of the arch and well as being set below the taller consented building that forms part of the Quintain Masterplan. The design of the south block, with massing dropping down from east to west, ensures that the profile and silhouette of the arch will remain. In addition, the step down in scale will result in a layering effect in the view obtained, mirroring the arch in the backdrop and assisting in amplifying its prominent in the vista. On the basis of the above there will be a noticeable change to the view and the magnitude of effect is considered to be medium.
61. The arch subject of the previous consent (20/0587) had a large portion obscured on its western wing as viewed from Chalk Hill view point, while the buildings allowed for a stepping down as the developments drop-off towards the periphery of the tall building zone the development that has currently been submitted appears much more comfortable in its surroundings and it continues to allow for the stepping down in scale of the building which is much more respectful of the arch. The arch as part of the current proposals is much more visible when compared to the earlier consent with the buildings suitably framing it to retain those view points which had been partially obscured as part of the 20/0587 consent.
62. The proposed development would have a negligible adverse significance.

View 5b: Chalkhill Park

63. This viewpoint is also located within Chalkhill Park and is orientated towards the south-west. The foreground of the view comprises the flat amenity grassland associated with the park. The value of the view is judged to be medium due to it being a locally protected view, given the outdoor recreation associated with the context there is expected to be a high overall sensitivity in this location.
64. The proposed development would be visible in the background of the view, partially filtered by the

intervening built form and vegetation.

65. While the introduction of the south and north block would result in a partial reduction of sky visible, these buildings will be seen alongside other existing and emerging high rise developments that populate the skyline in this locality.
66. The views of the eastern portion of Wembley Stadium arch will be interrupted by the proposed development as consistent with the consented proposal. The eastern section of the south block would be set to the north and from this angle at a comparable height of the consented building that forms part of the Quintain Masterplan.
67. This view was not submitted to support the 20/0587 consent and as such a comparison cannot be considered.
68. The design of the south block, with massing stepping down from west to east, references the profile of the arch and assimilates with the adjacent built form, stepping up to the taller built form to the west. On the basis of the above, there will be a noticeable change to the view and magnitude of effect is considered to be medium. The view is of a negligible adverse significance.

View 6: Fulton Road

69. This viewpoint is situated on Fulton Road and is orientated to the east. Fulton Road extends perpendicular from the foreground into the background. The view is considered to be of low value as it is not designated within the area and the location does not have any notable cultural associations. The development's south block would be partially visible in the background of the view, with the north block being screened by the adjacent existing development. Furthermore, the consented development to the east of Rutherford Way Road will, once constructed truncate views of the majority of the south block.
70. The small section of the south block that will be apparent in the background of the view, will be seen within the context of adjacent tall buildings. The location of the south block within the skyline will create a newly defined vista, with the eye drawn along Fulton Road. The vertical emphasis in the façade helping to maintain a slender appearance and ensuring it does not appear as a bulky structure. It is considered that there will be a subtle change to the view and the magnitude of effect is considered to be small. The proposed development will be seen in context with the surrounding future context and high-rise developments in situ. The view has a minor beneficial significance.
71. When compared with the earlier consent TVIA, the Fulton Road east view presented a much more immediate step down, without any fluid rhythm, whereas the taller building of the proposed allows for the step down to be more gentle in nature and continues the perspective of the road, with the smallest element in the centre surrounded by taller buildings. The proposal also allows for an improvement of the sky from a lower level, accentuating the verticality and slenderness of the tall tower as proposed.

View 7: Wembley Arena

72. This viewpoint is located within the area of public realm situated to the east of Wembley Arena and orientated to the north east. This landscaped area is enclosed by high rise modern development on all sides, with mature standard trees in the foreground helping to soften a hard standing townscape scene. The view is located in close proximity to the listed Wembley Arena and is accordingly considered to be of medium value. The receptors at this location are of medium sensitivity.
73. The proposed development would be predominantly screened in views between a gap in two of the enclosed built forms and its introduction will not be immediately apparent and will instead echo the existing extent of containment within this locality.
74. On the basis of the above, there will be a barely perceptible change to the view and the magnitude of the effect is considered to be very small. The view is of a neutral significance.
75. When compared to the earlier extant consent, the building as proposed is now visible, when it was not present before on the view. While this is acknowledged, as above, there is no perceptible change and it is not considered to allow a negative impact.

View 8: White Horse Bridge

76. This viewpoint is located on White Horse Bridge and orientated towards Wembley Stadium to the northeast. The view is framed by the arches of the bridge, which echo the arch of Wembley Stadium itself.
77. The value of the view is judged to be medium due to it being noted as a locally protected view. The proposed development will be entirely screened by intervening built form, such that no change will be perceived. Accordingly, the magnitude of effect is none. The proposed development will not be visible when taking into account the future context. The view has a neutral significance.
78. There is no change from the earlier 20/0587 consent of which the development does not appear on the view.

View 9: Sherrans Farm

79. This viewpoint is located in Sherrans Farm open space and is orientated to the north. The foreground of the view consists of an area of open gently sloping grassland that leads towards a row of trees in the middle ground of the view. The view is considered to be of low value as it is not within a designated area and is not within any cultural associations. The proposed development will be entirely screened by intervening vegetation and built form, such that no change will be perceived. Accordingly, the magnitude of effect is none. The proposed development would not be visible when taking into account the future context. The view has a neutral significance.
80. Subject of the earlier TVIA, additional buildings have been approved in this locality which further shield the development from this viewpoint. As such, there is not expected to be any discernible change to this view when compared to the extant consent.

View 10: Atlas Road/ Hannah Close/ Fourth Way

81. This viewpoint is located at the junction between the three, extending from Atlas Road in the foreground of the view in the middle ground, before bending out of sight to the left, while fourth way forks to the right towards a stand of mature vegetation that curtails views beyond. The view is considered to be of low value as it is not within a designated or cultural association area. The overall sensitivity is considered to be low.
82. The upper sections of the proposed development will be visible from this location, albeit not immediately apparent and seen in the context of existing and emerging high-rise development in the background of the view.
83. North block itself will in effect foreshorten the view towards the built development, with the 27-storey scape building seen to ride behind this newly introduced building. Similarly, south block will be visible alongside this higher rise development and will be seen as a transitional element due to its step down in scale to the east.
84. On the basis of the above, there will be a barely perceptible change to the view and the magnitude of effect is considered to be very small. The proposed development will be seen alongside other high-rise development when taking into account the future context and collectively create a visually pleasing composition as the built form cascades from south to north. The view has a negligible beneficial significance.
85. The building was visible in the earlier consent, however, it was of a lower level height which did not present a steady rhythm dropping away towards Empire Court. The proposal now includes a gradual stepping down, presenting the cluster with a more appropriate rhythm.

View 11: Brent Town Hall

86. The viewpoint is located on the footpath that leads south from the old Brent Town Hall across the A4088, with the view itself also orientated south. The view is considered to be of low value as it is not within a designated area and the location does not have any notable cultural associations. The overall sensitivity of this site is medium, given the location is used by pedestrians and cyclists who would have an appreciation for their surroundings.
87. The northern elevations of the north block and part of the south block would be visible from this location and when travelling south along this route. However, it is considered that heavy vegetation will curtail

views of the proposals. Where visible the introduced built form would appear to dovetail with the emerging built context around Wembley Stadium.

88. On the basis of the above, there would be a perceptible change to the view and the magnitude of effect is considered to be small.
89. The view from Brent Town Hall slightly obscures the arch more subject of the proposed development than the earlier consent, however, as above, the vegetation from Chalk Hill estate will continue to buffer this, with the arch still mostly visible atop the surrounding Quintain developments.
90. The proposed development will be seen alongside other high-rise development when taking into account the future context, helping to provide further architectural interest to the skyline, provide a modulated transition in scale and height and anchor the arch of Wembley Stadium into the townscape. The view would have a negligible adverse significance.

View 12: Welsh Harp Reservoir

91. The view is located within the Welsh Harp Reservoir open space on the Capitol Ring long distance footpath and is located to the south-west. The value of the view is judged to be medium due to it being noted as a locally protected view with a high overall sensitivity.
92. The filtered views of the upper sections of the proposed development would be seen in the background of the view alongside other existing and emerging high-rise development with the majority of the introduced built form screened from view by the intervening vegetation that encloses the area.
93. The materiality and articulation of the facades will not be perceived from this distance with only the tallest elements of the building readily noticeable. The height of the south block would sit below that of the other buildings in the backdrop and thus would not draw the eye and instead blend it with the existing composition, adding another positive contemporary contribution in the vicinity of Wembley Stadium, with views towards the arch preserved.
94. On the basis of the above, there will be an unobtrusive change to the view and the magnitude of effect is considered to be very small.
95. As above, the earlier consent was very minimal in terms of the visibility of the building from this view and as such, there is no considerable change observed.
96. The proposed development will be seen alongside other high-rise development when taking into account the future context. There is expected to be a negligible beneficial significance.

View 13: Barn Hill

97. This viewpoint is located within the Barn Hill Open space and is orientated to the south. The value of the view is judged as medium due to it being a protected view and given its location within the Barn Hill Conservation Area. The proposed development will be entirely screened by intervening built form and vegetation, such that no change will be perceived. Accordingly, the magnitude of the effect is none, with a neutral significance.
98. As above, the development would still be screened as part of the proposal and therefore there is no considerable change proposed when compared to the earlier consent.

View 14: One Tree Hill

99. This viewpoint is located within the One Tree Hill Recreation Ground and is orientated northeast of the site. The value is judged to be medium due to it being noted as a locally protected view, with a high overall sensitivity.
100. The building as part of the earlier consent was not visible and that remains the same with the proposals. As such there is no change.
101. The proposed development would be entirely screened by the intervening built form and vegetation, such that no change is perceived. Accordingly, the magnitude of the effect is none. The proposal would have a neutral significance.

