

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

13 December, 2023
05
23/2811

SITE INFORMATION

RECEIVED	22 August, 2023
WARD	Wembley Hill
PLANNING AREA	Brent Connects Wembley
LOCATION	Land rear of 390-408, High Road, Wembley, HA9
PROPOSAL	Erection of 2 purpose-built student accommodation buildings up to 20 and 22 storeys with basement level (Sui Generis) connected at ground floor level by a podium together with ancillary communal facilities, internal and external communal amenity space, cycle parking, mechanical plant, hard and soft landscaping, new public realm, play space and other associated works. This application is accompanied by an Environmental Statement.
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_166069</p> <p><u>When viewing this as a 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 typing "23/2811" (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 application's referral to the Mayor of London (stage 2 referral) and the prior completion of a legal agreement to secure the following planning obligations:

1. Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance
2. Notification of material start 20 days prior to commencement.
3. Provision of a permissive public footpath as part of these works that is within the ownership of the applicant to be kept clear of any obstruction at all times and submission of a Permissive Path Management Plan.
4. *Nominations agreement for student accommodation* – Applicant to use reasonable endeavours to enter into Agreement with one or more Higher Education Providers to secure nomination rights for the student bedrooms. Communal facilities including refuse storage, cycle storage, internal and external communal areas to be available equally to all students without additional charges.

5. Training and employment of Brent residents - Prior to a material start:

- a. to inform Brent Works in writing of the projected number of construction jobs and training opportunities and provide a copy of the Schedule of Works;
- b. to prepare and submit for the Council's approval an Employment Training Plan for the provision of training, skills and employment initiatives for residents of the Borough relating to the construction phase and operational phase of the Development
- c. financial contribution (to be calculated in accordance with Brent's Planning Obligations SPD) to Brent Works for job brokerage services.

6. Energy assessment

- a. Detailed design stage energy assessment. Initial carbon offset payment to be paid prior to material start if zero-carbon target not achieved on site.
- b. Post-construction energy assessment. Final carbon offset payment upon completion of development if zero-carbon target not achieved on site.
- c. 'Be seen' energy performance monitoring and reporting

7. Travel Plan – Submission and implementation of full 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,

8. Submission, approval and implementation of a Waste Management Plan including commitment to fund and arrange independent collections from the site. Collections for the private units 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. *Financial contribution to Brent Council* for street tree planting in the vicinity of the site (£7,000)
9. *Surveys of television and radio reception in surrounding area*, and any mitigation works agreed
10. *Financial contribution to Transport for London*: for improvements to public transport bus services (£91,000).
11. Biodiversity offset contribution (£71, 000)
12. Affordable housing contribution / Payment in Lieu (£3.958m) – To be utilised to fund the provision of additional affordable housing, being affordable housing that is provided that goes beyond the

minimum secured through the relevant planning consents for the site(s), in the local area.

13. Early and late stage viability review.
14. Completion of landscape / public realm works, including the proposed east to west pedestrian route, prior to occupation.
15. 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. Restricted number of storeys
5. Minimum 10% accessible room provision
6. Provide bins, bikes pre-occupation
7. Non Road Mobile Machinery
8. Residential parking restrictions.
9. Equitable student access to internal and external amenity spaces to be maintained
10. Compliance with Arboricultural Method Statement & Tree Survey
11. Compliance with Ecological Impact Assessment and biodiversity recommendations
12. Compliance with FRA and drainage strategy
13. Piling Method Statement
14. Water efficiency measures
15. Fire Strategy compliance

Pre-commencement

16. Construction Method Statement
17. Construction Logistics Plan
18. District heat network connection
19. Ducting space (fibre connectivity)
20. Landscaping scheme
21. Contaminated Land (1)
22. Confirmation of waste streams
23. SuDS maintenance and management plan
24. Materials samples

Pre-occupation

25. Noise and vibration mitigation
26. Assessment of plant noise levels
27. Student Management Plan
28. Delivery & Servicing Plan
29. Circular Economy reporting
30. Whole-life Carbon reporting
31. Secured by Design accreditation
32. Cycle parking
33. Lighting Strategy
34. Wayfinding Strategy
35. BREEAM
36. Contaminated Land (2: verification)

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.

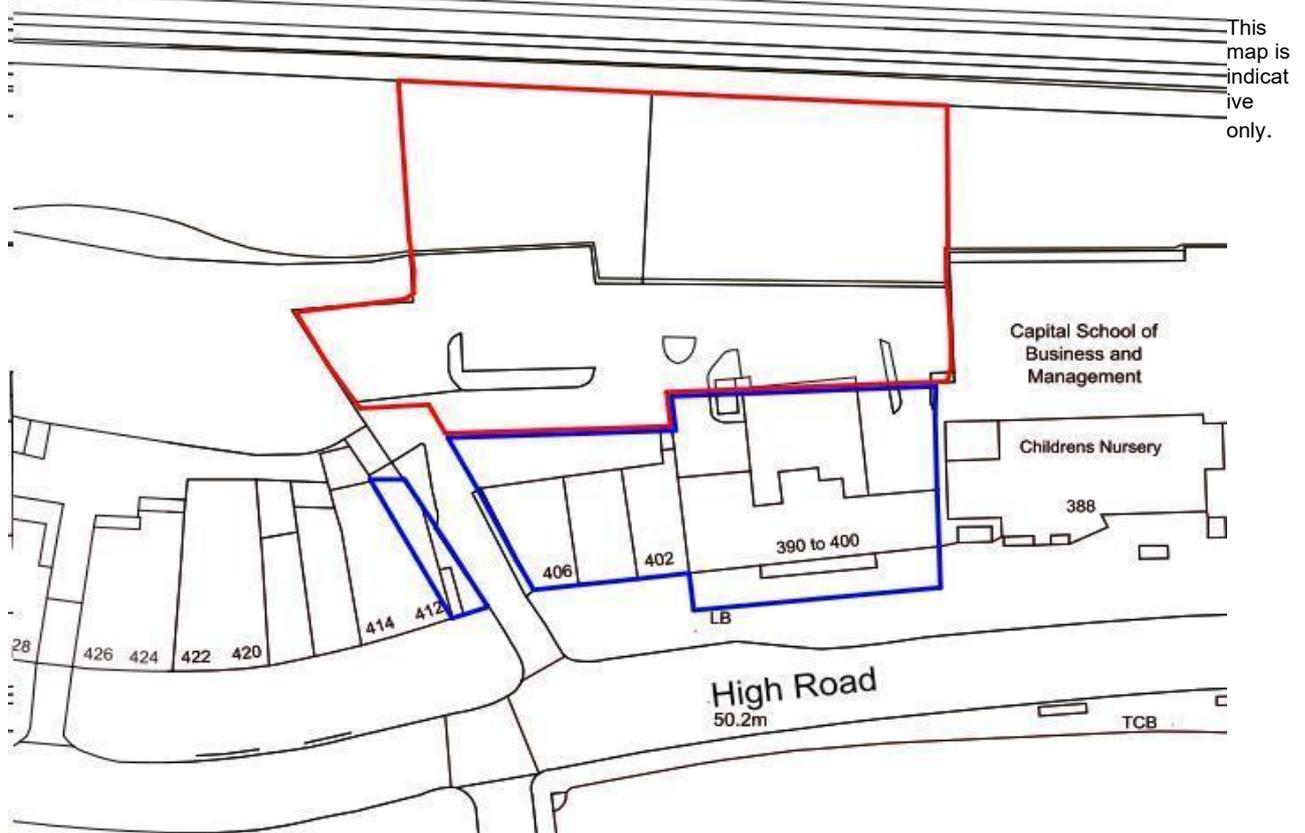
That, if by the "expiry date" of this application (subject to any amendments/extensions to the expiry date agreed by both parties) the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

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: Land rear of 390-408, High Road, Wembley, HA9
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PROPOSAL IN DETAIL

The proposal is to develop a currently vacant parcel of land situated to the rear of 390-408 High Road, as two purpose-built student accommodation buildings, up to 20 (Building B; to the eastern side) and 22 storeys (Building A; to the western side) with basement level (Sui Generis), each building is connected at ground floor level by a ground level podium. In association with this it is proposed to provide ancillary communal facilities for residents, internal and external communal amenity space, hard and soft landscaping, new public realm, play space and other associated works.

The proposed landscaping and public realm works will provide a new linear pedestrian route parallel to the High Road, going east to west and routed directly in front of the proposed buildings. This route would provide a continuation of the pedestrian route already secured and currently emerging as a result of recent developments to the west of the site. Small scale demolition of c. 41sqm of floorspace (ground to floor 6) would be required to parts of Fairgate House, if this proposal was to come forward and be implemented in advance any redevelopment of Fairgate House.

A total of 639 student bedrooms are proposed, comprising of; 414 x cluster units, 161 x standard studio units and 64 x wheelchair accessible studio units. Provision of 498 cycle parking spaces is proposed, along with on-site servicing facilities.

EXISTING

The existing site consists of land rear of Fairgate House, accessed from High Road, Wembley, comprising of a vacant area of hardstanding and mixed scrub and vegetation, which extends along the boundary and embankment to the railway line immediately to the north. This railway serves the Chiltern Line.

To the west of the site is the Wembley Links development, currently under construction (and nearing completion). This comprises of residential blocks 17 and 19 storeys in height. Further west of this is the completed UNCLE residential development at 26 storeys (former Chesterfield House), situated at the corner of Park Lane and High Road. To the south-east is Ujima House, which benefits from planning permission for residential led redevelopment and directly to the east is undeveloped land rear of Ujima House.

The northern portion of the application site forms part of a wider Site of Importance for Nature Conservation (SINC) and wildlife corridor, which extends in a linear direction either side of the application site, along the adjacent railway embankment.

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

AMENDMENTS SINCE SUBMISSION

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

- updated basement cycle parking plan, with clarification of the number of cycle spaces provided
- revised Outline Construction Logistics Plan (to correct some inconsistencies noted in the original document in relation to the expected duration of the construction programme)

These secure minor changes/updates to the proposals. These did not materially alter the nature of the scheme, and did not require a further period of formal consultation.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Six letters of objection 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: Six neighbour objections were received. As set out in the 'Consultations' summary below, these relate to (but are not limited to) the principle of high density development and student accommodation in Wembley, question the demand for more student accommodation in Wembley, pressures on existing infrastructure and service provision, impact on local parking and traffic, noise and pollution,

increased crime as a result of development and objection to installation of telephone masts on the roofs of buildings.

Principle of development: The proposal for purpose built student accommodation would, together with the delivery of, new public realm and a permissive path route running east to west in a linear direction through the site, respond appropriately to the aims of the BSWSA8 site allocation and complement the student accommodation approved through the Phase 1 development. The proposal would positively contribute to the borough's housing targets, contribute to the London would demand for student accommodation and would provide active uses at ground floor to animate the east to west linear pedestrian route proposed. The proposal is acceptable in principle.

Affordability and mix of student accommodation: The applicant is not proposing any on site affordable student accommodation. Instead a £3.958m Payment in Lieu (PiL) is proposed, which would be secured through the s106 agreement, and utilised for the delivery of affordable residential housing (use class C3) in the Borough. It is considered that the necessary exceptional circumstances to support the approach have been demonstrated and this would offer maximum public benefit. The proposal includes 639 student bed spaces, which would be of three different types.

Design and appearance: The two blocks would be up to 20 and 22 storeys in height, and would relate to the 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. These are commensurate with existing and consented nearby developments. No harm would be caused to any heritage assets or protected views, and the massing and articulation of the buildings would enable it to be read as two distinct point blocks, which breaks up the visual impact of the overall bulk and scale of the buildings. Active frontages, soft landscaping and new public realm would create a successful relationship with the proposed east to west pedestrian route to the south of the buildings (and the consented development to the south), and the detailed design is considered to be of high quality.