View 15: Elmwood Park

102. This viewpoint is located within a localised vantage point at Elmwood Park and orientated to the east. The view is a protected one and is judged to be medium with a high overall sensitivity. The proposed development while visible in the background of the view, would be seen alongside existing and emerging high rise development within the vicinity of Wembley Stadium. The materiality and articulation of the facades will not be perceived from this distance, with only the overall mass of the building being appreciated, being comparable in scale to other built forms in its vicinity. Views of the arch would remain unaltered. On the basis of the above there would be a barely perceptible change to the view and the magnitude of effect is considered to be very small, with a neutral significance.

View 16: Horsenden Hill

103. This viewpoint is located on Horsenden Hill and is orientated to the north east. The view consists of an area of elevated scrub grassland that is contained within an area of woodland. The value of the view is judged to be medium due to it being a locally protected view with a high overall sensitivity. The proposed development would be entirely screened by intervening built form and vegetation, such that no change would be perceived. Accordingly, the magnitude of the effect is none, with a neutral significance.

104. The assessment has demonstrated that there would be only minimal impacts on views of medium and high value within the surrounding area, including the conservation areas and other heritage assets identified. While the building would be more noticeable in some views of lower value and would be a prominent feature in short-distance views, it would be seen within the context of other existing and emerging buildings within the Growth Area.

105. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 respectively require the decision maker to have "special regard" to the desirability of preserving a listed building or its setting, and pay "special attention" to the desirability of preserving or enhancing the character or appearance of a Conservation Area. The application site is not within a Conservation Area. The closest Conservation Area of Barn Hill to the north west and the Grade II listed Wembley Arena to the south west are both located more than 500m from the site.

106. The NPPF states that where a proposed development will lead to substantial harm to designated heritage assets, permission should be refused unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm or in wholly exceptional circumstances identified in paragraph 201 of the NPPF. Where the proposal will lead to less than substantial harm, that harm should be weighed against the public benefits of the proposal.

107. Where harm is found to a designated heritage asset (even harm that is deemed to be less than substantial), the decision maker must give that harm considerable importance and weight as a result of the statutory requirements set out in Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. London Plan Policy HC1 of the London Plan, policy DMP7 of the adopted Development Management Policies and policy BHC1 of the draft Local Plan all seek to ensure that development affecting heritage assets should conserve their significance, by being sympathetic to the character and setting of those assets.

108. The submitted TVIA is considered to be robust and demonstrates that the proposal would be seen in the context of other tall buildings within the Wembley Masterplan area and from the Listed buildings and CAs, and it is therefore considered there would be no harm to the setting of designated heritage assets.

109. The building is now more visible when compared to the earlier consent, however, this is still sheltered by the intervening building form and as such, the view is not considered to be of significance.

Architecture and Materiality

110. The visual design and architecture of the buildings is pleasing, relying on a simple rectilinear massing with a brick heavy external appearance, helping to establish a residential character. The architecture is mainly based on the use of a mix of dark and light brown buff brick and cream and white brickwork, with the white brick predominantly used for soldier coursing and lighter brickwork at the tallest levels within the southern block. Decorative glazed brickwork is proposed in both a mango colour for the southern buildings chamfered entrance and a jade colour for the northern buildings canopy entrance clearly defining the colonnade portion of the frontages and to provide a distinctive ground layer and legible

entrance for the building. The architectural features across the facades are neatly arranged in vertical stacks to emphasise the slenderness of the buildings.

111. Samples of the materials to be used in the development will be reviewed and approved by officers prior to any above ground works, and this would be secured by condition.

Public Realm

112. In terms of providing a good quality external environment for residents and passers-by, active frontages have been maximised at street level. The main residential entrance to the southern block is focussed on the small section of Watkin Road which is perpendicular to Fulton Road and is provided underneath a chamfered colonnade. Within the primary student accommodation lobby in the southern building, there is a short stair and also an internal ramp access in order to adhere to ensure a safe flood level for the building, owing to the proximity of the Wealdstone Brook. The colonnade feature would correspond with the colonnade feature used at the 10-11 Watkin Road site across the road and would act as a clearly legible and inviting means of defining the main entrance. A new landscaped area will be provided in front of the colonnade incorporating three new trees. Along Fulton Road, there would be access to the secondary access for the student accommodation lobby via an internal ramp and additionally the entrance to the commercial/industrial/makerspace units. A small stretch of inactive frontage will be present along the Fulton Road frontage, given the site constraints. These areas are where the storage and stairwells will be located. The public realm along Watkin Road would be comprised of active frontages to the commercial space, including the main entrance to the commercial spaces as well as a small stretch of inactive frontage at the eastern edge of the frontage, accommodating the substation, commercial and residential bin stores. The Watkin Road frontage would also contain a refuse presentation area for use on collection days, as well as the main servicing layby and two disabled parking bays.

113. The smaller northern block would be located across from the southern block, on the northern side of Watkin Road. The blocks entrance would be at the south western corner of the block, closest to the Fulton Road/Watkin Road junction, and, as with the southern block, would be a covered colonnade entrance accessed through steps or a ramp that ensure the building sits at an appropriate level to mitigate the risk of flooding given the proximity of the Wealdstone Brook. The area to the east of the block would be landscaped with new tree planting would also be incorporated to the external area in front of the lobby. The landscaped area would immediately adjoin with the landscaped area forming part of 10-11 Watkin Roads emerging development and the two areas together would form a 13m x 20m public landscaped area between the buildings. This area also sits adjacent to the boundary with the Wealdstone Brook banks and the open space across both sites in this area has ensured potential for increased brook access and restoration works to take place from here in the future. If this were delivered down the line, it would have a local public amenity benefit as well as positive implications for local ecology and climate change adaptation. The western frontage of the northern block (to the landscaped area) would of mostly active frontage, with two windows being provided to the lobby. The southern frontage of the northern block (to Watkin Road) would be a mixture of active (windows to the residential lobby) and inactive (doors to the bin store and substation/generator). The pavement on this side would also be amended to provide two additional on-street disabled parking spaces and a small refuse presentation area at the eastern end of the frontage.

114. The public realm proposals are considered to be highly positive, with active frontages having been reasonably maximised at ground level, interest and strong legibility having been provided by the colonnade features and new landscaping having been introduced in the public realm, especially at the base of the northern block. In establishing a good connection between the two sites, the applicants would deliver a step free pedestrian crossing across Watkin Road, which would incorporate dropped kerbs and tactile paving and be secured through a legal agreement.

Impact to Heritage Assets

Conservation Areas and Listed Buildings

115. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 respectively require the decision maker to have "special regard" to the desirability of preserving a listed building or its setting, and pay "special attention" to the desirability of preserving or enhancing the character or appearance of a conservation area. The Grade II Listed Wembley Arena is located approximately 460 metres to the south west whilst the Grade II listed Brent Town Hall (now used as the Lycée International de Londres Winston Churchill) is located approximately 570 metres to the north. About 500 metres to the

north is the southern boundary of the Barn Hill Conservation Area.

116. The applicants have submitted a detailed Townscape and Visual Impact (TVIA) assessment. The NPPF states that where a proposed development will lead to substantial harm to designated heritage assets, permission should be refused unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm or in wholly exceptional circumstances identified in paragraph 195 of the NPPF. Where the proposal will lead to less than substantial harm, that harm should be weighed against the public benefits of the proposal.
117. Where harm is found to a designated heritage asset (even harm that is deemed to be less than substantial), the decision maker must give that harm considerable importance and weight as a result of the statutory requirements set out in Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Policy HC1 of London Plan and policy BHC1 of the Local Plan all seek to ensure that development affecting heritage assets should conserve their significance, by being sympathetic to the character and setting of those assets.
118. The submitted TVIA is considered to be robust and demonstrates that the proposal would be seen in the context of other tall buildings within the Wembley Opportunity Area and that there would be no harm to the setting of designated heritage assets.

Archaeology

119. Beyond the visual impact considerations that relate to heritage, the site has been assessed for its below ground archaeological potential and the applicants have submitted a report to communicate the findings. The report confirms that no World Heritage Sites, Scheduled Monuments, Historic Battlefields or Historic Wrecks lie within 1km of the site. The site is also not within one of Brent's Archaeological Priority Areas (APA) or locally designated Sites of Archaeological Importance (SAI).
120. The history of the site has largely been as agricultural land until the area became managed parkland forming part of the wider Wembley Park during the late 19th/early 20th Century. Later, aerial imagery indicates that Watkin Road's existing industrial buildings were built out in the late 1940s/ early 1950s. The development plots are to the north of the main site of the British Empire Exhibition (1924-1925) and there are no buildings shown on the development plots of land on the diagrammatic 1924 plan of the Exhibition. Because of this, it is concluded that the site has a low archaeological potential for all past phases of human activity. Borehole logs from nearby sites (Amex House and Fernlea House) have been negative in their results with the area of the national stadium and its immediate vicinity having been subject to intense truncation, thus having removed potential archaeological deposits. For the above reasons, further archaeological mitigation is not recommended.
121. The Council's heritage officer agrees with the findings of the report and that no further archaeological mitigation measures should be required. As a result, the proposal accords with Policy HC1 of the London Plan and policy BHC1 of the Local Plan and the NPPF.

Relationship with neighbouring properties

Policy context

122. In accordance with Brent's Policy DMP1, any development will need to maintain adequate levels of privacy and amenity for existing residential properties, in line with the guidance set out in SPD1. SPD1 states that development should ensure a good level of privacy inside buildings and within private outdoor space. Separation distances of 18m between directly facing habitable room windows is sought, except where the existing character of the area varies from this. A distance of 9m should be kept from gardens to habitable rooms and balconies. Reduced distances between new frontages may be acceptable subject to consideration of overlooking and privacy, in addition to high quality design solutions that mitigate impacts and allow for efficient use of land. These standards are also applied to ensure that the development does not compromise the redevelopment of adjoining sites, and to individual buildings within large developments.
123. To ensure development has an appropriate relationship with existing properties, it is set out in SPD1 that new buildings should sit within a 30 degree line of existing habitable room windows and a 45 degree line of existing private rear garden boundaries. It is also set out that to ensure good levels of daylight and sunlight, the use of the BRE's "Site Layout Planning for Daylight and Sunlight: a guide to good practice

(BR209)" is supported.

124. The guidance set out that where buildings would be within a 25-degree line of existing windows, the Building Research Establishment considered that levels of light to these windows could be adversely affected and recommends further analysis of the impacts. When the 25-degree test is not met in relation to neighbouring properties, the BRE Guidelines recommended 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 appear to be adequately lit.
125. 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.
126. However, the BRE guidance also recognised 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. Where existing high density developments are potentially affected, the BRE suggests that impact of an imaginary new building of similar height and proportions as the existing building could be modelled in order to derive 'mirror image' target values for VSC. 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.

Assessment

127. The north block sits adjacent to the 10-11 Watkin Road development (LPA: 18/3381 & 19/2750) and will be separated by a 14m gap. While this is below the distance set out in SPD1, this maintains the same approach as approved via the extant permission (LPA: 20/0587) which also had habitable room windows facing 10-11 Watkin Road at this distance, and the proposal results in a comparable level of overlooking between buildings, and natural surveillance of the public space between the two buildings. In addition, the north block sits adjacent to 8 Watkin Road and the south block sits adjacent to 5 Watkin Road, which are both currently low-rise industrial units, with each block located 1m from the site boundary. The proposals do not include balconies or habitable room windows to the east elevation. Therefore, the proposal will not prejudice the ability of either 5 or 8 Watkin Road to be developed in the future.
128. The closest part of the development is approximately 30m from the nearest block of Empire Court (The Lodge), which exceeds the minimum distance required to maintain a good level of privacy. The Lodge has a mixture of south and west facing windows; no windows face directly onto the north block and a few west facing windows will indirectly face the proposed north block and have a 48m separation distance. As such, it is not considered The Lodge will be significantly impacted. This maintains the same approach as approved via the extant permission (LPA: 20/0587).
129. The distance between the north block and south block would retain an 18m gap, as per the extant permission (LPA: 20/0587).
130. With regard to the neighbouring Daylight and Sunlight Assessment the following properties, which are considered to have high sensitivity receptors, have been assessed as part of these proposals:
 - 10-11 Watkin Road
 - Amex House
 - Empire House Block 1
 - Empire House Block 2
 - Empire House Block 3
 - Empire House The Lodge

- Empire Court
- Euro House
- Quintain Masterplan

10-11 Watkin Road

131. Out of the 326 windows assessed, 75 (23%) will meet BRE Vertical Sky Component (VSC) criteria. Of the 251 windows that fall below the criteria, 147 windows serve bedrooms. While the remaining windows have an average VSC alteration of circa 54%. The alteration of circa 54% is not uncommon in a dense urban location, especially with tall tower blocks. The application site is located within a tall building zone where denser development is envisaged, and as such, with the degree of compliance with BRE guidance typically being much lower where built densities are higher. The impacts to these properties must be weighed against the regeneration benefits of the scheme, and a flexible approach should be applied in judging the impact as prescribed in the NPPF. It is also worth acknowledging that the views from 10 – 11 Watkin Road at present is out onto a low-rise part industrial area, so additional impacts are expected, however, these impacts have been considered as part of the site allocation for the application site. Additionally, the existing properties within 10 – 11 Watkin Road could be having daylight impacted in part by virtue of the developments overhanging balconies. Notwithstanding the above, the extant consent included increased massing on the application site, so further impacts have always been expected.
132. The No Sky Line (NSL) analysis finds that 102 out of the 236 (39%) rooms will meet the BRE guidance. Of the 161 rooms which do not meet the BRE guidance, 124 will retain an NSL of 50% or more, meaning that the sky can be seen from the majority of the room area. The 37 rooms which do not retain 50% NSL are bedrooms which have a lower requirement for daylight compared to other room uses, given that they are used at night time.
133. In terms of Annual Probably Sunlight Hours (APSH) analysis, out of the 326 windows assessed, 260 (80%) meet the criteria for winter sunlight and 188 (58%) meet the criteria for the annual sunlight. Of the 66 windows that do not meet the criteria for winter sunlight, 66 will retain winter sunlight of 3% or more which is considered reasonably close to the BRE guideline of 5%. Of the 138 windows which do not meet the criteria for annual sunlight, 39 will retain an APSH of 20% or more which is considered reasonably close to the BRE guideline of 25%; a further 48 windows will retain in excess of 15% APSH.
134. When considering the sunlight results, it is important to note the orientation of 10-11 Watkin Road and the location of the development, meaning that the path of the sun makes impact to 10-11 Watkin Road unavoidable.
135. Compared to the consented scheme, the proposed development will create further alterations in VSC and NSL to 10-11 Watkin Road, however this is expected due to the increase in site area and massing. In terms of sunlight, whilst there are some further alterations to isolated windows, the overall effect to sunlight is considered to remain consistent.
136. PV panels are located to the rooftop of 10-11 Watkin Road. In accordance with 2022 BRE guidelines, the annual probable sunlight hours received by PV panels have been assessed. All PV panels will experience no less than 0.9 reduction in the levels of sunlight due to the Proposed Development and therefore the effects are not considered significant.

Amex House

137. Out of 370 windows assessed, 343 (93%) will not experience any noticeable alteration in daylight (VSC). The 27 windows that do not meet the BRE guidance are located in isolated areas and nearly all located within dual aspect apartments where light is also received from other windows.
138. NSL analysis demonstrates that 257 out of 270 (95%) of rooms will meet BRE guidelines. Out of the 13 rooms which do not meet BRE guidelines, 11 will retain daylight distribution of 55% or more of their room area and the remaining rooms will retain daylight distribution of 37% and 39% of their room area. 317 out of the 370 (86%) windows assessed will meet BRE guidelines in relation to winter sunlight and 355 out of 270 (96%) windows will meet the BRE guidelines for annual sunlight.

139. Of the 53 windows that fall below for winter sunlight, 30 serve less-sensitive bedrooms and the remaining 23 serve LKDs that achieve 1-10% in existing context and 0-4% in the proposed context.
140. 9 out of the 15 windows that fall below for annual sunlight serve LKDs and retain an APSH of 15% or more. The remaining six windows serve less-sensitive bedrooms.
141. Whilst the sunlight assessment has identified some isolated breaches of the BRE guidelines, these are limited and the majority of windows do meet BRE guidelines. Therefore, it is considered that the daylight and sunlight is acceptable given the dense context.
142. The overall effect to daylight and sunlight is considered to remain consistent with the consented scheme.

Empire House Block 1

143. 80 out of 112 (71%) windows meet the BRE guidelines for VSC. Out of the 32 windows that do not meet the BRE guidelines, 15 windows have low levels of sky visibility in the existing context of between 7-12%, making them more perceptible to large percentage changes even when the actual loss may be unnoticeable. The remaining windows will experience alterations of 20-31% which is only marginally above the BRE criteria.
144. All 72 rooms (100%) meet BRE guidelines in relation to NSL. 76 out of the 96 (79%) windows assessed meet the BRE guidelines for winter sunlight and 64 out of 96 (67%) windows assessed meet the BRE guidelines for annual sunlight.
145. The 17 windows that fall below for winter sunlight retain 3% or more in the proposed context. Of the 32 windows that fall below for annual sunlight, 13 retain at least 15% in the proposed context.
146. The application site is located within a tall building zone where denser development is envisaged, and as such, with the degree of compliance with BRE guidance typically being much lower where built densities are higher. Considering the isolated losses, the impacts to these properties must be weighed against the regeneration benefits of the scheme, and a flexible approach should be applied in judging the impact as prescribed in the NPPF.
147. The overall effect to daylight is consider consistent with the consented scheme. There are possible further isolated alterations in sunlight to a small number of windows, however the effect to sunlight is considered to remain largely consistent with the consented scheme.

Empire House Block 2

148. All windows and rooms (100%) assessed will comply with the BRE guidelines for VSC and NSL.
149. Out of the 96 windows assessed, 93 (97%) will meet the BRE guidelines for winter sunlight and 89 (93%) for annual sunlight. The 3 windows that fall below for winter sunlight achieve between 7-8% in the existing context and retain between 3-4% in the proposed context. Of the 7 windows that fall below for annual sunlight, 6 retain at least 15% in the proposed context.
150. The application site is located within a tall building zone where denser development is envisaged, and as such, with the degree of compliance with BRE guidance typically being much lower where built densities are higher. Considering the isolated losses, the impacts to these properties must be weighed against the regeneration benefits of the scheme, and a flexible approach should be applied in judging the impact as prescribed in the NPPF.
151. The overall effect to daylight and sunlight is considered to remain consistent with the consented scheme.

Empire House Block 3

152. Out of 144 windows assessed, 133 (92%) would adhere to BRE guidelines for VSC. The 11 windows that do not meet the BRE guidelines have fairly low levels of sky viability in the existing context of between 8-17%, making them more perceptible to large percentage changes even when the actual loss may be unnoticeable. The NSL analysis demonstrates that 112 out of 120 rooms (93%) meet the BRE guidelines. Of the 8 rooms that do not meet the BRE guidelines 6 will retain daylight distribution to 50% or more of their room area and the remaining 2 will retain 41-42% daylight distribution. Of the 144 windows

assessed, 120 (83%) will meet the BRE guidelines for winter sunlight and 117 (81%) for annual sunlight. Of the 24 windows that fall below for winter sunlight, 7 retain at least 15% in the proposed context. Of the 27 windows that fall below for annual sunlight, 7 retain at least 15% in the proposed context.

153. The application site is located within a tall building zone where denser development is envisaged, and as such, with the degree of compliance with BRE guidance typically being much lower where built densities are higher. Considering the isolated losses, the impacts to these properties must be weighed against the regeneration benefits of the scheme, and a flexible approach should be applied in judging the impact as prescribed in the NPPF.
154. The overall effect to daylight is consider consistent with the consented scheme. There are possible further isolated alterations in sunlight to a small number of windows, however the effect to sunlight is considered to remain largely consistent with the consented scheme.