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

Quality of student accommodation: The student bedrooms have been designed with efficient layouts to maximise available space, and would be comparable, and in a number of cases, more generous in size to other student accommodation schemes in the area. The proportion of single aspect north facing accommodation has been minimised as far as possible, and design solutions have been employed to ensure all rooms would receive adequate daylight and would not be unduly at risk of overheating. Communal amenity space, on-site amenity facilities and landscaped external spaces, would be provided in a range of types and scales across the building further contributing to the quality of the accommodation proposed.

Relationship with neighbouring properties: Impacts on daylight and sunlight to neighbouring properties have been analysed and captured within the submitted Environmental Statement. While some rooms in existing, emerging and consented developments would experience a noticeable impact, effects such as this are considered inevitable when seeking to develop at high density, within a growth area and where there is a dense pattern of development emerging in the immediate locality. Effects are to be expected particularly where there is an existing undeveloped site (such as the application site) within a growth area and which is subject to a site allocation policy that seeks to encourage further growth. With the east to west greenway route proposed adequate separation distances would be provided to the Phase 1 development, to the south, and adequate separation is achieved to the west (to the Wembley Link development).

Sustainability and energy: The development is estimated to achieve a 35% reduction compared to 2021 Building Regulations, of which, 23% reductions would be derived from energy efficiency / demand reduction measures, with the remaining 12% accounted for by renewable energy proposals in the form of Air Source Heat Pumps (ASHP) and solar panels, and a BREEAM Excellent rating is being targeted. A contribution to Brent's carbon-offsetting fund would be secured through the s106 agreement, to offset residual emissions.

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 identified. 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 1 for surface water and fluvial flooding (lowest area of risk). The proposed SuDS features would achieve greenfield runoff rates and will provide a betterment from a flood risk perspective.

Trees, biodiversity and urban greening: A comprehensive tree planting strategy is proposed to compensate for trees that are proposed to be removed, and additional street tree planting would be secured in the vicinity of the site via a £7, 000 s106 contribution. It has been demonstrated the proposal would result in a biodiversity net gain of +0.50 habitat units as a result of the development and landscaping proposals being implemented, equivalent to a positive change of 61.72%. Furthermore, an s106 contribution of £71, 000 is agreed to offset habitat loss from site as a result of development. The Urban Greening Factor of 0.40 is in accordance with the policy target.

Transport considerations: The site has excellent access to public transport (PTAL Rating 6a) and the development would be wholly car-free, with adequate provision made for cycle parking and sustainable transport further encouraged through the submission and monitoring of a full Travel Plan, secured under the s106 agreement. Deliveries and servicing would be via an existing on-street loading bay, and via secondary and carefully managed on-site arrangement for specifically identified reasons, and further details of how these would be managed so as to avoid any adverse impacts on traffic flow on Wembley High Road, and to pedestrian safety would be secured by condition, as would a Construction Logistics Plan. A contribution of £91, 000 towards bus network capacity enhancements is agreed by the applicant, and will be secured through the s106 agreement.

RELEVANT SITE HISTORY

Relevant Planning History

23/3188

Variation of Condition

Under consideration

Variation of Conditions 2 (development built in accordance with approved plans and/or documents), 4 (commercial floor space - Use Class E) and 31 (storey heights of building) of Full Planning Permission (ref. 22/2225 dated 3 May 2023), as amended by Non-Material Amendment (ref. 23/2537) for the Demolition of existing buildings and redevelopment of the site to provide purpose-built student bed spaces (Sui Generis) together with ancillary communal facilities, flexible non-residential floorspace (Use Class E), cycle parking, mechanical plant, landscaping, together with other associated works, subject to Deed of Agreement dated 3rd May 2023 under section 106 of Town and Country Planning Act, 1990, as amended.

22/2225

Full planning permission

Granted 03/05/2023

Demolition of existing buildings and construction of an up to part 13 and part 17 storeys (including ground level) building comprising purpose built student bed spaces (Use Class Sui Generis) together with ancillary communal facilities, flexible non-residential floor space (Use Class E), cycle parking, mechanical plant, landscaping together with other associated works, subject to Deed of Agreement dated 3rd May 2023 under Section 106 of Town and Country Planning Act, 1990, as amended.

22/2956

Full planning permission

Granted, 01/11/2022

Proposed provision of hard and soft landscaping together with pedestrian, cycle and vehicle accesses at land to rear of 390 - 406 High Road

CONSULTATIONS

In total 2,049 neighbouring properties and Wembley Stadium Residents' Advisory Committee were consulted by letter on 6 September 2023. A press advert was published on 14 September 2023 and site notices were posted in a number of locations in the vicinity of the site, on 25 September 2023. Owing to this being EIA

development accompanied by an Environmental Statement it was advertised as such, and a 30 day consultation period was given accordingly.

Six (6) objections were received at the time of writing and are summarised as follows:

Objection comment	Officer response
The existing lack of facilities or already overcrowded facilities (i.e. GP surgeries, hospitals, schools etc) will be worsened by the population increase resulting from this proposal	Infrastructure requirements are identified through the preparation of local plan documents and through consultation with statutory consultees on individual schemes. New development also provides funding towards infrastructure improvements through the Community Infrastructure Levy (both Brent and Mayoral CIL) and s106 planning obligations. A significant amount of infrastructure has been delivered or secured within Wembley via other major development proposals, and no specific social infrastructure contributions have been requested in respect of this development.
There are too many tall buildings in the area and object to the proposed height of this	The site is located within a Tall Building Zone and the site allocation policy also supports tall buildings in this location. This issue is discussed in further detail under 'Design, scale and appearance'.
Further tall buildings should be focused towards the fringes to reduce congestion in the Wembley Central / High Road area.	Appropriateness of the location for tall buildings is considered in detail under the 'Principle of Development and 'Design, Scale and Appearance' sections. The building heights proposed are commensurate with other developments in the immediate vicinity of the site.
Fly-tipping in the area is already bad, this proposal will worsen it.	This is not a material planning consideration. Fly-tipping / anti-social behaviour is covered by other non-planning legislation.
Will result in negative environmental impacts, such as increased pollution (incl air pollution) and will place increased demands on essential services	Environmental impacts are discussed in detail under the 'Environmental health considerations' section.
Will result in an increase in crime	There is no evidence to suggest that the provision of student accommodation will result in this.
How will the Council ensure the use as student accommodation will be enforced?	This will be achieved through use of planning conditions and /or s106 legal agreement, as necessary. In any event, as student accommodation is a Sui Generis use then planning permission is required to change this use to another form of residential accommodation.
Development will lead to an increase in traffic	Transport impacts are covered in detail through the submitted Transport Assessment and discussed under the 'Transport' section. It should be noted this is proposed as a "car-free" development which will minimise impact on the nearby roads. Construction related traffic will be temporary in nature only, and its impacts minimised as set out in the draft Construction Management Plan (with further details recommended be secured by condition)
The Council should be investing in cleaning up the High Road and Ealing Road	Only material planning considerations relating to the proposal can be considered.
Chesterfield House should not be used to justify other high rise developments. Height should be limited to 10 storeys	As noted above, the site is located within a Tall Building Zone. This issue is discussed in further detail under 'Design, scale and appearance'.
Too many student developments in Wembley Park already. Is there really demand for more in Wembley Central?	This issue is discussed in detail under 'Principle of development: student accommodation'. The proposal would help to meet the strategic London

	wide demand, as confirmed by the GLA.
Noise and building pollution. What mitigations are proposed to protect from the impacts of air, dust and noise pollution while construction works are carried out and ensuring disruption is kept to a minimum	This issue is discussed under 'Environmental health considerations'. A Construction Management Plan is recommended be secured by condition.
Objection to any phone masts/antennas being installed on new developments.	The proposal does not include installation of telephone masts on the buildings.
Proposed student accommodation brings no benefit to the local area and Brent. There is a lack of affordable housing in the Borough and this will do nothing to alleviate the problem.	No on-site affordable housing is proposed. It should be noted that a Payment in Lieu is to be secured (c. £3.9m) via s106 agreement, which will be specifically utilised for the delivery of c3 affordable housing in the local area.
Why can new parks not be proposed instead of further development like this?	A new publicly accessible route and space will be provided. The site allocation policy does not require this site to solely be delivered as a park. New parks are being delivered in the Wembley Park area.
Will place increased strain on water, sewage and drainage networks.	No objections have been raised on these grounds from Thames Water / Affinity Water. There is no objection on surface water drainage grounds raised by the LLFA.
Energy used to heat the building would contribute towards global warming	Please see Sustainability section of this report.

External and statutory consultees

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

Land use principles: The principle of a high density student accommodation-led development in this location is supported. To comply with London Plan Policy H15, the majority of the student accommodation should be subject to a Nominations Agreement with one or more Higher Education Institutions. The quality of the student accommodation is acceptable.

Affordable student accommodation: No affordable student accommodation is proposed. Instead, the applicant is proposing a £3.958 million cash payment in lieu towards the borough's affordable housing programme. Absence of affordable student accommodation is contrary to London Plan Policy H15. However, a payment in lieu would enable the scheme to contribute towards addressing the need for low cost rent affordable housing, for which there is a great need at a local and strategic level. Further clarification and discussion is required to confirm how the payment would be spent to ensure net additional affordable housing as well as the expected delivery timescales. GLA officers are scrutinising the applicant's FVA to ensure that the cash payment represents the maximum viable financial contribution that the scheme can support.

Urban design and heritage: The design, layout, landscaping and architectural quality is acceptable. The proposal is within a designated tall building zone so the scheme would accord with the plan-led, locational criteria for tall buildings. The visual, functional, environmental and cumulative impact is considered to be acceptable in view of the existing and emerging context. The proposals would not harm any designated heritage assets.

Transport: A financial contribution of £91,000 is required to mitigate the impact of additional trips on the bus network. A further financial contribution towards improving pedestrian and cycle infrastructure is also sought. Further discussion is needed in relation to the deliveries and servicing strategy, potential impacts on vulnerable road users, the design of cycle parking and disabled car parking provision.

The energy, urban greening, biodiversity, drainage and noise mitigation strategies are acceptable, subject to standard conditions and obligations.

Transport for London: It is considered the majority of comments raised in TfL's Stage 1 response have been adequately addressed. As discussed within the 'Transport' section in the main body of the report.

Thames Water: Request that a Piling Method Statement be secured as a pre-commencement condition. With regards to foul water sewerage infrastructure capacity, no objection raised. Confirmation of foul water.

No objection in relation to surface water drainage.

Affinity Water: Confirmation they do not wish to comment.

Secure by Design (Metropolitan Police): No objection, conditions recommended. Comments are discussed in main body of report.

Health and Safety Executive: Confirmation received that the HSE is content with the proposals from a fire safety design perspective.

Network Rail: No objection subject to recommended conditions and informative (refer to listed informatives).

Active Travel England; No specific comments, defer to Standing Advice and TfL comments.

Internal Consultees

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

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

Ecology: No objection subject to conditions and / or s106 obligations, comments discussed in main body of report.

Pre-application engagement by applicants

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

A Statement of Community Involvement (SCI) submitted in support of the application sets out in detail the level of engagement that was undertaken by the applicants prior to submission. In this case, the applicants sought to consult a wide range of local stakeholders including residents, community groups and ward councillors. A newsletter was sent to c.2, 400 residents and businesses, inviting them to two organised public exhibition events (held nearby at Patidar House on 5th and 8th July). The events were also publicised in the Brent and Kilburn Times, to ensure maximum visibility and a dedicated on-line community hub was launched at wembleygreenway.co.uk, to enable interested parties to view the proposals and leave feedback online. Freepost and project email addresses have also been publicised to facilitate options for further feedback. Six written responses were received from residents and local businesses, with a summary of their comments contained within the SCI.