Empire House, The Lodge

155. For VSC, 3 of the 7 windows assessed will meet BRE guidelines. Of the 4 windows that do not meet guidelines, all experience a reduction of between 20-23% VSC, which is marginally in excess of the 20% criteria. All exceed the 18% VSC identified by BRE as common for city locations.
156. For NSL, 6 of the 7 rooms assessed meet BRE guidelines. The one room which does not meet guidelines retains a NSL of 64%.
157. Of the 7 windows assessed, 5 (71%) will meet BRE guidelines for winter sunlight and 4 (57%) will meet BRE guidelines for annual sunlight. The 2 windows that do not meet winter sunlight criteria will retain 4% APSH and the 3 windows that do not meet annual sunlight will retain 18-20% APSH which, although below recommendations, is considered acceptable in a dense urban location.
158. The application site is located within a tall building zone where denser development is envisaged, and as such, with the degree of compliance with BRE guidance typically being much lower where built densities are higher. Considering the isolated losses, the impacts to these properties must be weighed against the regeneration benefits of the scheme, and a flexible approach should be applied in judging the impact as prescribed in the NPPF.
159. The overall effect to daylight is consider consistent with the consented scheme. There is possible further isolated alterations in sunlight to a small number of windows, however the effect to sunlight is considered to remain largely consistent with the consented scheme.

Empire Court

160. For VSC, 39 out of the 44 (89%) windows meet BRE guidelines. The 5 windows that do not meet criteria have low levels of sky visibility in the existing context of between 4-7%, making them more perceptible to large percentage changes even when the actual loss may be unnoticeable.
161. For NSL, 20 out of the 32 (63%) rooms assessed meet BRE guidelines. Of the 12 rooms which do not meet guidelines, 9 will retain daylight distribution to 51% or more of their room area.
162. Of the 44 windows assessed, 38 (86%) will meet BRE guidelines for winter sunlight and 36 (82%) will meet BRE guidelines for annual sunlight. Of the 7 windows that fall below for winter sunlight, they currently receive 3-9% in the existing context and will receive between 1-4% in the proposed context. For annual sunlight, the 8 windows will receive 1-24% APSH in the proposed condition.
163. The application site is located within a tall building zone where denser development is envisaged, and as such, with the degree of compliance with BRE guidance typically being much lower where built densities are higher. Considering the isolated losses, the impacts to these properties must be weighed against the regeneration benefits of the scheme, and a flexible approach should be applied in judging the impact as prescribed in the NPPF.
164. The overall effect to daylight and sunlight is considered to remain consistent with the consented scheme.

Euro House (currently under construction)

165. Out of the 441 windows assessed, 440 (99.7%) meet the BRE criteria for VSC. The one window which

does not serves and LKD and will experience slightly in excess of the 20% criteria at 23.57%. The window also receives a very low level of amenity in the existing context of 3.14% which marginally falls to 2.40% within the proposed context.

166. For NSL, 295 (100%) of rooms assessed will comply with the BRE criteria. 236 of the 237 (99%) windows assessed will comply with both winter and annual sunlight BRE criteria. The single remaining window retains 4% APSH in the proposed conditions. For winter sunlight, all windows meet the BRE criteria.
167. It is worth noting that since the submission of the revised Daylight and Sunlight assessment in January, an S73 application at Euro House has been approved (LPA:22/3123) which sought an uplift in units, in addition to external design changes. Avison Young have provided an updated memo in relation to this building, and while the scheme has not been retested it was considered that there would be a negligible impact to daylight and sunlight. Officers' consider that given the shortfall of a single window meeting the BRE criteria and the approved updated design following the same building footprint, the level of impact is likely to be comparable and therefore an updated assessment has not been requested in this instance and as such, a further assessment has not been requested.
168. The overall effect to daylight and sunlight is considered to remain consistent with the consented scheme.

Quintain Masterplan

169. The outline Quintain Masterplan has been assessed against the proposed development using VSC and APSH façade analysis.
170. In the existing context, the majority of future windows could achieve VSC levels of between 15-30% on the lower levels directly opposite the site. The proposed development will have a potential impact on VSC at lower levels resulting in 10-15% VSC. In the existing context, the majority of future windows could achieve APSH levels of between 15-20% at the lower levels directly opposite the site. The levels of sunlight reduce due to the Proposed Development, with retained levels of sunlight of between 5-15% APSH.
171. It is acknowledged that compared to the extant planning consent (LPA:20/0587), the scheme has increased in height and massing. However, the site continues to form part of the newly adopted BC SA6 Site allocation. While currently there are surrounding low-rise buildings and further impacts are expected, it is considered that given the regeneration benefits of the scheme the impacts can be considered acceptable in this instance.
172. The assessment has considered the amenity areas to the following three developments:
- Empire Court Block 1
 - Empire Court The Lodge
 - Amex House

Direct Sunlight

173. The amenity area of Empire Court Block 1 will retain two or more hours of direct sunlight to over 80% of its area on 21st March, and therefore will meet the recommended BRE guidelines.
174. The amenity area of Empire Court, The Lodge, was already significantly overshadowed with its existing context on 21st March, achieving two or more hours of direct sunlight to only 1.65% of its area; it falls to 0% in the proposed context. Considering the extremely low level of direct sunlight in the existing context, it is considered that the Proposed Development will have a negligible impact.
175. Amex House amenity space receives two or more hours of direct sunlight to 8.89% of its area in the existing context, which reduces to 6.44% of its area in the proposed context. Given the existing low levels of direct sunlight, it is considered that the Proposed Development will have a negligible impact.
176. There will be no material change to the level of sun hours on ground overshadowing to the three amenity areas on 21st June following the introduction of the proposed development. In addition, all three amenity areas will achieve two or more hours of direct sunlight to 97% or more of their areas, which ensures the

retention of good direct sunlight during summer months.

Overshadowing

177. In terms of overshadowing, Empire Court Block 1 amenity area will experience additional overshadowing as a result of the Proposed Development at 2-3pm on 21st March and will be largely unaffected by additional overshadowing for the remainder of the day. In addition, the amenity area will be unaffected by overshadowing from the proposed development throughout the day on 21st June.
178. Empire Court The Lodge amenity area will experience a small amount of additional overshadowing as a result of the Proposed Development at 3pm on 21st March and will be largely unaffected by additional overshadowing for the remainder of the day. In addition, the amenity area will be largely unaffected by overshadowing from the proposed development throughout the day on 21st June.
179. The amenity area of Amex House will experience additional overshadowing as a result of the proposed development at 10-11am on 21st March and will be largely unaffected by additional overshadowing for the remainder of the day. The amenity space will be overshadowed through the day on 21st June due to the existing context but the proposed development will cause no additional overshadowing.

Conclusion

180. Given the scale of the development and the number of windows potentially affected, it is considered that the impacts on existing windows are commensurate with the high density urban context. Although a limited amount of harm to neighbouring amenity would be likely to occur, on balance it is considered that these would be outweighed by the planning benefits of achieving high density redevelopment in a Growth Area, and that the proposal is acceptable on this basis.

Quality of student accommodation

Policy background

181. London Plan Policy H15 requires PBSA schemes to provide adequate functional living space and layout. However, there are no specific policy standards in terms of minimum internal floorspace or external amenity space. Brent's Policy BH7 requires non self-contained accommodation including student accommodation to provide acceptable quality, meeting appropriate standards for the needs of its occupants, including external amenity space, and appropriate communal facilities.
182. The BRE Guidelines published in 2011 recommend an Average Daylight Factor (ADF) of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms, although 1.5% is generally used for combined living spaces. Standards for daylight distribution and sunlight, including sunlight to amenity spaces, are also recommended. The Guidelines recognise that sunlight is most valued in living spaces, rather than bedrooms and kitchens.
183. The 2011 Guidelines were recently superseded by 2022 Guidelines which changed the way in which daylight and sunlight is assessed for proposed development (but not the impact on surrounding properties). These are not based on Average Daylight Factor, as the associated British Standard is now obsolete. They use a more complex modelling methodology that takes into account factors such as weather, time of day and window orientation. The assessment of sunlight has also altered, with the new target being a minimum of 1.5 hours of sunlight on 21 March. However, the assessment provides a quantitative assessment of daylight and sunlight that was routinely used to assess daylight and sunlight up until it was superseded in mid-2022. The application has therefore been considered on the basis of the assessment that was carried out was based on the 2011 Guidelines.

Internal layout

184. Internally, the layouts are well-planned and present a range of typologies that support different ways of living for a range of different residents. The cluster 10 bed apartment in the southern block include the placement of the shared kitchen area on the chamfered corner, allowing for views along Fulton Road providing a good vantage. In terms of floorspace, the cluster bedrooms vary from between 12.8sqm to 15.2sqm, with all units having ensembles. There are then accessible studios which are of 23sqm in area, with kitchenette and accessible ensuite facilities, accessed from the central core. On the other side of the central core for floors 3-5 there are typical studios with ensembles and kitchenettes, these are roughly 19.8sqm in size. On the eastern edge of the southern block, the cluster unit of 9 bedrooms has its communal amenity area located centrally with outlook onto Watkin Road, the remainder of the units vary

from 12.8sqm to 13.3sqm including en-suites within each of the rooms. The two cluster units of 10 persons and 9 persons, continue from the 7th to 17th floors following the same layouts and similarly to the 3rd floor provide a single separate accessible studio with kitchenette and en-suite facility.

185. The 6th floor mostly accommodates for internal and external communal amenity, with one located on the chamfered corner of southern building and on the northern façade overlooking Watkin Road. The remaining two areas, situated to the east of the building are separated by an area of external amenity that allows access to both. The areas of amenity are sufficient in size, allowing for outlook and light to enter the areas which vary from 70sqm to 97sqm. There is an additional 266sqm area situated on the 2nd floor, allowing for dual aspect over Watkin Road and Fulton Road.
186. The remaining external amenity is accommodated for on the roof, on floor 18 on the eastern edge of the southern building, achieving 220sqm. The western edge of this building for the remainder of the floors up to 26th replicate the 10-person cluster units and accessible studio, as included within floors 7-17. The roof of this building has made provision of solar panels.
187. Internal daylight and sunlight has been assessed, using a target of 1.5% ADF for cluster bedrooms, communal study areas and ancillary ground floor spaces, and 2% for studio rooms and shared kitchen / living areas. Overall, 48% of habitable rooms assessed would achieve the recommended ADF values. Daylight distribution within rooms was also assessed, and 41.5% of rooms would meet or exceed the target against this measure and 82% of the habitable communal dining spaces would meet the sunlight exposure criteria.
188. The proposal includes 62 accessible studio units across both the north and the south block, achieving 10% of accessible units across the scheme in line with the London Plan.
189. In the context of student accommodation in a high-density urban environment, the proposal is considered to provide a very good standard of internal daylight and sunlight.

Communal amenity space

190. The proposal offer varying sizes of amenity spaces throughout the north building and south building within the development, giving future residents acceptable levels of amenity spaces. The total area of internal amenity spaces proposed within the north block 305sqm, and within the southern block there is 609.3sqm proposed. These subsequently result in 1.5sqm of internal amenity space per unit within the north block and 1.45sqm of internal amenity space within the southern block. While there is a minor shortfall within the southern block it is considered that the offer with the smaller separate units on various floors would allow for the amenity spaces to serve different functions in different areas for the 419 students and therefore the minor shortfall can on balance be considered acceptable. Moreover, when taking into account the external amenity provision and the function it serves for amenity space, the communal areas of the northern block achieve 2.4sqm per bedspace and 2.27sqm per bedspace within the southern block which has a 342sqm offer for external amenity space situated on the 6th and 20th floors. Overall, the combined blocks would achieve 570sqm, which equates to an average of 1.47sqm per bedspace. However, given these blocks are situated on adjacent sides of Watkin Road the combined figures would be unlikely to be an accurate representation given the students would likely build a community within their individual respective blocks of north and south.
191. The sixth and twentieth floor roof terraces would be landscaped. This area would receive at least two hours direct sunlight on 21 March across 82% of its area, and most of the space would have over six hours of sunlight on this date and in the summer. In terms of the BRE targets for overshadowing of external amenity spaces, it would be very well sunlit throughout the year. A landscaping condition would be attached to any grant of planning approval, to ensure that the amenity spaces have a strong offer for study and relaxation, supporting the health and wellbeing of future residents allowing smaller communities to congregate within these areas.

Comparison with other student accommodation developments

192. The Design & Access Statement sets out a comparison of student housing developments in Wembley and elsewhere in London, in terms of the level of internal space provided. This is summarised in the table below, which demonstrates that the proposal is comparable to other developments in terms of the size of the basic cluster room and the amount of kitchen space for students, and that it provides noticeably more internal amenity space than all the other schemes reviewed. The range of communal

facilities provided is similar across the seven schemes.

	Cluster room area	Kitchen area per bedspace	Internal communal amenity space per bedspace
North Block (Proposal)	12.65sqm (average across 2 unit sizes)	3sqm	1.5sqm
South Block (Proposal)	13.7sqm (average across 3 unit sizes)	2.9sqm	1.45sqm
Fairgate House	12.5sqm	4.3sqm	1.5sqm
Unite, Olympic Way	9.5sqm	3.14sqm	0.65sqm
Apex House, Fulton Road	14sqm	4.44sqm	0.57sqm
Kelaty House, First Way	13.5sqm	5.45sqm	0.76sqm
Raffles House, Lakeside Way	11.8sqm – 12.7sqm	3.9sqm	0.47sqm
Scape, Fulton Road	12sqm	3.56sqm	Information not provided

Conclusion

193. In summary, it is considered that the proposal would offer an acceptable standard of accommodation for students, in terms of internal private and communal space, external amenity space, daylight and sunlight. The proposal compares well with other student housing developments and would contribute effectively to students' overall wellbeing.

Sustainability and energy

Policy background

194. All major developments are required to achieve zero carbon standards including a 35% reduction on the Building Regulations Part L Target Emission Rates achieved on-site, in accordance with the energy hierarchy set out in London Plan Policy S12. An Energy Assessment is required, setting out how these standards are to be achieved and identifying a financial contribution to Brent's carbon-offsetting fund to compensate for residual carbon emissions. Ongoing monitoring and reporting of energy performance is also required under the 'Be Seen' part of this policy, and a whole lifecycle carbon assessment is required for applications referable to the Mayor. London Plan Policy S7 also requires a circular economy statement.

195. The Building Regulations Part L 2021 took effect from 15 June 2022 and all planning applications submitted on or after this date are required to comply with this version, which supersedes the 2013 Part L.

196. Planning applications for major development are required to be supported by a Sustainability Statement in accordance with Policy BSUI1, demonstrating at the design stage how sustainable design and construction measures would mitigate and adapt to climate change over the lifetime of the development, including limiting water use to 105 litres per person per day. Major commercial floorspace is required to achieve a BREEAM Excellent rating and this also needs to be appropriately evidenced.

197. An overheating assessment is also required, to assess and mitigate the risk of high temperatures in residential units in accordance with London Plan Policy S14, and Policy S17 also requires a circular economy statement for applications referable to the Mayor.

Proposed energy strategy

198. An Energy & Sustainability Statement, a Circular Economy Statement, Whole Life-Cycle Assessment, and an Overheating Analysis Report have been prepared by JAW and submitted in support of this application.
199. In terms of carbon dioxide emissions, the proposals will achieve 20.3% saving at the Be Lean stage of the GLA energy hierarchy and 10.5% improvement over the building regulations at the Be Green stage of the GLA energy hierarchy, through the use of PV panels and air source heat pumps, resulting in a total carbon reduction of 30.8% and 20.4%. This is further expanded upon within the table below:

	Student			Employment		
	CO2 Emission (tonnes/annum)	CO2 Savings (tonnes/annum)	% Saving	CO2 Emission (tonnes/annum)	CO2 Savings (tonnes/annum)	% Saving
Baseline	219.84.27			4.02		
Be Lean	175.30	44.54	20.3%	3.39	0.64	15.8%
Be Clean	175.30	0.00	0.0%	3.39	0.00	0.0%
Be Green	152.19	23.11	10.5%	3.20	0.18	4.6%
		64.42	30.8%		0.82	20.4%

200. Whilst this is less than 35% target as set out within the London Plan, it is highlighted that the assessment has been based on Part L 2021 methodology, which sets significantly lower targets than the previous 2016 methodology. The section 106 agreement would secure the maximum reasonable emission in carbon reduction together with any shortfall to net zero to be off set through the carbon offset fund at £95/tonne for a 30-year period (estimated to be around £442,867). Be seen reporting to the GLA would also be secured in the section 106 agreement.
201. The extant consent which was assessed under Part L (2013) building regulations sought a financial contribution towards carbon off-setting of £223,974, £60 per tonne. The 2021 Part L methodology sets out lower targets than the previous methodology and seeks a payment figure of £95 per tonne, resulting in the required contribution of £442,867. Additionally, the consent had a break down of 39.95% for residential carbon savings (65.48 CO2 Savings (tonnes/annum)) and for the industrial areas a reduction of 37.97% (15.93 CO2 Savings (tonnes/annum)) was proposed.
202. The GLA have reviewed the energy assessment and advised that further refinement within the energy statement would be required together with further information to demonstrate that the scheme has reasonably maximised carbon emissions within the scheme. Such information is set out below and will be reported to the GLA ahead of stage 2 referral:
- Be Green – demonstration that renewable energy has been maximised, including roof layouts showing the extent of PV provision and details of the proposed air source heat pumps;
 - Be Seen – confirmation of compliance with this element of policy, with compliance to be secured within the S106 agreement;
 - Energy infrastructure – further details on the design of district heating network connection is required, and the future connection to this network must be secured by condition or obligation;
 - Managing heat risk – further details to demonstrate the cooling hierarchy has been followed.

Whole life-cycle carbon and circular economy

203. In accordance with London Plan Policy SI2 the applicant is required to calculate and reduce whole life-cycle carbon (WLC) emissions to fully capture the development's carbon footprint. The applicant has submitted a WLC assessment, and this is welcome. The GLA have requested that the applicant follows the latest assessment from the GLA ahead of stage 2 referral. The GLA also advised that a condition should be secured requiring the applicant to submit a post-construction assessment to report on the development's actual WLC emissions.
204. London Plan Policy D3 requires development proposals to integrate circular economy principles as part of the design process. London Plan Policy SI7 requires development applications that are referable to the Mayor of London to submit a Circular Economy Statement, following the Circular Economy

Statements LPG.

205. The GLA have requested that the applicant updates their Circular Economy Statement to be in line with latest guidance to include Pre-Redevelopment Audit, Pre-Demolition Audit and Operational Waste Management Plan. Such details will be provided ahead of stage 2 referral and appropriate conditions secured in relation to Circular Economy.

206. The development also seeks to achieve a BREEAM rating of "Excellent" for the commercial element which would be secured through a condition. Water efficiencies measures would also be secured by condition.

207. In conclusion, the proposals provide a sustainable and energy efficient scheme to maximise reduction of carbon emissions and reduce risk of overheating, in accordance with the GLA energy and cooling hierarchies.

Impacts on microclimate and reception of TV and radio services

208. Policy D4 of the London Plan requires buildings and their construction to not interfere with telecommunications.

209. A Television and Radio Impact Assessment, prepared by GTech Surveys Limited, has been prepared and submitted as part of this application. The Assessment concludes that the development may cause some highly localised disruption to reception of both digital terrestrial and digital satellite television services to the immediate north and northwest. However, if this were to occur, improving antennas and moving satellites should restore good reception conditions. Further survey works and any mitigation measures would be secured through the Section 106 Agreement.

Environmental health considerations

Air quality

210. Like many areas in Brent, the site is in an Air Quality Management Area. London Plan Policy SI1 requires that all major developments within London are Air Quality Neutral. As such, an Air Quality Neutral Assessment needs to be undertaken and submitted with the planning application. Brent's Policy BSUI2 requires major developments in Growth Areas to be Air Quality Positive, in line with the approach set out in the GLA's draft Air Quality Positive guidance.

211. An air quality assessment has been submitted and includes an air quality neutral assessment. The assessment considers the air quality impacts associated with use of the emergency life-saving generator and pumps for fire use, in addition to the construction and operation of the development. The air quality assessment has also considered the level of exposure for occupiers of the proposed development in relation to concentrations of pollutants and concludes that the levels are below objectives, and therefore future residents and users will experience acceptable air quality, without the need for mitigation measures.