A series of specific meetings and briefing sessions were held with different stakeholders, and local groups, as set out in more detail in the SCI.

These activities and level of engagement are considered to be appropriate to the scale of the development proposed and consistent with the advice set out in Brent's Statement of Community Involvement.

It should be noted too that the proposed development went through Brent's Design Quality Review process, on two separate occasions. Pre-application meetings were also held with the GLA and TfL. The feedback received from these has informed the submitted proposals.

POLICY CONSIDERATIONS

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

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

London Plan (2021)

Brent Local Plan (2019-2041)

Key policies include:

London Plan 2021

SD1: Opportunity Areas
SD6: Town centres and high streets
SD8: Town Centre Networks
D1: London's form, character and capacity for growth
D3: Optimising site capacity through the design-led approach
D4: Delivering good design
D5: Inclusive design
D8: Public realm
D9: Tall buildings
D10: Basement development
D11: Safety, security and resilience to emergency
D12: Fire safety
D13: Agent of Change
D14: Noise
H1: Increasing housing supply
H15: Purpose-built student accommodation
E11: Skills and opportunities for all
HC1: Heritage, conservation and growth
HC3: Strategic and Local views
G1: Green Infrastructure
G5: Urban greening
G6: Biodiversity and access to nature
G7: Trees and Woodland
SI1: Improving air quality
SI2: Minimising greenhouse gas emissions
SI3: Energy Infrastructure
SI4: Managing heat risk
SI5: Water infrastructure
SI6: Digital Connectivity Infrastructure
SI7: Reducing waste and supporting the circular economy
SI12: Flood risk management
SI13: Sustainable drainage
T1: Strategic approach to transport
T2: Healthy streets
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
BP7: South West
BSWSA8: Wembley High Road
BCGA1: Wembley Growth Area
BD1: Leading the way in good urban design
BD2: Tall buildings in Brent
BH1: Increasing housing supply in Brent
BH2: Priority areas for additional housing provision within Brent
BH7: Accommodation with shared facilities or additional support
BH13: Residential amenity space
BE1: Economic growth and employment opportunities for all
BHC1: Brent's Heritage Assets
BHC2: National Stadium Wembley
BGI1: Green and blue infrastructure in Brent
BGI2: Trees and Woodlands

BSUI1: Creating a resilient and efficient Brent
BSUI2: Air quality
BSUI3: Managing flood risk
BSUI4: On-site water management and surface water attenuation
BT1: Sustainable Travel Choice
BT2: Parking and car free development
BT3: Freight and servicing, provision and protection of freight facilities

The following are also relevant material considerations:

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

Brent guidance documents

SPD1 Brent Design Guide 2018
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 LPG
Urban Greening Factor LPG
Sustainable Transport, Walking and Cycle LPG
Air Quality Positive LPG
Circular Economy Statements LPG
Whole-life Carbon Assessment LPG
'Be Seen' Energy Monitoring Guidance LPG
Fire Safety LPG

DETAILED CONSIDERATIONS

Principle of development

Policy background

1. The NPPF notes that Plans and Decisions should apply a “presumption in favour of sustainable development” (Paragraph 11), whilst Paragraph 120, part c) sets out that planning decisions should “give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs”.
2. 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.
3. The site forms part of the wider BSWSA8 site allocation in the Wembley Growth Area, which is expected to deliver active ground floor frontages with town centre uses, improved public realm and pedestrian access, to contribute towards the viability and vitality of the town centre, in addition to contributing to Brent's housing targets.
4. 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. The application site is well situated within Wembley Town Centre, is in a highly accessible location with access to a range of public transport facilities and services. The site's PTAL is 6a. Additionally, the site benefits from good access to local facilities and services, owing to its town

centre location.

5. The London Plan identifies a strategic need of 3,500 purpose built bed spaces across London (per annum), taking into account completions and the pipeline of permitted student accommodation schemes locally and across London. In support of the proposals the applicants has submitted a Student Demand Assessment, which has looked at the demand for student accommodation at both a local and regional level (also outlining the suitability of the site for student accommodation from a locational perspective). This assessment, discussed in further detail below identifies other student accommodation schemes that have either been completed or consented (but not built) in the wider area. At a strategic level, the GLA is supportive, and recognises that the proposed student accommodation would contribute towards meeting the overall London need and London Plan
6. Potential over-concentration of student accommodation is another policy consideration, as set out in the aforementioned policies (H15 and BH7), which seek to ensure student accommodation schemes contribute towards achieving mixed and balanced communities. The consented Phase 1 development provides 349 student bed spaces (equivalent to 139.6 new homes at a ratio of 2.5:1 bed spaces to one conventional housing unit), so collectively, with this proposal, would provide 988 student bed spaces. Conventional C3 housing on immediately adjacent sites which also fall within the wider site allocation are capable of delivering 549 C3 dwellings (Wembley Link development; 256 dwellings, UNCLE development: 239 dwellings, and Ujima House development; 54 dwellings). It is considered in this context that mixed and balanced communities will be achieved across the wider site allocation with the provision of student accommodation on both sites.
7. Whilst the site allocation policy does not refer specifically to PBSA, this type of housing is acknowledged to relieve some of the demand for conventional housing, and this provision would contribute towards Brent's housing supply (at a ratio of 2.5:1 bedrooms to one conventional housing unit), at the same time contributing towards London Plan housing targets.
8. The principle of PBSA within the wider BSWSA8 site allocation has recently been accepted. This is evident through planning permission 22/2225, which approved the demolition of Fairgate House and 402-408 High Road, Wembley, located directly to the south of and adjoining the application site, and the replacement of these buildings with blocks of up to 13 and 17 storeys, comprising PBSA and non-residential Class E floorspace. This permission is referred to from here on as the 'Phase 1' development.
9. The London Plan also requires development plans to identify and meet needs for all types of development, and the Wembley Opportunity Area has been identified as a priority location for jobs. The site is located in the defined Wembley Town Centre boundary but is outside of the designated primary and secondary shopping frontages and set back to the rear of the High Road. Owing to the applications site's location set behind the High Road it would not be an appropriate location for new commercial uses to be introduced, so non-student related use have not been required.

Relationship with wider site allocation

10. The BSWSA8 site allocation seeks enhanced pedestrian accessibility and permeability to ensure continuous physical linkages from Wembley Triangle to Wembley Central Station. In particular, new pedestrian access along the rear of the High Road has been secured as part of the former Chesterfield House development at the junction with Park Lane, as part of the Wembley Link development immediately to the west of the site and under the outline consent to redevelop Ujima House immediately to the east of the site. The Wembley Link scheme is currently under construction (nearing completion) and this includes a landscaped permissive public footpath which would be a continuation of the route provided through the former Chesterfield House development site, and the proposed development responds to this by accommodating a linear landscaped permissive pedestrian (and cycle) route running east to west through the site. The layout and greening of this route has been considered holistically with the consented Phase 1 development, ensuring a cohesive approach to new public realm and placemaking. Importantly, this pedestrian will provide a continuation of the routes already secured to the west and will allow for a future connection to continue the footpath route along the rear of the Ujima House development, when that site comes forward.
11. The proposal maintains a sufficient separation distance to the consented development site to the south (Fairgate House and 402-408 High Road) in order to provide adequate privacy for future residents of both developments (acceptable separation is normally considered to be 18m between habitable room windows, in this case the distance above ground level ranges between 11.8m and 19.5m). Active ground

floor uses for both developments face onto the proposed east to west pedestrian route and these can work together to animate and give surveillance to this space.

12. The proposal does make provision for a key element of the site allocation, namely a well designed, landscaped, permissive pedestrian route running east to west through the site, this new public realm will act as a continuation of the routes to the west and will link into any future continuation of the route further east. At the time the Phase 1 development was being considered (reference 22/2225) it was considered necessary to secure a scheme of hard and soft landscaping works on land to the rear of that site through a separate application (reference 22/2956). This was to ensure that the consented Phase 1 development could proceed in advance of any future development of the application site, and that it could do so in such a way that the necessary continuous pedestrian route is safeguarded and that there is a mechanism through the s106 agreement for the Phase 1 development for the hard and soft landscape works consent to be implemented in a timely manner.
13. Now that the current proposals seek to address this matter holistically, and do so by proposing the pedestrian route, and necessary hard and soft landscape works, as part of this application this a more considered and comprehensive approach that would meet the requirements of the site allocation. Any forthcoming consent for the current application would be subject to relevant landscape conditions and obligations to ensure the timely implementation and provision of the permissive pedestrian route (together with the associated landscape works), and as such would be expected to negate the need for approved landscape scheme (reference 22/2956), that relates to the Phase 1 development, to be implemented. Nevertheless, in the future event that the Phase 1 development was to come forward in isolation, and for some reason the current proposals were not brought forward, then there are necessary mechanisms in place that would ensure the pedestrian route can still be delivered.

Student accommodation

14. As noted above, student housing contributes to Brent's housing targets, at a rate of 2.5 bed spaces to one conventional housing unit, and the provision of accommodation for 649 students would equate to 390 conventional residential homes, which would contribute towards the target of 650 dwellings within the wider site allocation, as well as the Brent's, and London wide housing targets. To date within the wider site allocation, planning permission has been secured, and is being implemented, for 256 C3 dwellings within Wembley Link scheme (18/3111) and outline consent secured for 5000sqm of residential floorspace (up to 54 homes) within Ujima House (19/3092), and planning permission for 349 student bed spaces (equivalent to 209 C3 dwellings) within the Phase 1 development (22/2225). Combined, these schemes (if each is implemented) would deliver the equivalent of 909 new dwellings across the site allocation, exceeding the indicative site capacity.
15. The provision of PBSA to meet student demand will also have the benefit of freeing up the existing housing stock currently utilised by students for rental accommodation. It is estimated that the proposal would result in 128 existing homes being freed up across London from the private rented sector, with at least 16 of these homes being in Brent.
16. Policy BH7 of Brent's Local Plan sets out a range of key criteria that are expected to be met when considering proposals for student accommodation. One of the criteria is the need for PBSA proposals to demonstrate that there is a specific London wide need for the development. In response, the applicant has provided a Student Demand Assessment and Socio-Economic Report (SDA) to demonstrate current and future demand for accommodation (and suitability of Wembley as a location).
17. In the SDA it is estimated that by 2034/35 the number of students in the local area (i.e. the three Wembley wards) is expected to grow by 1, 751 students, by 9, 268 students in the borough as a whole, and by 93, 515 students in London, across the same period. These estimates demonstrate the level of current and expected increased future demand for student accommodation.
18. The SDA highlights that Brent has 21, 354 full-time students and 5, 562 existing bed spaces, with 26% of students estimated to be residing in PBSA. This equates to 3.8 students per bed space. The forecast number of full-time students, in 2035, is 30, 662, which (including pipeline schemes) equates to 4.2 students per bed space, demonstrating further increases in future demand are to be expected.
19. Whilst there has recently been an approved student accommodation scheme at Fairgate House (Phase 1 development, ref; 22/2225), a resolution to grant student accommodation at 1-4 and 9 Watkin Road, Wembley (ref; 22/3965) and a current application (ref; 23/1426) for student accommodation being considered at Glynns Skips, Fifth Way the student housing supply/demand imbalance is expected to

remain relatively unchanged even if these schemes were to all come forward. As highlighted above, future estimates place this demand to be around 4.2 students per bed space, in 2035, which would still continue to place unwanted pressure on the local private rented market to meet accommodation needs of students. It is therefore considered that there is a demonstrable London wide demand for PBSA, this is in line with policy BH7.