212. The document has been reviewed by Environmental Health officers, who have confirmed that it is acceptable and that there are no objections in relation to air quality and no further conditions are required.

Noise and vibration

213. London Plan Policy D14 expects new developments to reduce, manage and mitigate noise to improve health and quality of life. An acoustic assessment was submitted. Recommendations for mitigation measures were put forward to ensure that future occupants of the accommodation would not suffer a loss of amenity as a result of internal and external noise, including the use of suitable glazing, acoustically attenuated ventilation and appropriate thermal design.

214. Environmental Health officers have reviewed the report and recommend a condition to ensure that the mitigation measures should be implemented. A condition to limit noise from plant and equipment is also required. In terms of noise from the proposed development impacting on neighbouring residents, it is considered that implementation of a Student Management Plan would be sufficient to prevent any undue nuisance or disturbance occurring.

Contaminated land

215. A ground investigation report was submitted with the planning application. Environmental Health officers have reviewed the document and note that there is the potential for source to receptor pathway of land contamination, due to the previous uses and the proposed use for residential.
216. On this basis, site investigation and remediation conditions are required to be attached to any grant of consent.

Construction process

217. A condition is recommended, to secure the submission of a Construction Method Statement prior to commencement, to control dust, noise and other nuisance impacts of the construction process.

Trees, biodiversity and urban greening

218. Trees are a material planning consideration in any planning application, and Brent's Local Plan Policy BGI2 requires major developments to make provision for planting and retention of trees on site. The railway line embankments are part of a designated wildlife corridor protected by Brent's Policy BGI1, and this policy also requires new development to achieve a net gain in biodiversity on site.
219. London Plan Policy G5 and Brent's Policy BGI1 encourage development proposals to embed urban greening as a fundamental element of site and building design, and require detailed information on the development's urban greening factor to be submitted as part of major planning applications. The urban greening factor combines measures such as new tree planting, biodiversity enhancements, landscaping and sustainable drainage features into a single measure, and Policy G5 seeks a score of 0.4 for predominantly residential developments.
220. The Arboricultural Impact Assessment survey has been submitted in support of the application, which indicates that 9 individual trees and a group of trees were surveyed as part of the preliminary assessment. These trees are acknowledged to form part of a ribbon of trees growing in proximity to Wealdstone Brook, which is quite important to the area and an important ecological feature contributing to the green and blue infrastructure of Wembley.
221. Three London Plane trees were located to the northern site boundary and were considered to have high retention value (Category A); A Honey Locust tree and Whitebeam tree were considered to have moderate retention value (Category B); Three trees considered of low retention value (Category C) due to dense ivy and other defects; and A Hybrid Black Poplar tree was considered to have very limited retention value (Category U) due to defects.
222. There are no trees proposed to be removed as part of the development as no trees are located within the site boundary. The long-term health of the retained trees is not considered to be significantly impacted by the proposals.
223. Development works will take place within the root protection areas (RPAs) to two trees (1 Category A and 1 Category C). Given that the demolition of the existing buildings and removal of hard surfacing will be required within close proximity to T1 and T2 the approach to this work should be detailed in a Tree Protection Plan and Arboricultural Method Statement which would be conditioned to be provided and approved prior to commencement on site. Construction of the proposed building will take place partially within the RPA of both trees and further hard surfacing is proposed within the RPA of T2. The potential for significant impact on these trees is relatively small subject to the TPP and AMS being followed, however some pruning works will be necessary. This should be detailed as part of the AMS and scheduled to take place at the outset of the works to prevent unplanned damage to the above ground elements of the trees.
224. The proposed building appears to be set back a little more than the existing, however the building directly adjacent to T1 and T2 is proposed to be 20 storeys high with studio accommodation being identified to the northeast of the building from level one, so overlooking the trees.
225. A total of 10 medium sized trees and 6 small sized trees will be planted to the south of the north building and north and west of the south building, alongside Watkin Road. Brent's tree officer has raised no objection to the proposal and welcomes the additional planting of 10 more trees, however, has suggested that a tree protection and landscaping condition be included within any grant of planning consent.

Urban Greening Factor

226. The proposed development seeks to retain and increase the number of trees and canopy cover within the development site, providing biodiversity enhancements and a UGF score of 0.40 in line with Policy BSU11, in accordance with London and Local planning policies.

Ecological considerations

227. The application site does not lie within any designated ecological areas, however, the Wealdstone Brook to the north, is designated as SINIC Grade 2, which has ecological value. Policy G6 of London Plan highlights that where harm to a SINIC is unavoidable, and where the benefits of the development proposal clearly outweigh the impacts on biodiversity, the following mitigation hierarchy should be applied to minimise development impacts:

- 1) avoid damaging the significant ecological features of the site
- 2) minimise the overall spatial impact and mitigate it by improving the quality or management of the rest of the site
- 3) deliver off-site compensation of better biodiversity value.

228. It goes onto to state that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.

229. The above position is reinforced within policy BGI1 of Brent's Local Plan which highlights that all developments should achieve a net gain in biodiversity and avoid any detrimental impact on the geodiversity of an area.

230. A Preliminary Ecological Appraisal was submitted to support the application. This set out that the buildings on site had negligible potential to support bats and that the site was not considered suitable for badgers, and other protected species such as dormice, great crested newts, barn owls, water voles, otters and hedgehogs. The report also noted that no bird nests were found at the time of the survey and that the buildings have limited potential for nesting birds. In relation to the Wealdstone Brook, the report noted that the sheltered tree line set within the urban landscape may provide commuting and foraging opportunities for bats and may support a variety of urban and common bird species. It therefore recommended that a sensitive lighting scheme is implemented to the north of the site to minimise the impacts on bats and that new planting within the scheme would enhance the wider green links and support the functionality of the corridor.

231. The application site predominantly consists of buildings and hard standing at present. The proposal would introduce new areas of soft landscaping within the roof terraces and new street trees at ground floor level, together with bird nest boxes. This would secure a net gain in biodiversity within the site. The GLA have advised that the net gain in biodiversity should be based on latest metric. Such information could be provided ahead of stage 2 referral. However as set out below, the site has very limited ecological value and the proposal would secure a net gain in biodiversity. Such details are recommended to be conditioned.

Transport Considerations

232. Vehicular and pedestrian access to the northern and southern sites is currently taken from Watkin Road.

233. The proposed site is located at the junction of Watkin Road with Fulton Road. The existing car parking is accessed from Watkin Road; a cul-de-sac with a turning head at the eastern end, although currently illegal parking is a regular occurrence which prohibits service vehicles from turning around.

234. The site is not currently in a Controlled Parking Zone. It is in the Wembley Stadium Event Day parking restriction zone in which parking is restricted to permit holders from 10am to midnight on event days.

Parking Provision

235. The London Plan states that student accommodation should be 'car-free'. The previously approved application for residential use on this site was also subject to a 'car-free' agreement, so the principle of 'car-free' housing has already been accepted, even though there is no year-round CPZ on Fulton Road. Although students would not be entitled to parking permits due to the temporary nature of the accommodation, a condition is recommended to secure the 'car-free' status, in order to ensure students are made fully aware by the management company that they would not be entitled to permits. Officers in Transportation have requested a contribution of £50,000 towards CPZ expansion within the locality.
236. Notwithstanding this, two disabled parking spaces are proposed to be provided in new on-street parking bays. As these are shown within the footway area, they would need to be constructed through a S278 Agreement, with a new footway behind provided through a S38 Agreement.

Cycle parking

237. The London Plan requires 0.75 long term cycle spaces per bedroom for student accommodation and 1 short term space per 40 bedrooms. In the case of the commercial use there is a requirement for 1 long term space per 250sqm (GEA) and 1 short term space per 1000sqm (GEA).
238. To comply with the above standards the scheme requires a total of 365 long stay cycle spaces and 15 short term cycle spaces for the student accommodation and 19 long stay and 4 short stay spaces for the commercial element.
239. A total of 465 long term cycle spaces are proposed for the student accommodation but all of these are located within the basement of the southern block. The applicant has advised that due to the flood constraints of the northern block, a basement could not be feasibly introduced. Whilst it would be preferable to have cycle parking within the both the southern and northern blocks, given that the site would be in use for PBSA and under one management, access would be managed for the students of the northern block to use the cycle stores within the southern block with a distance of approx. 40m between the closest entrances to both buildings across Watkin Road.
240. The lifts to access the basement are confirmed as being suitably sized for bicycles. However, all access to the cycle parking needs to be a minimum of 1.2m wide, although accessible cycle parking (23 in total) now have suitable spacings between stands.
241. Twenty general and one accessible long-stay cycle parking spaces are proposed for the commercial uses, which meets minimum requirements. The plans have been amended to incorporate showers, lockers and changing facilities for cyclists for the commercial use.
242. Nine external bike stands are shown around the southern building, whilst two are outside the northern building, which meets the short-stay requirement.
243. Overall, subject to a condition being secured in relation to a management plan to secure access for students both within the southern and northern blocks to have access to the cycle store, the proposal is considered acceptable.

Servicing

244. The proposal involves the creation of a 10m long, 3m wide, inset loading bay in the location of the existing adopted footway on Watkin Road to facilitate the servicing of the buildings. However, it has been relocated further to the east, which would be too remote from the refuse store of the northern block. It is also noted that the total capacity for the refuse stores at 33,000l would be significantly less than 75,000l required for general residential homes set out within Brent's Waste Capacity Guidance. However, as the scheme is for student accommodation, there is the option for the refuse being collected from a private operator rather than Veolia. This would allow flexibility to have more frequent collections due to the lack of capacity and stand the refuse vehicle within the loading bay with a carrying distance of more than 10m. This would need to be secured within the section 106 agreement.
245. Notwithstanding this, any location would involve the creation of an extra 2m of footway to the rear, which would need to be adopted through a S38 Agreement. Indeed, a width of at least 2m for the footway of the around the entire site frontages is required, which will also require the adoption of a sliver of land on the inside of the bend in Watkin Road fronting the southern building. Widening of the adopted footway along the Fulton Road frontage would also be welcomed, although this would not be able to include any

land over which doors from the building open outwards.