20. The SDA also takes into account suitability of the location for PBSA and the report highlights there are currently five higher education (HE) institutions located in the borough, as of 2021/22 (serving 4, 695 students). Owing to the site's excellent public transport accessibility (PTAL 6), which addresses another of the criteria set out in policy BH7, within a 45 minute commute time a large number of HE education institutions are considered to be accessible from the site. Based on this catchment, there are 37 HE institutions within this commute time serving a total of 176, 100 students.
21. The local area has seen an increase of 27% in full time students over the last 10 years (3,176 students in 2011 to 4,035 students in 2021). This increase shows the importance of the local area in becoming an increasingly important location for students to reside, which is in a large part due to its close proximity to multiple transport links, ease of access into London and the accessibility of such a large number of HE institutions within a 45 minute commute time.
22. The submitted SDA notes that the majority of future student growth in London (over 80%) is anticipated to be in HE locations that are accessible within a 45-minute journey time of the application site, making the location of the application site ideal for accessing future HE student places.
23. It is forecast that for the 2022/23 academic year, students who seek HE accommodation could reach 280,000, but there would only be 102,000 PBSA beds to rent. This is a shortfall of 178,000 PBSA bed spaces in London in the most recent year. This shortfall highlights that there is a current shortage of PBSA supply in London for students, which this proposal would help to address.
24. At a local level current supply of PBSA in the borough has been assessed within the submitted SDA. This has shown the majority of existing PBSA is located in the local area (i.e. the three Wembley wards) and this continues to be a popular location for students to reside in. There are currently nine existing PBSA developments in the Wembley Park ward (with two pipeline developments). In comparison, there are currently none located in the ward (Wembley Hill) that the application site is situated within, which is a strong indication that this proposal would not result in an overconcentration (taking into account the fact there is just one pipeline scheme in this ward, which is the Phase 1 development directly adjacent). It is considered logical that PBSA developments coming forward to meet future demand would look to locate themselves in either, the Wembley Hill or Wembley Central wards, ensuring a more even distribution of such accommodation across the local area.
25. For the above reasons, and furthermore due to the site's town centre location relative to a wide range local amenities (including access to open spaces), the application site is considered a suitable location for PBSA, as evidenced through the granting of the Phase 1 development.
26. As a result of the assessment carried out it can be concluded that the location of the proposed PBSA development in Wembley is preferable as a location to live for students, and in particular those studying at HE institutions within a 45 minute commute time, due to the site's high level of public transport accessibility. It has been demonstrated there is both current demand, and future forecast demand for PBSA in London, which this proposal will help to contribute towards meeting.
27. Furthermore, the accommodation would be secured by condition for occupation by full students enrolled on UK accredited and based further education courses during term time (for not less than 38 weeks of the year). The remaining time, (outside term time,) the Council is content that the units may be rented out on short-term lets, perhaps assisting tourism within the summer vacation period. This will apply to all of the student rooms.

Nominations agreement

28. The student bed spaces would be managed by a single operator under a direct-let arrangement and available to students studying at HE institutions. The same operator would also manage the neighbouring Phase 1 development. The applicant has stated that whilst there would be the potential for the operator to enter into a nominations agreement with a HE provider, they do not wish to be bound to this in perpetuity, giving the operator flexibility to either directly-let or nominate rooms to a HE provider. Absence of a nominations agreement with one or more HE provider, which should cover the majority of student rooms,

would be in conflict with London Plan policy H15.

29. The argument presented by the applicant for not entering into any nominations agreement is that the intended direct-let arrangement is an operator response to how accommodation providers are managing their risk and exposure with regards to student accommodation. It is stated that post Covid, which has led to more remote learning for example, many universities have actually ended up refunding rents and paying for empty rooms that they no longer needed. Universities no longer wish to bear this financial risk, and instead are seeking more and more to pass this risk onto private sector PBSA providers. It is considered by the applicant that the policy H15 approach, to secure nominations agreements in perpetuity, is now somewhat out-dated and is not reflective of the current trend where HE providers are comfortable with private sector direct lets as it removes their risk altogether whilst still providing for the accommodation to meet student needs.
30. The GLA has commented on the applicants intended direct-let approach in their Stage 1 report, highlighting this is in conflict with policy H15, but it is recognised this is in response to commercial/market uncertainties. As a minimum the GLA would expect to see, reasonable endeavours clauses or cascade mechanisms secured in any legal agreement, in relation to nominations agreement clauses. It is considered this would provide an appropriate degree of flexibility to respond to risk concerns that HE providers have with PBSA. In response, the applicant has confirmed they are agreeable to this approach.
31. A draft Student Management Plan has been submitted, setting out how the development would be managed through on-site staff presence providing a point of contact for students but also for local residents who might be concerned about any incidents of anti-social behaviour, or anything else on site. Management and maintenance of communal facilities, emergencies, deliveries and servicing, moving in/out periods, health and safety, waste and refuse management and security measures are also addressed within this Plan. An updated 'final' document would be required as a condition prior to occupation, and would provide a dedicated contact for local residents once operational, this shall be secured by condition.

Affordability and mix of student accommodation

Policy background

32. 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. Applications providing at least 35% of rooms as affordable student accommodation under this definition are eligible for the fast track route, whereby viability testing is not required. However, an early stage viability review would be required if development does not commence within two years, to incentivise early delivery.
33. Policy H15 also requires the use of the accommodation to be secured for students, with the allocation of affordable accommodation to students considered most in need undertaken by the higher education providers via nominations agreements. As discussed above, the applicant is proposing the bed spaces would be managed by a single operator under a direct-let arrangement and available to students at HE institutions

Acceptability of proposed off-site cash in lieu approach

34. The applicant is not proposing any affordable student accommodation. Instead a £3.958m Payment in Lieu (PiL) is proposed, which would be secured through the s106 agreement, and utilised for the delivery of C3 affordable housing in the Borough. As this is not in accordance with policy H15 part 4), and is therefore not eligible for the fast track route, the application is supported by a Financial Viability Assessment (FVA), prepared by Gerald Eve. The FVA seeks to assess the maximum viable PiL that the scheme can support (see below for further detailed discussion).
35. With regards to affordable housing delivery, the starting point as set out in London Plan Policy H4 (Delivering affordable housing) is that it should be provided on site and that it must only be provided off-site or as a cash in lieu in exceptional circumstances. Supporting text (Paragraph 4.4.10) states that cash in lieu contributions should be used in even more limited circumstances, and only where there is detailed evidence to demonstrate that on-site affordable housing delivery is not practical, off-site options

have been explored but are not acceptable and that accepting a cash in lieu contribution will not be detrimental to the delivery of mixed and balanced communities.

36. The following policy criteria must also be met in each case:

Additionality: Any cash in lieu payment must result in additional affordable homes over and above any affordable homes that would otherwise be expected to be provided.

No financial benefit: To avoid incentivising off-site provision, there must be no financial benefit to the applicant relative to on-site provision.

Monitoring: Robust monitoring and reporting mechanisms should be put in place to ensure the additional affordable homes are delivered.

Viability and reviews: Where a cash in lieu contribution is proposed then the viability tested route must be followed and schemes will need to be subject to early and late stage review mechanisms.

37. In the context of policy H4, firstly consideration has been given to whether affordable housing could be delivered on site. Taking into account the design challenges of the site, its constraints, limited footprint available and proximity to the Phase 1 development, it would not be practical to deliver high quality C3 housing, including the necessary proportion of family housing that would be required. This position is acknowledged and has also been accepted by the GLA in their Stage 1 report.
38. Secondly, off-site delivery of affordable housing has been considered. The applicant has advised that they do not have any undeveloped land interests in the borough that could deliver the additional affordable housing. It is noted that the applicant is currently on-site with the Euro House development in Wembley, but that construction is well underway, and it is acknowledged that it can be difficult to change the tenure of homes at this point in construction. As such, it is acknowledged that the provision of additional affordable housing on this site would be unrealistic, and it is accepted that it would not be practical to require off-site provision.
39. In the circumstances the alternative is a financial contribution secured as a PiL towards delivery of conventional C3 affordable housing in the local area. As referred to above, the applicant proposes a PiL of £3.958m, which would be utilised specifically for this purpose, and this could help to accelerate existing consented schemes, including affordable housing, in the Borough, which would be a planning benefit.
40. Delivery of conventional affordable housing is a strategic priority in Brent, with a particular emphasis on social rented properties, as stated in the Local Plan. The proposed PiL approach provides the opportunity to help meet these priorities and is welcomed as this would help to address local housing need for low cost rented accommodation. The PiL secured would help contribute towards the delivery of additional C3 affordable homes, which would help to provide additionally of affordable homes for already consented schemes, for which there is the greatest need at local and strategic level.
41. There would be a requirement through the s106 agreement that the PiL secured is specifically used to fund additional affordable housing, being affordable housing that is provided which goes beyond the minimum secured through relevant planning consents for other site(s) in the Borough. At this stage it is envisaged this could benefit either the Brent Council Homes programme, Wembley Housing Zone programme or the Estate Regeneration programme, where there are a number of potential site(s) across the programmes. The proposed approach is therefore supported by the Council, subject to agreement on the PiL figure.

Assessment of Scheme Viability

42. As stated in London Plan policy H4, applications proposing off-site or a cash in lieu contribution must follow the viability tested route, which the applicant has done. The FVA, prepared by Gerald Eve (on the applicant's behalf) has been independently assessed on behalf of the Council, by BNP Paribas. Paragraph 4.4.13 of the London Plan states that cash in lieu contributions should provide no financial benefit to the applicant relative to on-site provision and should include review mechanisms.
43. The submitted FVA includes appraisals on different counterfactual scenarios that compare various on-site and off-site affordable student / housing options. These scenarios can be summarised as follows:

The proposed application – a student accommodation scheme (100% market rent) with no on-site

affordable accommodation.

Counterfactual 1 – a policy compliant / Fast Track Route compliant student accommodation scheme with 35% on-site affordable student accommodation

Counterfactual 2 – a market student accommodation scheme alongside Class C3 affordable housing (35% floorspace)

Counterfactual 3 – wholly residential (Class C3) scenario incorporating 35% on-site affordable housing at a policy compliant tenure mix (70:30)

Counterfactual 4 – 100% market Class C3 residential scheme with a financial contribution towards off-site affordable housing

44. The applicants FVA concludes the proposed scheme (with the PiL of £3.958m) would generate the highest gross development value of each of the scenarios and is more viable than these. None of the other scenarios are considered viable or deliverable, as set out in the submitted FVA. The FVA finds that whilst each scenario generates a deficit, the level of deficit would be lowest in the proposed scheme, meaning the PiL received from the proposed scheme would provide the greatest quantum of affordable housing.
45. The Council commissioned BNP Paribas to provide an independent assessment of Gerald Eve's viability assessment to determine whether the affordable housing offer (i.e. the PiL) and Section 106 contributions as proposed have been optimised. Evidence from both reviews has informed what the appropriate (i.e. maximum viable) PiL should be. The following paragraphs summarise how the viability position has evolved following further discussion between the parties.
46. Initial FVA prepared by Gerald Eve found the proposed scheme (with a PiL of £3.958m) to be unviable, with a 0.8% return on GDV, which is some way below the developers target return on GDV, of 15%, resulting in a viability deficit of -£21.7m. Based on sensitivity analysis undertaken, the proposed development is potentially being capable of being viable (subject to reasonable cost and value movement that could occur in the future) and is therefore deliverable.
47. BNP Paribas review raised several areas of difference, these include (but are not limited to), the adopted yield for the student accommodation, finance rates, operating expense costs, build costs and the benchmark land value (BLV). On this basis it was initially concluded the proposed development would generate a surplus of £19.2m against the BLV.
48. A rebuttal was subsequently provided by Gerald Eve, this disagreed with BNP Paribas adjustments to inputs and assumptions and initial conclusions overall. The FVA's originally adopted yield of 4.75% has been maintained, and justification provided for this; the operating expense cost assumptions have been maintained as originally stated; build costs retained; a compromise finance rate (7.5%) suggested and the BLV applied by BNP Paribas (£885, 384) has been accepted. It was concluded the proposed scheme would still result in a deficit of -£16.15m.
49. In responding to this rebuttal, and based on the additional evidence and justification provided, BNP Paribas have accepted Gerald Eve's adopted yield of 4.75% as reasonable, operating expense costs, and the estimated build costs have been updated as agreed between the respective cost consultants. The 7% finance rate has though been maintained. BNP Paribas latest position is the proposed development results in a deficit of -£13.3m, which is the agreed position between the two parties.

GLA viability review comments

50. Having scrutinised the applicants FVA the GLA's viability team has concluded that the proposed PiL (£3.958m) does not represent the maximum viable amount. A rebuttal to this has been provided by Gerald Eve and sent to the GLA for comment. Further response from the GLA is awaited, as such any updates on the position will be reported via a supplementary report.
51. In conclusion, and on the basis of the degree to which the proposed scheme is agreed to be in deficit (-£13.3m), and agreement that each of the counterfactual scenarios are even less unviable and deliverable than the proposed scheme, including where 35% affordable student accommodation is provided on site, the proposed PiL of £3.958m is considered the maximum viable.

- 52. It should be noted that on an equivalency basis a PiL commensurate with 35% on-site affordable accommodation would be c. £19.63m. On that basis the proposed PiL of £3.958m equates to 7% provision, which although is somewhat short of 35% on an equivalency basis, this is backed up by the agreed viability position. Notwithstanding the position set out by the GLA, the proposed PiL of £3.958m is considered to represent the maximum viable. Securing this payment would, it is considered result in the greater public benefit than affordable student accommodation being delivered on-site.
- 53. In accordance with London Plan policy, it is recommended that s106 obligations secure early and late stage review mechanisms to capture any uplift.
- 54. It is considered that there are exceptional circumstances for the PiL approach to be supported in this particular instance, as set out above. This offers greater public benefit to Brent by contributing towards address local and strategic housing needs for conventional C3 affordable accommodation.

Proposed accommodation mix

- 55. There is no policy requirement to provide any particular mix of types of accommodation. On this basis, the following mix is proposed;

Type of bedroom	Building A	Building B	Total
Cluster unit	292	122	414
Studio unit	39	122	161
Accessible studio unit	4	60	64
Total	335	304	639

- 56. The proposed mix would offer a range of room types to meet differing needs, with 10% of the rooms being wheelchair accessible from the outset.

Design, scale and appearance

Policy background

- 57. 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.
- 58. Brent's Policy BD1 seeks the highest quality of architectural and urban design, whilst Policy BD2 directs tall buildings (defined as those of over 30m in height) towards designated Tall Building Zones (TBZ), and other locations shown on the proposals map such as, intensification corridors, town centres and site allocations, and expects these to be of the highest architectural quality. The application site is within a TBZ, town centre location and site allocation policy BSWSA8, which identifies the location as being appropriate for tall buildings.
- 59. 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

- 60. The site, currently void of any built development, is located to the rear of High Road and its redevelopment will further strengthen the east-west pedestrian route that is emerging in a linear form, following the completion of the UNCLE development, and the neighbouring Wembley Link buildings (which are now nearing completion). This site, combined with the Phase 1 development to the south,

which fronts onto the High Road, would be the next parcels to come forward incrementally, with further development expected to come forward as you move further east of the site, as a result of the approved Ujima House development.

61. The site would accommodate buildings that extend up to 20 and 22 storeys in height with basement level, each building is connected at ground floor level by a two-storey podium. For context, the Phase 1 development, directly to the south of the site approved buildings that extend to part 13 and part 17 storeys, the adjacent Wembley Links development to the west contains buildings that extend to part 17 and part 19 storeys and the completed UNCLE development further to the west is part 26 storeys.

Site layout

62. The PBSA would be accessed either, via the existing High Road access, but also via the emerging east-west pedestrian linear route (the greenway route) running in parallel with the High Road.
63. At ground floor level a series of active uses/spaces front onto the proposed east-west greenway route, and these also respond to the Phase 1 development and complement active ground floor uses contained within that scheme. The main entrance to the development is located towards its western end, giving this prominence and visibility as you approach from either the greenway route, or from the High Road. This entrance is expressed through a double height canopy and colonnade feature. The landscape design response in front of the building also further marks this entrance.
64. A proposed community facility is located at the south-western corner of the building, at ground level, and combined within the main building entrance, this space will help to further animate the space to the front of the building (referred to as the Welcome Yard character area), and this use will also be visible from the High Road. It is envisaged this facility (86.9sqm) would be available for local community use, as well as student use, which is welcomed.
65. As you move through the building at ground floor in an east to west direction, past the community space and main entrance, is a generous entry lobby, mailbox area, games/lounge room and cycle workshop (which activates two facades). These spaces are designed to have generous amounts of glazing which will give views into and out of the building, give good surveillance to the greenway route and other outside spaces, and create a sense of activity, both during the day and night. Further activation and surveillance of the greenway route would be generated at first floor level by the siting of the gym and lounge uses, these are located at podium level, and both have direct podium access. Studio units sited towards the eastern end of the building also give further surveillance from first floor level.

Height, mass and bulk

66. As referred above, the proposed building would comprise two tall elements of 20 (block B) and 22 (block A) storeys. The two blocks would have chamfered corners, angled towards the central podium. The 'point building' response reflects the building typology that is emerging in this location. Massing and bulk of the point blocks is reduced through the use of the chamfered building forms, stepped and angled profiles, which also help to open up the space between the two blocks.
67. As noted above, the site falls within a TBZ, and is considered to be an appropriate location for tall buildings, as the site allocation policy recognises. Building heights along this section of Wembley High Road vary, and as it has been noted, the emerging context includes a number of tall buildings creating an undulating skyline, which the proposed storey heights respond to appropriately. In particular, the 17-storey and 19-storey point blocks of Wembley Link to the west (18/3111) step down from the 26-storey and 21-storey point blocks of Chesterfield House (now the UNCLE Apartments) (15/4550) which form a focal point for the area at the junction with Park Lane. To the east of the site, the outline consent at Ujima House (19/3092) is partly 10-storey and partly 11-storey, whilst the consented scheme at the Cecil Avenue junction opposite has a maximum height of 9 storeys and the existing Lanmor House has 7 storeys. Within this context the proposed building heights of 20 and 22 storey's would not appear out of character and the site's (and subsequent buildings) prominence is reduced in some views due to its location set back from the High Road and its location relative to some of the nearby developments referred above.
68. With Policy D9 of the London Plan in mind the development is considered to have a well-designed base. The scale and prominence of the two-storey podium and colonnade are considered appropriate for buildings of this scale and help to ground the development. The scale of the podium also rises and falls as well as stepping in and out which articulates the base and gives this element greater interest. To the

southern façade the base helps to animate the greenway route and to the northern façade double height glazing is used to give natural light and outlook to the library, as well as views over the railway. Glazing is used across the majority of the base to give this section visual permeability as much as possible.

69. The middle of the buildings express the student bed spaces and in response consists of a simple ordering of the facades through the horizontality, banding and different colour tones proposed as well as the ordering of window openings. The primary horizontal band is to consist of folded metal panelling (in a light colour finish), then set behind these bands are secondary (and darker tone) golden/bronze, perforated flat metal panels. To add a further layer of horizontality, the perforated panels incorporate a transom feature detail which aligns with the window transoms, giving a further thinner horizontal band running around the buildings. The use of contrasting tones help to emphasise the horizontality of the facades.
70. To define the building tops the upper levels of each have been clearly set back, which helps to lessen their impact on the skyline. The architecture of the base is carried through to the tops, with the same articulation of the fenestration and folded metal panelling embellishing the parapet, 'finishing' the buildings. The architecture of the setback levels visually contrasts to the lower 'middle' and establishes them as 'lifestyle lanterns' adorning the building tops. These lantern features accommodate communal spaces for students, consisting of reading and dining areas, maximising views from these levels across the skyline. Within the setback areas is the opportunity for feature operator signage and branding, which could act as an interesting way finder for these point blocks.
71. Overall, the buildings are considered to have clearly designed base, middle and top sections to them, and each zone expresses differently the differing internal uses dispersed throughout the buildings. This satisfies policy D9 in this regard.
72. The GLA has considered the appropriateness of the site for tall buildings, noting the following within the Stage 1 report; "*the proposals are in line with the approach to tall buildings in this location*".

Architecture and materiality

73. London Plan policy D3 requires new development to be of a high quality of architectural design which responds to local character and ensures appropriate detailing and the use of attractive, robust and durable materials. Brent Local Plan policies also seek to ensure high quality of design is achieved. The submitted Design and Access Statement sets out in full the proposed approach to materiality, detailing and articulation of the facades.
74. As noted above, the two point blocks would have clearly defined base, middle and top elements and the proposed architectural design and materiality throughout is well-considered. The horizontal emphasis to the elevations is composed of a primary, white banding that features folded metal panel detailing. Secondary to this, is a darker banding that sits in contrast with the paler primary banding, and is punctuated by fenestration and perforated metalwork.
75. The strong horizontality and banding of the elevations responds well to the adjacent Wembley Links development, there is also similarity in the materials and tones proposed, with the lighter materials responding well to Wembley Links, and the UNCLE developments.
76. The folded metal panels are a reference to the folded profiling that features in the Phase 1 development, as well as folded brick details contained within the UNCLE development.
77. Overall the proposals represent a considered and appropriate design response that demonstrates an appreciation of the existing and emerging context. The detailing and use of attractive materials will help to enhance the design quality and give depth and visual interest to the elevations. The design complies with London Plan policy D3 as well as Brent policies relating to design quality. A condition is recommended to require the submission and approval in writing of all external materials, this will help ensure the finished quality is delivered as expected.

Visual impacts

78. A Heritage, Townscape and Visual Impact Assessment (HTVIA) was provided with the planning application, which provides 17 viewpoints to assess visual amenity, including cumulative views which take into account other emerging developments (either completed / under construction / granted permission). These views are described and assessed in the following paragraphs.