246. TfL has highlighted that their preference would be to secure 2.4m wide pavement behind the loading bay and disabled parking bays. The requirement for a 2m footpath behind the loading bay and disabled parking bays was secured under the consented residential scheme, and as such a 2m wide footpath would continue to be acceptable in this instance.
247. The commercial units front Fulton Road, rather than Watkin Road, although the refuse stores are now located on the Watkin Road side. Other deliveries may still try to service from Fulton Road, which would not be welcomed. However, it is noted that the main lobby and circulation space to the commercial floorspace is also located on Watkin Road close to the loading bay. This is the main space to provide ramped and lift access up to the commercial floorspace on the floor above. It is therefore considered that this could be managed through the Delivery & Servicing Plan to manage other deliveries to the site would therefore still be required.
248. A Student Management Plan setting out arrangements for dealing with the influx of new students at the start of term has been submitted and the details within this are broadly acceptable from a Transport point of view.

Travel Plan

249. There is no baseline data for the commercial units, but as the commercial space is relatively low, this is acceptable. A bicycle user group has been proposed, but for this to be effective, it will require a budget in order to pay for any improvements the group identifies as important. The Framework Plan is fine at this stage, but will need to be developed into a Final Full Student Travel Plan. This would be secured through the section 106 agreement.

Transport Assessment

250. A multi-modal trip generation assessment has been provided as part of the application. The assessment indicates that the proposed development will generate a total of 15 and 11 bus trips during the AM and PM respectively. In line with the approach used for other sites within this area, TfL have requested a contribution of £487,500 (97,500 * 15) towards bus service enhancements should be secured from this development in line with Policy T4.

Wider highway improvement works

251. With the greater number of residents now proposed within the development and a greater propensity for students to walk, there is an increased need for better pedestrian facilities in the area, particularly in terms of connections to the public park and other facilities that are to be provided within the Quintain North-East lands Masterplan area to the south of Fulton Road.
252. It is therefore recommended that the contribution towards improved pedestrian crossing/traffic calming facilities (e.g. speed tables) in Fulton Road is increased to £60,000 instead of the previous £10,000 secured within the consented residential scheme. This would still represent a lower overall financial contribution from the developer than for the approved residential scheme and this would be better targeted to facilities that are needed.

Conclusion

253. A car-free development is acceptable in this location and adequate cycle parking provision would be made, together with arrangements for deliveries and servicing to be undertaken without affecting the flow of traffic on the highway. Subject to the conditions and planning obligations recommended above, and any financial contribution requested by TfL being secured through the s106 agreement, the proposal is considered to be acceptable in transport terms.

Fire Safety

254. Policy D12 of the London Plan requires major development proposals to be accompanied by an independent fire strategy detailing:
- The building's construction;
 - Means of escape for building users;

- Features which reduce the risk to life;
- Access for fire service personnel and equipment;
- Provision within the curtilage for fire appliances to gain access to the buildings; and
- Any potential future modifications to the building will not compromise the base build fire safety/protection measures.

255. A Gateway 1 Planning Fire Statement has been prepared by Clarke Banks and submitted in support of the application.

256. Sprinklers will be provided within both the PBSA and commercial elements of the Proposed Development. The PBSA element will have detection and alarm systems, and have a stay-put evacuation strategy, unless it is unsafe to do so. The commercial element will have a standalone commercial grade detection and alarm system, and a simultaneous evacuation strategy.

257. Seven evacuation lifts are proposed to be provided, one is proposed per residential stair core. The north block will be served by 2 evacuation lifts by stair 1 and 2, and 1 firefighting lift and the South Block will be served by 5 evacuation lifts and 2 firefighting lifts which are to be located at either end of the building (Stair). Each evacuation lift will be provided in conjunction with a disabled refuge point, fitted with Emergency Voice Communication stair cores and one for the commercial single-stair core. Fire vehicle access will be via Watkin Road and Fulton Road. The closest fire hydrant is located along Fulton Road, less than 100m from Site.

258. The proposed firefighting strategy of the development is considered acceptable and in accordance with relevant planning policy and regulations. The Health and Safety Executive have raised no objection to the proposed fire strategy.

Flooding and Drainage

259. Policy SI12 of London Plan relates to flood risk. Policy BSUI3 of Brent's Local Plan relates to managing flood risk and sets out that proposals requiring a Flood Risk Assessment (FRA) to demonstrate that the development will be resistant and resilient to all relevant sources of flooding including surface water. Proposed development must pass the sequential and exceptions test as required by national policy. The design and layout of proposals requiring a FRA must contribute to flood risk management and reduction and:

- a) minimise the risk of flooding on site and not increase the risk of flooding elsewhere;
- b) wherever possible, reduce flood risk overall; ensure a dry means of escape;
- c) achieve appropriate finished floor levels which should be at least 300mm above the modelled 1 in 100 year plus climate change flood level; and
- d) not create new basement dwellings in areas of high flood rise.

260. The application site is located in an area of flood zone 2 for fluvial flooding, with parts of Watkin Road and the north plot located within flood zone 3a for fluvial flooding. Part of the site (in particular Watkin Road) lies within land that is liable to surface water flooding (3a) and the whole site sits within a Critical Drainage Area.

261. The Environment Agency reviewed the Flood Risk Assessment (FRA) and initially raised concerns with the proposal on flood risk grounds. The objection related to two areas of concern in relation to flood storage compensation and finished floor levels. In response to the concerns, an updated FRA was provided to address these concerns. In relation to flood storage compensation, the updated FRA provided updated calculations to demonstrate that the scheme will provide adequate flood storage for the lifetime of the development on a level-for-level and volume-for-volume basis. It also demonstrates that the proposed flood storage compensation scheme is hydraulically and hydrologically connected to the area of floodplain which will be lost as a result of the proposed development. The strategy includes providing compensation through allowing bin stores to flood through hit and miss style access doors. The overall compensation would increase by 93m³ compared to existing situation, resulting in a reduction of surface water passing onto areas outside the boundary.

262. In relation to finished floor levels (FFL) the scheme is required to demonstrate that the development will have finished floor levels 300mm above 1% annual probability (1 in 100 year) plus an allowance for climate change floor level. This is required to prevent internal flooding and ensure the safety of the development's users. The Environment Agency raised concerns with inconsistencies on the plans in

relation to FFL. In response, the applicant has provided details of the FFL and advised that whilst some FFLs (excluding bin/cycle stores) are lower than the flood level, these rooms will be designed to be flood resilient. Other FFLs will be above 300mm requirement set out above.

263. The Environment Agency have reviewed the updated FRA and confirmed that they wish to remove their objection as they are satisfied that the revised FRA demonstrates sufficient Flood Plain Compensation is provided on a level-for-level and volume-for volume basis and is connected hydraulically to the floodplain. They are also satisfied with the finished floor levels. They have recommended an informative in relation to a Flood Risk Activity Permit.

264. The applicant has also submitted a Flood Warning and Evacuation Plan setting out information on evacuation procedures in the event of flooding.

Sustainable urban drainage systems (SuDS)

265. Local Plan policy BSUI4 requires sustainable drainage measures, and a drainage strategy is required, in accordance with the sustainable drainage hierarchy set out in London Plan Policy SI 13. As referred above, the site location is within a surface water flood zone 3a and a critical drainage area.

266. The scheme is looking to reduce surface water run-off from the north building to 2 l/s and from the south building to 5 l/s.

267. For SUDs a combination of blue roofs with integrated green top layer and to make up the remaining storage volume required a buried geo-cellular attenuation tank (12m in length by 1m in width 0.8m in depth) will be located between the southern block and the inset servicing bay. All of the proposed SUDs measures provide effective treatment of runoff; the vegetation of the blue/green roof will help remove oil, silt and other pollutants. These measures will also grant additional biodiversity and amenity benefits to the site and wider area.

Equalities

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

Conclusion

269. Following the above discussion, officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to conditions and s106 legal agreement to secure the obligations as set out.

270. The mix of PBSA and industrial floorspace would make efficient use of the land as national policy advises and is appropriate in the Wembley Growth Area location. It is identified as an appropriate location in the borough where tall buildings can be located, and the scale and massing of proposed buildings would relate well to the existing and emerging site context. As the report acknowledges, owing to the constrained nature of the site and dense urban pattern of development in the locality, there is expected to be some impacts on existing daylight and sunlight light conditions to existing residential developments nearby. As acknowledged the impacts would be noticeable in some cases, but commensurate with development of this form within the high density urban environment that is both existing and emerging in the Wembley Growth Area, and such impacts must be balanced against the planning benefits of the proposal. Whilst the proposal would not currently achieve a 35% reduction in carbon emissions for the PBSA and industrial floorspace (based on 2021 regs), Overall, and on balance, the impacts associated with the development would it is considered be outweighed in this case by the benefits of redeveloping this brownfield site, including the provision of PBSA contributing towards the housing targets within the Borough and an uplift in industrial floorspace with a contribution towards off site affordable workspace provision, wider economic benefits and public realm improvements.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 22/3965

To: Miss Marrocco
ROK Planning
16 Upper Woburn Place
London
WC1H 0AF

I refer to your application dated **18/11/2022** proposing the following:

Demolition of existing buildings and construction of two new buildings to provide commercial floorspace (Use Class: E) and student accommodation bedspaces (Use Class: Sui Generis), associated access and highways works, amenity space, cycle parking spaces, disabled car parking spaces and refuse/recycling stores.