79. *View 1: High Road, looking east:* This view shows the existing three-storey street frontage with larger scale buildings in the centre and left of the view. The proposal would be prominent in this view, and would be significantly taller than existing frontage buildings, however it would continue the emerging point block character to the rear of the High Road, and relate well to this emerging cluster of taller buildings.
80. *View 2: Cecil Avenue:* This view north from the smaller scale of the traditional residential area currently opens out across a cleared site with larger scale and taller buildings visible in the east of this view. The proposed building would fill the right of this view, and terminates the view looking north east down Cecil Avenue. Due to its scale and form the development contrast with the existing townscape in the fore and middle grounds, creating a new backdrop to the residential scale. The stepping of the blocks continues the undulating heights already established, and well help to highlight this as a new tall building zone. In the cumulative view the height of the buildings is reduced and partially obscured when viewed in the context of other tall building proposals (consented).
81. *View 3: High Road, looking west:* In this view the gap between the emerging Wembley Links development and Lanmor House (existing) is closed up. The undulating heights of the development rear of the High Road is apparent though, and the chamfered and curved nature of the point blocks can be appreciated. In the cumulative view the buildings become almost fully obscured by the Phase 1 development and Ujima House proposals.
82. *View 4: Wembley Triangle:* The foreground of this view is dominated by the protruding bulk of Elizabeth House, with the UNCLE building again appearing in the distance terminating the view, framed by the new buildings at Brent House in the middle ground. The proposal would continue this family of taller buildings in the centre middle ground, on the north side of the High Road, together with the Ujima House development which would provide a transition down to the lower-rise buildings in the foreground. From here the emerging cluster of taller buildings on the north side of High Road can be seen, and the proposal site comfortably within this.
83. *View 5: Wembley Stadium Station entrance:* This view, taken from the pedestrian route from Wembley Stadium Station shows the existing and emerging taller buildings on and to the rear of the High Road, the two point blocks of Wembley Link now visible alongside the UNCLE building. The proposal would merge into this cluster of buildings, sitting in front of the Wembley Links and UNCLE buildings.
84. *View 6: Dennis Avenue:* This traditional residential street is to the north of the site (opposite side of the railway lines) and on elevated ground. The view south across the railway lines features mature tree cover, with the UNCLE building and Wembley Link in the background on the right. The proposed buildings would sit directly in the centre of this view, partly obscured at lower level by trees, and the undulating building heights are easily read in this view. In the cumulative view, the Phase 1 development is largely obscured by this proposal, with views of this through gaps in buildings. The scale of the consented Ujima House and Cecil Avenue developments, to the left of this view, further demonstrate the reduction in scale from the UNCLE development as you move east.
85. *View 7: King Edward VII Park:* This view southeast across the wide expanse of the Park (locally listed) shows the UNCLE building and Wembley Link behind the treeline in the distance. The proposed building would sit alongside these and would continue the pattern of descending heights forming an urban backdrop to the Park. The cluster of taller buildings is appreciated from this view.
86. *View 8: Elmwood Park, Sudbury:* This view southeast across parkland is similar to View 2 in Brent's Policy BHC2 (identified to protect views of the Wembley Stadium Arch), and the arch is clearly visible on the horizon in the centre of the view. The proposal is just visible as part of the emerging cluster of tall buildings in the far distance, and to the right of the view, and would not affect the view of the arch.
87. *View 9: Horsenden Hill, Perivale:* This view northeast corresponds to View 3 in Brent's Policy BHC2 (identified to protect views of the Wembley Stadium Arch). The arch can be seen on the horizon clearly in the centre of the view, with some tall developments clustering around it. The UNCLE development, tallest in this view is seen to the left of the arch. The proposal would appear as an extension to the emerging taller buildings cluster and would sit in front of and partly obscure the arch. The arch is though still visible and clearly recognisable above the cluster. In the cumulative view other developments are lower in height and site beneath the arch.
88. *View 10: One Tree Hill, Alperton:* This view is similar to View 4 in Brent's Policy BHC2 (identified to protect views of the Wembley Stadium Arch). Wembley Stadium arch is visible in the far distance in this

view northeast from higher ground, and the emerging cluster of tall buildings can be seen on the left of the view, the UNCLE building being the tallest. The proposal would continue this undulating skyline to the left of the arch, clearly stepping down in height from the UNCLE building. Views of the arch are not affected.

89. *View 11: Barn Hill:* This view from the highest point of Barn Hill is similar to View 1 in Policy BHC2 (identified to protect views of Wembley Stadium arch), and is framed by dense vegetation on either side, with the Stadium arch partly visible through the trees (to the left of view). The proposal would appear as part of a cluster of tall buildings in the far background, descending in height from the 26-storey UNCLE building. Views of the arch are not affected in this view.
90. *View 12: Ealing Road:* This view north from the entrance to the Shri Vallabh Midhi Mandir has a mixed retail and residential character, and the top of the Wembley Link development is just visible behind street trees in the background. A small part of the buildings would be glimpsed in summer and would be more visible in winter. Cumulative schemes will not be visible in this view.
91. *View 13: High Road by Park Lane:* This view looking east is dominated by the UNCLE building appearing on the corner junction, and the proposal would be seen in the middle distance alongside other tall buildings in the emerging streetscene, helping to continue this taller building cluster. The undulating storey heights are clearly evident from this location, but cumulative schemes are not.
92. *View 14: Oakington Manor Drive:* This view west from the junction with Harrow Road features a three-storey retail parade in the foreground and Elizabeth House is prominent in the middle ground. The UNCLE building and Wembley Link are clustered together in the background and the proposal would join this cluster, partly obscured by Ujima House and sitting directly alongside the Phase 1 development in the cumulative view.
93. *View 15: Wembley High Street Conservation Area:* this view is looking south towards the Conservation Area, from the car park of the Green Man. The uppermost levels of the proposed development are visible above the roof lines of existing two-storey properties on Dagmar Avenue, trees also obscure the view partly. These are very much in the background and do not have an appreciable impact on the Conservation Area, in this view.
94. *View 16: Park Lane:* looking east, this view is from the bridge over the train lines on Park Lane. The UNCLE development and Wembley Links are prominent to the right of this view. The undulating heights of the proposed point blocks are evident, and these are seen in the context of the emerging undulating heights. In this view the existing taller building cluster is extended.
95. *View 17: Mostyn Avenue:* This traditional residential street is to the north/north-east of the site (opposite side of the railway lines) and on elevated ground. The view south across the railway lines features mature tree cover, with the UNCLE building and Wembley Link in the background on the right. The heavily treed area reduces the visual impact of the proposal at lower levels. In this view the horizontality of the design is appreciated alongside Wembley Links, and the undulating sky line is clear to see from here. In the cumulative view, other developments to the left of the view appear of a much lower scale.

Functional impacts

96. As recognised above, the base (podium) areas provide good levels of surveillance over the greenway route, with generous and legible entrances. The approach to servicing, deliveries and refuse collection will need careful management to ensure such movements do not conflict with pedestrian and cyclists movements within the space in front of the building.

Environmental and cumulative impacts

97. Wind and microclimate impacts have been appropriately assessed, as discussed later on in the report, as is the case for daylight, sunlight and overshadowing impacts (for both the internal accommodation proposed and existing/emerging residential development sited close by).

Impact on townscape and heritage assets

98. The representative views above illustrate the impact of the proposal upon typical views within the immediate area, as well as middle distance and longer distance views. The proposed buildings would be read as part of a group of new taller buildings emerging in this part of Wembley, and they would enhance

the emerging urban character. This development would maintain the undulating skyline profile descending from the landmark UNCLE building, and it would mediate between the scale of taller buildings to the west and the lower-rise character of the High Road to the east. The continuation of the horizontality of the building facades, responds well to neighbouring development, and helps in terms of how the buildings are seen as part of wider cluster in certain view points.

Heritage

99. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 respectively require the decision maker to have “special regard” to the desirability of preserving a listed building or its setting, and pay “special attention” to the desirability of preserving or enhancing the character or appearance of a conservation area. The NPPF (paragraph 189) recognises that heritage assets are an irreplaceable resource and seeks to conserve them in a manner appropriate to their significance.
100. The site has the potential to affect a number of designated and non-designated heritage assets. As such the applicants have submitted a detailed HTVIA, which considers impacts from a wide range of short, middle and distant views. 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 chapter 16 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.
101. Where harm is found to a designated heritage asset (even harm that is deemed to be less than substantial), the decision maker must give that harm considerable importance and weight as a result of the statutory requirements set out in Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Policy HC1 of London Plan and policy BHC1 of the Local Plan both seek to ensure that development affecting heritage assets should conserve their significance, by being sympathetic to the character and setting of those assets.
102. The HTVIA has considered all above-ground heritage assets within 1km radius of the site, including Wembley High Street Conservation Area, listed buildings such as Wembley Arena and the Roman Catholic Church of St Joseph, locally listed buildings such as No 324 Harrow Road, and the locally listed King Edward VII Park.
103. The proposal would introduce taller buildings into the wider context of Wembley High Street Conservation Area, but as demonstrated through *view 15*, only the uppermost levels of the proposed development are visible above the roof lines of existing two-storey properties on Dagmar Avenue, and these are read very much as being a backdrop to this view. It is considered the proposals would not harm the Conservation Area’s character and appearance or its significance. Similarly the proposal would appear in the backdrop of Wembley Arena as one of an emerging skyline of taller buildings, but is some distance away, and would not cause harm to the significance of this listed building.
104. Brent’s Heritage Officer has concluded that the proposed development would not harm the Conservation Area’s significance, or any other designated or non-designated heritage assets. Even if there was to be a perception of harm occurring then this would be “less than substantial” (and at the very lower end of the scale). In which case, this could be outweighed by the wider public benefits of the scheme.
105. The submitted HTVIA is considered to be robust and demonstrates the proposal would be seen in the context of other tall buildings in this location, and that they would contribute to the emerging undulating skyline. Potential impact on heritage assets has been considered appropriately, and it is concluded there would be no harm to the setting of designated heritage assets as a result of development. It is worth noting that this is consistent with the conclusions reached in respect of the Phase 1 development.

Archaeology

106. Chapter 16 of the NPPF, London Plan policy HC1 and Brent Local Plan policy BHC1, all relate to the identified heritage assets, including those of archaeological importance.
107. The proposal is supported by an Archaeological Desk Based Assessment, prepared by Oxford Archaeology, as parts of the wider site allocation (but not the application site itself) are designated as a Site of Archaeological Importance (the former Wembley Hill Farm). The Assessment provided responds to the requirements of the site allocation policy in considering potential impacts.

108. The Assessment has not identified any archaeological remains of sufficient importance to prevent or significantly constrain the development of the site. The later twentieth century development of the site and surroundings is likely to have had an adverse impact on any archaeological remains that may have been present. No known Roman remains have been identified. On the basis of the low potential of the site to still preserve archaeological remains, and the likelihood that any deposits that may have been present are likely to have been removed by the post-war development of the site, it is suggested that there is no requirement for further archaeological surveys or mitigation measures associated with the proposed development of the site. This is consistent with the consented Phase 1 development.

Site layout and relationship with the street

109. The building footprint would fill a large proportion of the site, leaving areas to the side and rear for private access and soft landscaping, and a more substantial landscaped area of new public realm to the front of the building (the greenway route). This linear route forms an important next piece of the new pedestrian route, emerging from the west of the site. It is set out in further detail below (see Landscape section) how the landscape strategy has been designed for this area to be a series of linked spaces as users pass through them, including, areas of soft landscaping, raised planters, trees, seating, opportunities for play with sensitively designed bespoke lighting. It is anticipated this new public realm would become a welcoming place for students and others to dwell, away from the High Road, and that it would create a focal point around the entrance to the student accommodation, providing legibility and a sense of arrival for students and encouraging informal social interaction. It is a space that can be shared by students residing in the proposed scheme, but also those residing in the Phase 1 development. The main entrance would be located to have clear lines of sight as it is approached, protruding into the public realm, and the expression of this beyond the main building line, and through the colonnade feature would reinforce its function as a welcoming and legible focal point for the development.

110. The siting of the community space adjacent to the main entrance, in conjunction with other active uses located at ground level (games room and cycle workshop) provide active frontages across the entire length of the front of the building. To the rear façade active uses are located overlooking the railway, in the form of student study areas and a centrally located library. The siting of the gym and separate student lounge areas at first floor of the building add further to the sense of activity at the front of the development. The podium at first floor level also protrudes out into the public realm, maximising its visibility from ground level and when this space is in use by students this will add to the sense of activity within this location.

111. Whilst the side and rear elevations do not provide a continuous active frontage, it is acknowledged that the ground floor also needs to provide ancillary functions such as plant rooms, refuse storage and laundry rooms. A basement level is proposed, allowing some of the plant requirements to be accommodated below ground, as well as the internal cycle storage areas (with cycle lift access provided via the cycle workshop at ground floor level). In the circumstances it is considered that the extent of active frontage has been maximised, and that the proposal creates an effective and well animated relationship with the street (the greenway route).

112. Externally, opportunities for high quality landscaping have been maximised both within and around the scheme, and in particular the proposals to deliver the east to west greenway route are supported, and will be a public benefit of this proposals. Further details of the landscape and public realm strategy are set out within the Landscape section below.

Secured by Design

113. Designing out Crime Officers provided advice to the applicants during the pre-application stage, and further details of this engagement are set out in the submitted Design and Access Statement.

114. The building would incorporate a zoned fob-access system to control access through the buildings, including to amenity areas, and communal areas such as lifts, parcel store and cycle stores, and this is to be supported by 24hr CCTV monitoring. The building will be managed by on-site security/management personnel on a 24/7 basis. In any event the use of the building would be subject to a Student Management Plan secured by condition. Further details of the proposed access control system, CCTV and entrance surveillance, and management of the buildings and communal student spaces would be amongst the important issues to be clarified in this document.

115. Public, communal and private spaces are all well-defined and access to private areas restricted where

appropriate. In terms of the proposed public greenway route, good natural surveillance of this space to the front of the building would be provided through active uses at the lower levels of the development (and the Phase 1 development). It is important to note this public space would benefit from the 24 hours a day, on-site personnel which will enhance security and minimise potential for anti-social behaviour to occur. Public cycle parking and seating areas are located so that these will be well overlooked. The nature of the student use is considered likely to result in the ground floor student spaces and entrance, and the first floor communal / amenity spaces, remaining active into the late evening. This would further enhance natural surveillance of the greenway route at different times of the day/night. Additionally, the nature of the commercial units to be delivered as part of the Phase 1 development would further increase natural surveillance around the site. An external Lighting Strategy would also be required by condition.

116. The Designing out Crime Officer (Met Police) does not raise any objection, but does query who will be responsible for security of the public space in front of the development (note this is clarified above). It is also stated how important it is that the landscaping and lighting proposals are appropriate, ensuring there are excellent sight lines with no concealment opportunities. Regular security presence in this area is also important to ensure crime and antisocial behaviour are kept down. A number of recommendations have been made, which could be captured via condition, it is recommended that conditions be secured requiring the development to achieve secure by design accreditation, and for this to be achieved to silver level throughout the lifetime of the development. The applicant has confirmed they agree to such conditions being secured.

Conclusion

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

Fire safety

118. London Plan Policy D5 requires an inclusive design approach to ensure that fire safety strategies for buildings provide emergency evacuation procedures for all building users. Policy D12 of the London Plan requires major development proposals to be accompanied by an independent fire 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.

119. A Fire Safety Report has been prepared by Ashton Fire and submitted in support of the application, alongside a Gateway 1 fire statement form. These cover a range of related fire safety matters, and set out a detailed strategy that has been prepared in accordance with London Plan policies D5 and D12, and the related Fire Safety LPG. Inclusive design, from a fire safety perspective, has been considered. In the event of a fire, an evacuation lift is provided alongside a firefighting lift, to support dignified escape by disabled occupants. The fire strategy proposed has been developed to meet the level of fire safety expected under the Building Regulations 2010 (as amended).

120. It should be noted that the proposed development incorporates two stairs within a central circulation core, in each block. One stair in each block will terminate at ground floor, being the firefighting stair, with the two secondary escape stairs continuing down to basement level. This provision is in response to the recent Government statements confirming that two stair cores are required for all buildings above 18

metres in height. This is to create more resilience to support evacuation and firefighting operations in the case of the fire. As a result, both building cores have two stairwells.

121. Automatic sprinkler suppression systems will be provided (above ground level) within the student accommodation elements of the proposed development. The fire safety strategy does not consider it necessary for sprinklers to be installed within the common corridors, which should be maintained as fire sterile. Commercial grade suppression system is proposed for the amenity and ancillary areas at ground and basement level.
122. The fire strategy addresses a number of other areas in detail, including proposed automatic fire detection systems and means of alarm; means of escape and evacuation; fire and escape doors; emergency lighting; fire safety signage; building materials and means of construction to prevent spread of fire; structural fire resistance; smoke control measures; water supplies; back up power supply and future management arrangements.
123. Fire vehicle access will be achieved directly in front of the building and to the eastern end of the building, to serve block B. Access to site is via the existing High Road access, with the site layout accommodating sufficient turning areas for fire appliances. The greenway route has been designed to facilitate emergency vehicle access, with a clear route provided through the linear space. Access for fire appliances, to within 18m of the firefighting shaft entrances as well as the wet riser and sprinkler inlets, is achieved with the proposed layout. Each block will have separate firefighting shafts. The closest existing fire hydrant is located in front of 424 High Road, more than 90m from the site. So a new hydrant is proposed to be provided to the south of the building, and within 90m of the development, and this would need to be secured by condition. The s106 agreement will secure an obligation requiring the greenway route, which is required for fire tender vehicle access, to be kept clear of any obstruction at all times.
124. 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 responded to the consultation and raised no objection to the proposed fire strategy, confirming they are content with the fire safety design aspects, so too are the GLA.

Relationship with neighbouring properties

Policy background

125. In accordance with Local Plan Policy DMP1, any development will need to maintain adequate levels of privacy and amenity for existing residential properties, in line with the guidance set out in SPD1. SPD1 states that development should ensure a good level of privacy inside buildings and within private outdoor space. Separation distances of 18m between directly facing habitable room windows is sought, except where the existing character of the area varies from this. A distance of 9m should be kept from gardens to habitable rooms and balconies. Reduced distances between new frontages may be acceptable subject to considerations of overlooking and privacy, in addition to high quality design solutions that mitigate impacts and allow for efficient use of land. 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.
126. To ensure that new development has an appropriate relationship with existing properties, it is set out in SPD1 that new buildings should sit within a 30 degree line of existing habitable room windows and a 45 degree line of existing rear garden boundaries (it should be noted in this case that the site does not directly adjoin any existing rear gardens).
127. This guidance should be balanced against the policy objectives of London Plan policy D3 which sets out that site capacity should be optimised through the design-led approach. It goes on to set out that this requires the consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planning supporting infrastructure capacity.
128. Where buildings would be within a 25 degree line of existing windows, the Building Research Establishment (BRE) considers that levels of light to these windows could be adversely affected and recommends further analysis of the impacts. A more detailed assessment of daylight and sunlight impacts based on the BRE's Site Layout Planning for Daylight and Sunlight (BRE209) 2022 guidance is required where the 25 degree test is not met.

129. The BRE Guidelines recommend two measures for daylight. Firstly, the Vertical Sky Component (VSC) assesses the proportion of visible sky and is measured from the centre point of the main window. Secondly, the No Sky Contour or Daylight Distribution assesses the area of the room at desk height (850mm from floor level) from which the sky can be seen.
130. The guidance suggests the existing daylight may be noticeably affected by the new development if:
- Windows achieve a VSC below 27% and are reduced to less than 0.8 times their former value: and /or
 - Levels of NSL within rooms are reduced to less than 0.8 times their former values
131. The 2022 BRE Guidelines are not materially different from the 2011 Guidelines which they have superseded, in respect of the guidance provided for impacts on neighbouring properties.
132. To assess impacts on sunlight to existing south-facing windows and amenity spaces, assessment of Annual Probable Sunlight Hours (APSH) is recommended. The guidance sets a target for windows of 25% of total APSH including 5% in winter months for windows (WPSH), and for amenity spaces to receive at least two hours sunlight on 21 March and not less than 0.8 times their former value.
133. However, the BRE Guidelines also recognise that different criteria for daylight and sunlight may be used in dense urban areas where the expectation of light and outlook would normally be lower than in suburban or rural areas, and support the use of a 'mirror image' analysis in such cases. The NPPF (2023) also supports a flexible approach to applying standards in order to make efficient use of sites.

Assessment of separation distances / relationship to neighbouring sites

134. The accompanying application for landscaping works to the rear of the consented Phase 1 development secured adequate separation distances from the rear building line of that development to allow for any future development to the rear (i.e. the application site) to come forward in a similar manner without creating harmful levels of overlooking between the two sets of residents. The expectation is now that the landscaping works previously approved would not come forward in precise the form that was approved, and that landscaping scheme is superseded by the landscape scheme proposed as part of this application, which in reality is what would actually be implemented, if approved (as this would be secured by legal agreement).
135. At ground floor, separation distances between the Phase 1 development and the proposed development range between 10.6m and 19.5m. There are no dwellings at this ground floor level, and the width of the separation allows for the proposed Greenway Route to come forward in an appropriate manner, so in these circumstances the relationship is acceptable. At first floor level, separation between the aforementioned buildings ranges between 13.4m, where proposed residential studios face towards cycle stores within the consented Phase 1 development, and 19.5m at its most generous (at the western end of the site). As you move up the proposed building, above first floor level, separation distances reduce down to 11.8m (within the centre of the site where the rearward projecting element of the Phase 1 development is located) where this would result in secondary studio windows serving the proposed development facing directly towards a secondary bedroom window. The separation distances between the main building facades (excluding the central projecting element) range from 16.7m to 17.8m, so whilst these do marginally drop below the 18m separation normally sought, it is considered that given the dense patterns of development already established in the vicinity, the town centre location, the nature of the accommodation (i.e. student bedrooms) and the need to optimise and make most efficient use of land, on balance the separation still provides an acceptable relationship between the two developments. Furthermore, it is noted in some locations the separation distances are more generous, where oblige distances of between 19.7 and 22.5m are measured.
136. Looking within the site itself the distance across between the two inward facing elevations of the proposed point blocks is 10.6m. The chamfered design of these blocks helps reduce potential overlooking towards the southern end. Shared cluster KDL spaces sited on the building corners each benefit from corner windows to provide dual aspect, reducing reliance on the inward facing windows for outlook. As the 10.6m separation would result in student bedroom windows (within the same development) facing one another, and not conventional C3 housing, when taking into account the nature of this form of accommodation, along with the town centre location and dense patterns of development in the locality, some shortfalls are to be expected and it is considered to be acceptable, on balance.
137. Regarding any potential overlooking onto properties to the north of the railway embankment, the nearest such properties would be c.90m distant from the site so this relationship presents no conflict.

The separation between the closest building of the Wembley Link development which is directly to the west, and the western most proposed block would be 18.9m increasing to 19.2m above ground level. This exceeds the minimum 18m separation normally sought by SPD1, and is also commensurate with the existing relationships emerging in this location. No other residential properties would be directly affected in terms of separation distances, those properties on the south side of the High Road would also be over 20m distant from the site. Ujima House is at an oblique angle thereby reducing potential for directly facing windows and the proposed building is set in 9m from the boundary to the east. In the event land to the east (rear of Ujima House) comes forward for redevelopment there would need to be an appropriate design response to this relationship, with a similar building set in likely to be required.