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

at **1-4 and 9 Watkin Road, Wembley, HA9 0NL**

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

Date: 01/08/2023

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 policies contained in 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):

33641-A-P10-001 REV P05 - Proposed Basement Plan;
33641-A-P10-002 REV P07 - Proposed Ground Floor Plan;
33641-A-P10-003 REV P05 - Proposed First floor plan;
33641-A-P10-004 REV P05 - Proposed Second floor plan;
33641-A-P10-005 REV P02 - Proposed third to fifth floor plan;
33641-A-P10-006 REV P03 - Proposed sixth floor plan;
33641-A-P10-007 REV P02 - Proposed seventh to seventeenth floor plan;
33641-A-P10-008 REV P02 - Proposed eighteenth floor plan;
33641-A-P10-009 REV P02 - Proposed nineteenth to twentieth floor plan;
33641-A-P10-010 REV P02 - Proposed twenty first floor plan;
33641-A-P10-011 REV P02 - Proposed twenty second to twenty sixth floor plan;
33641-A-P10-012 REV P02 - Proposed roof plan;
33641-A-P10-013 REV P02 - Proposed roof plan;
33641 A-P12-001 REV P01 - Elevation south block south;
33641 A-P12-002 REV P02 - elevations west;
33641 A-P12-003 REV P02 - elevations south block north;
33641 A-P12-004 REV P01 - Elevations east;
33641 A-P12-005 REV P01 - Elevations north block south
33641 A-P12-006 REV P01 - Elevations north block north;
33641-A-P13-001 REV P01 -Proposed sections south block;
33641-A-P13-002 REV P01 - Proposed sections north block;
33641-A-SK40-025 REV B - Commercial industrial makerspace

Supporting Documents:

Flood Risk Assessment and Drainage Strategy (P450231-REP-004 REV 01); Avison Young Daylight and Sunlight Internal Assessment (February 2023), Avison Young Daylight and Sunlight Neighbouring Assessment (February 2023); ROK Planning Statement (July 2023); Fire Statement V6.

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

- 3 The student accommodation hereby approved shall be not be occupied other than by Students for a period of not less than 39 weeks in any year unless otherwise agreed in writing by the Local Planning Authority. For the purpose of this condition, Students are defined as any person enrolled on a full time UK accredited and based further education course at a recognised higher education institution for not less than 80% of the course time unless otherwise agreed in writing by the Local Planning Authority.

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

- 4 The development hereby approved shall provide a minimum of 1,490sqm of commercial floorspace. The floorspace shall not be used other than for purposes in Use Class E(g)(ii) and (iii), notwithstanding the provisions of the Town and Country Planning (General) Permitted Development Order (England) (2015, as amended) (or any order revoking and re-enacting that Order) without express planning permission having first been granted by the Local Planning Authority.

Reason: In the interests of proper planning.

- 5 The scheme hereby approved shall contain 619 student bedspaces, as detailed in the drawings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

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

Reason: To ensure that the hotel development achieves an inclusive design.

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

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

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

Reason: To protect local amenity and air quality in accordance with Brent Policy BSUI1 and London Plan Policy SI1.

- 9 Occupiers of the student accommodation and commercial floorspace hereby approved, shall not be entitled to a Residents Parking Permit or Visitors Parking Permit to allow the parking of a motor car within the Controlled Parking Zone (CPZ) operating in the locality within which the development is Situated unless the occupier is entitled; to be a holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970. On, or after, practical completion but prior to any occupation of the student accommodation development, hereby approved, written notification shall be submitted to the Local Highways Authority confirming the completion of the development and that the above restriction will be imposed on all future occupiers of the development.

Reason: In order to ensure that the development does not result in an increased demand for parking.

- 10 All internal and external communal amenity spaces located on the first, second, sixth, eighteenth and twenty-first floors shall be made available to all students, regardless of the type

and affordability of their accommodation. All internal amenity spaces on other floors shall be made available to all students occupying the relevant floors, regardless of the type and affordability of their accommodation.

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

- 11 The windows on the flank elevation of the eastern wing of the northern and southern block from first to twenty sixth floor levels and the windows on the flank wall of the western wing from second to fifteenth floor shall be obscured glazed and high opening only (1.7m above internal floor level) and shall be maintained as such for the life of the development.

Reason: To ensure that the any redevelopment of the neighbouring sites is not compromised.

- 12 The development shall be carried out in full accordance with the approved Flood Risk Assessment, Drainage Strategy and Flood Warning and Evacuation Plan (prepared by Whitby Wood), unless alternative measures are submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency, 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 fluvial and pluvial flooding.

- 13 The development shall be carried out fully in accordance with the Recommendations in the approved Preliminary Ecological Appraisal prepared by The Ecology Partnership dated May 2022.

Reason: To prevent any harm to protected species and habitats.

- 14 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.

- 15 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.

- 16 Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of retained trees in accordance with BS5837: 2012 including a Tree Protection Plan (TPP, at para. 5.5 BS 5837) and an Arboricultural Method Statement (AMS, at para. 6.1 BS 5837) shall be submitted to and approved in writing by the local planning authority.

Specific issues to be dealt with in the TPP and AMS (delete or add items as necessary):

- a) Location and installation of services/utilities/drainage
- b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- c) Details of construction within the RPA that may impact on the retained trees
- d) A full specification for the installation of boundary treatment works
- e) A full specification for the construction of any roads, parking areas and driveways to be constructed using a no-dig specification including the extent. Details shall include relevant sections through them.
- f) Detailed levels and cross sections to show that the raised levels or surfacing, where the installation of no-dig surfacing within the RPA is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
- g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- h) A specification for scaffolding and ground protection within tree protection zones.
- i) Tree protection during construction indicated on a TPP and construction activities in this area clearly identified as prohibited in this area.
- j) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well as concrete mixing and use of fires.
- k) Boundary treatments within the RPA
- l) Methodology and detailed assessment of root pruning
- m) Arboricultural supervision and inspection by a suitably qualified tree specialist.
- n) Reporting of inspection and supervision.
- o) Methods to improve the rooting environment for retained trees and landscaping
- p) Veteran and ancient tree protection and management.

The development thereafter shall be implemented in strict accordance with the approved

details.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with DMP1 and BGI 2.

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

- 17 (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

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

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

- 19 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:

1. 465 long-stay cycle parking spaces to be provided for the student accommodation and 19 long term cycle parking spaces for the commercial units;
2. 19 short term spaces
3. details of showers, lockers and changing facilities for cyclists for the commercial use

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

- 20 Prior to the commencement of development (excluding demolition, site clearance and the laying of foundations), details of how the development is designed to allow future connection to a

district heating network should one become available, shall be submitted to and approved in writing by the local planning authority.

The development shall thereafter be completed in accordance with the approved details.

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

- 21 Prior to commencement of development (excluding demolition, site clearance and the laying of foundations), detailed plans shall be submitted to and approved in writing by the local planning authority demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development. The development shall be carried out in accordance with these plans and maintained as such in perpetuity.

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

- 22 Prior to commencement of development (excluding demolition, site clearance and the laying of foundations), details of materials for all external work, including samples to be made available at an agreed location shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The work shall be carried out in accordance with the approved details.

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

- 23 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 9 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 Preliminary Ecological Appraisal prepared by The Ecology Partnership dated May 2022.
- Details to maximise the urban green factor (UGF) for the site in line with policy G5 of London Plan (with a minimum target of 0.4), including the requirement to submit a UGF Masterplan
- Details of any external CCTV installations
- 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 maintained fully in accordance with the approved Landscape Management and Maintenance Plan, unless otherwise agreed in writing by the Local Planning Authority.

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

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.

24 Prior to first occupation of the student accommodation, an updated Student Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The updated plan shall include:

- details of the student accommodation management provider appointed to manage the student accommodation;
- details of a dedicated community liaison contact for the development;
- details of how students would be encouraged and facilitated to recycle waste where practical to do so;
- details of how access to communal student spaces including external areas and cycle storage will be managed;
- details of access control measures to ensure safety of students and other users of the building.
- details of student move in/out procedures to minimise impact on the highway network.

The approved Student Management plan shall be implemented for the life of the development from first occupation of the student accommodation.

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

25 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 on servicing for the commercial units from the loading bay on Watkin Road, 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, 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.

26 Prior to the occupation of the development, a Post Completion Report setting out the predicted and actual performance against all numerical targets in the relevant Circular Economy

Statement shall be submitted to the GLA at: CircularEconomyLPG@london.gov.uk, along with any supporting evidence as per the GLA's Circular Economy Statement Guidance 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.

- 27 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, 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.

- 28 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.

- 29 Prior to first occupation of the development, a report shall be submitted to and approved in writing by the local planning authority, which provides evidence that the recommended mitigation measures described in the approved Noise Assessment (prepared by Hann Tucker) have been implemented, unless alternative mitigation measures have been submitted to and approved in writing by the Local Planning Authority, and thereafter installed in accordance with such approved details.

Reason: In order to safeguard the amenities of future occupiers, in accordance with Brent Local Plan Policy DMP1.

- 30 Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises.

Prior to installation of plant equipment, an assessment of the expected noise levels shall be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' and any mitigation measures necessary to achieve the above required noise levels shall be submitted to and approved in writing by the Local Planning Authority, the plant shall thereafter be installed and maintained in accordance with the approved details.

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

- 31 Within six months from practical completion of the non-domestic floorspace hereby approved, a revised BREEAM Assessment and Post Construction Certificate, demonstrating compliance

with the BREEAM Certification Process for non-domestic buildings and the achievement of a BREEAM Excellent rating, shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the non-domestic floorspace is constructed in accordance with sustainable design and construction principles, in accordance with Brent Local Plan Policy BSU11.

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 Under the Control of Pollution Act 1974, noisy construction works are regulated as follows:

Monday to Fridays - permitted between 08:00 to 18:00

Saturday - permitted between 08:00 to 13:00

At no time on Sundays or Bank Holidays

For work outside these hours, the Control of Pollution Act 1974 allows the council to set times during which works can be carried out and the methods of work to be used. Contractors may apply for prior approval for works undertaken outside of normal working hours. They should email the noise team at ens.noiseteam@brent.gov.uk to obtain a section 61 application form.

Please note that the council has 28 days to process such applications.
- 3 The applicant should note that this decision does not relate to any aspect of the advertisements or signage on site. In order to obtain formal approval for these, the applicant may require Advertisement consent under the Town and Country Planning (Control of Advertisements) Regulations 1992. The applicant is advised to refer to 'Outdoor advertisements and signs: a guide for advertisers' (<https://www.gov.uk/government/publications/outdoor-advertisements-and-signs-a-guide-for-advertisers>) for further advice.
- 4 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>
- 5 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 6 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.

Any person wishing to inspect the above papers should contact Nicola Blake, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5149