Daylight and sunlight assessment

138. The proposal is supported by an Environmental Impact Assessment (EIA), and 'scoped in' to the Environmental Statement (ES) is assessment of the proposed developments impacts on daylight, sunlight and overshadowing of nearby sites, once completed. Chapter 4 of the ES sets this assessment out in detail, and concludes on the likelihood of significant environment effects arising from the proposed development. The assessment results must also be viewed in the context of this site being situated in Tall Building Zone, appropriate for tall buildings, where the urban grain is changing to higher rise residential developments and more dense patterns of development.
139. Baseline conditions were established, and this was also adjusted to take into account cumulative schemes that are likely to be built and operational in the future. This included the Wembley Link site (residential) to the west. The Phase 1 development (student), development at the junction of Cecil Avenue and High Road (residential) and the redevelopment of Ujima House (residential). These have each been considered as part of the cumulative effects assessment. Given the proximity of the site to the Wembley Link development, impacts to the eastern most facades from the proposed development are inevitable, as future occupants would have an unobstructed view across the site prior to the proposed development coming forward.
140. The following methodologies were used to assess daylight impacts; Vertical Sky Component (VSC) and No Sky Line (NSL) method. VSC is the amount of visible sky that can be seen from a reference point, over and around an obstruction in front of a window. The area of visible sky (expressed as a %), represents the amount of daylight available for that particular window.
141. NSL is a measure of the distribution of diffuse daylight within a room.
142. To assess sunlight impacts the Annual Probable Sunlight Hours (APSH) method was used. This is a measure of sunlight that a given window may experience over a year period. The BRE guidance states that only windows with an orientation within 90° of south need be assessed. Therefore, in terms of sunlight, only rooms facing within 90° of due south are assessed for APSH as north facing rooms will not receive direct sunlight.
143. To assess overshadowing, TOS and Sun Hours on Ground methodologies were used.
144. A total of fourteen existing buildings were considered (including Wembley Links) for daylight and three in relation to sunlight, and the table below summarises the existing baseline conditions;

Address	Total No. Windows that meet VSC Criteria (>27%)		Total No. Windows that receive NSL in excess of 80%		Total No. Rooms that meet APSH Criteria	
	Total Assessed	Total that meet Criteria	Total Assessed	Total that meet Criteria	Total Assessed	Total that meet Criteria
Wembley Links Phase 1	194	38	97	86	32	16
Wembley Links Phase 2	216	102	108	108	36	18
412 Wembley High Road	7	3	5	5	1	1
414 Wembley High Road	3	0	3	1	-	-
416 Wembley High Road	3	0	3	7	-	-
418 Wembley High Road	3	0	3	0	-	-
420 Wembley High Road	3	0	3	1	-	-
422 Wembley High Road	3	0	3	2	-	-
424 Wembley High Road	3	0	3	2	-	-
426 Wembley High Road	3	0	3	2	-	-
367 Wembley High Road	6	0	4	4	-	-
369 Wembley High Road	6	0	4	4	-	-
371 Wembley High Road	6	0	4	4	-	-
373 Wembley High Road	6	0	4	4	-	-
Best Western Hotel	73	41	33	32	-	-
Total	535	184	280	262	69	35

145. The above summarise the full existing baseline assessment provided within the ES. For the full assessment, in terms of daylight, of the 462 windows assessed for VSC, 416 (90%) would meet the BRE criteria and of the 280 rooms assessed for NSL, 262 (93%) would meet the criteria in the existing baseline.

146. In terms of sunlight, of the 100 rooms assessed for APSH, 80 (80%) would meet the criteria in the existing baseline.

147. Potential effects during the enabling and construction phase have been assessed, whilst these would vary throughout the demolition and construction phases, these effects would be temporary only and no worse than those of the completed development (i.e. worst case scenario in terms likely resultant effects).

Effects of the completed development

148. A total of fourteen buildings have been assessed for daylight. The detailed daylight and sunlight assessment for the completed development scenario has found that, of the 462 windows assessed for VSC (daylight), 317 (69%) meet the BRE criteria. Of the 280 rooms assessed for NSL (daylight), 257 (91%) meet the BRE criteria. Four buildings (Wembley Links Phase 1) and 367, 369, 371 and 373 High Road, would meet the BRE Guidelines criteria, and are therefore considered to experience negligible (not significant) effects.

149. It has been identified that six properties in total do not meet the BRE Guidelines in the completed development scenario, these are discussed in more detail below;

Wembley Link Phase 2 (eastern block)

150. A total of 216 windows serving 108 rooms were assessed for daylight within this residential building. Though the development is in the process of being constructed and is not yet occupied, it currently enjoys light unobstructed over the site. Reduction in daylight is therefore inevitable as a result of the proposed development, or any other meaningful development of this site that is to satisfy site allocation policy BSWSA8. The architectural overhang details (i.e. balconies and recesses) to the Wembley Links development also limit daylight available in the baseline condition, as demonstrated by the fact that only 47% of windows meet the BRE Guidelines target of 27% VSC (daylight) in the baseline scenario, where the application site remains undeveloped.

151. For VSC, 93 of the 216 windows assessed would meet BRE's criteria and so are considered to

experience a negligible effect. A total of 33 windows tested (out of 123 affected windows) would experience an alteration in VSC of between 30-39%, considered a moderate adverse effect, whilst 90 windows affected would experience an alteration in excess of 40%, considered a major adverse effect.

152. For NSL, 81% of the 108 rooms tested are expected to experience a negligible effect. Of the 20 affected rooms, two of these are expected to experience a minor adverse effect, and the remaining 18 rooms, a major adverse effect. It should be noted all of these 18 rooms are KDL and the windows serving these rooms are located under deep overhanging balconies, which impacts on the baseline conditions.
153. Whilst the assessment shows that major adverse effects will be experienced to some habitable windows within the Wembley Link development (eastern block), the retained daylight is commensurate with the level of retained daylight to the eastern façade of the western block within the same development.

412 – 426 High Road

154. Situated to the south-west of the site, these residential properties assessed are all located above existing commercial uses facing onto the High Road, and they generally have an oblique view of the site as the face predominantly towards Wembley Links development. The primary living space for all these properties face south onto the High Road and away from the site, so are unaffected. Windows affected facing the site serve bedrooms or small galley kitchens (less than 12sqm).
155. **412 High Road Wembley:** A total of seven windows serving five rooms were assessed for daylight.
156. For VSC, two of the windows assessed would meet BRE's criteria, so are considered to experience a negligible effect. Of the five affected windows, one would experience an alteration in VSC between 30-39.9%, considered a moderate adverse effect. Four windows (two kitchen and two bedroom) would experience alteration in excess of 40%, considered a major adverse effect.
157. For NSL, four of the five (80%) rooms meet BRE's criteria so would experience a negligible effect. The affected room, a bedroom, would experience an alteration in NSL of 20-29.9%, considered a minor adverse effect.
158. **414 High Road, Wembley:** Three windows serving three rooms were assessed for daylight.
159. One window would meet BRE's criteria (negligible effect). Of the two affected windows, one would experience an alteration in VSC of 30-39.9% (moderate adverse effect) and one an alteration exceeding 40% (major adverse effect).
160. For NSL, all three rooms assessed meet BRE's criteria (negligible effect).
161. **416 High Road, Wembley:** Three windows serving three rooms were assessed for daylight.
162. For VSC, the three windows assessed would not meet BRE's criteria. Two of the windows would experience an alteration of 30-39.9% (moderate adverse effect), with the other experiencing an alteration exceeding 40% (major adverse effect).
163. For NSL, two of the three rooms assessed meet BRE's criteria (negligible effect), with the other room, a bedroom, experiencing an alteration in NSL of 30-39.9% (moderate adverse effect).
164. **418 High Road, Wembley:** Three windows serving three rooms assessed for daylight.
165. For VSC, one window assessed meets BRE's criteria (negligible effect), the other two windows both would experience an alteration in VSC between 30-39.9% (moderate adverse effect)
166. For NSL, all three rooms assessed meet BRE's criteria (negligible effect).
167. **420 High Road, Wembley:** Three windows serving three rooms were assessed for daylight.
168. For VSC, the three windows assessed would not meet BRE's criteria. All three windows would experience an alteration in VSC of 30-39.9% (moderate adverse effect).

169. For NSL, all three rooms assessed would meet BRE's criteria (negligible effect).
170. **422 High Road, Wembley:** Three windows serving three rooms were assessed for daylight. One of these windows is expected to experience a negligible effect. The two affected windows are expected to see an alteration in VSC of 30-39.9% (moderate adverse effect).
171. For NSL, all three rooms assessed would meet BRE's criteria (negligible effect).
172. **424 High Road, Wembley:** Three windows serving three rooms were assessed for daylight.
173. For VSC, the three windows assessed would not meet BRE's criteria, all are expected to experience an alteration in VSC of 30-39.9% (moderate adverse effect).
174. For NSL, two out of the three rooms assessed would experience a negligible effect, with the third room (a bedroom) expected to experience an alteration in NSL of 30-39.9% (moderate adverse effect).
175. **426 High Road, Wembley:** Three windows serving three rooms were assessed for daylight.
176. For VSC, one window would experience a negligible effect. The two other windows are expected to experience an alteration in VSC of between 30-39.9% (moderate adverse effect).
177. For NSL, all three rooms assessed meet BRE's criteria (negligible effects).
178. As set out above, a proportion of windows/rooms to these existing residential properties would not meet the BRE Guidelines for VSC and NSL tests, with expected effects ranging from negligible, to moderate, to major adverse (significant). It is relevant to note that retained daylight to these windows, is commensurate with other properties further along the High Road, which are facing onto Wembley Links development.

Best Western Hotel, High Road

179. Given its transient use as a hotel less weight is placed on any daylight effects to the hotel bedrooms. A total of 73 windows serving 33 rooms were tested, and 57 would meet BRE's criteria (negligible effects). Of the 16 affected rooms, three are expected to experience an alteration in VSC of 20-29.9% (minor adverse effect), and 13 would experience an alteration in VSC of 30-39.9% (moderate adverse effect).
180. For NSL, all 33 rooms tested meet BRE's criteria and are considered to experience a negligible effect.

390-406 High Road, Wembley (consented Phase 1 development)

181. The consented student accommodation scheme has been assessed in the future scenario. The majority of windows facing the site are bedrooms, so have a lower requirement for daylight.
182. In the baseline scenario, given the existing undeveloped nature of the site, these bedrooms would experience exceptionally high levels of daylight. There will be inevitable reduction in sky visibility to the student bedrooms within this development due to the relationship between the respective buildings. When designing the Phase 1 development, there was always an expectation that the application site would come forward to be redeveloped. This is partly the reason all bedrooms have access the KLD and social spaces are located at the eastern and western ends of the building and benefit from being dual aspect, likewise the studio units located centrally and stepped in plan to also benefit from dual aspect.
183. For VSC, 41 of the 324 windows assessed would meet BRE's criteria, so will experience a negligible effect. Of the other 283 windows, seven would experience an alteration in VSC of 20-29% (minor adverse effect), 18 would experience an alteration in VSC between 30-39.9% (moderate adverse effect), and 258 would experience an alteration in VSC of 40% (major adverse effect).
184. For NSL, 68 of the 209 rooms assessed meet BRE's criteria. Of the 141 affected rooms, 50 would experience an alteration in NSL of 20-29% (minor adverse effect), 19 would experience an alteration in NSL of 30-39.9% (moderate adverse effect), whilst 72 would experience an alteration in excess of 40% (major adverse effect).

185. The majority of bedrooms facing the application site (on floors 2 to 11) would experience a major adverse effect (40% + VSC reduction), but it is noted that all bedrooms have access to a dual aspect KDL, which benefit from secondary windows that are to remain unaffected, and these spaces are compliant for NSL, or only experience minor alterations. The dual aspect studio units also, either remain compliant in NSL, or only experience a minor reduction. Windows and studio units in the upper five stories, generally benefit from higher retained daylight due to their elevated position. Overall, the effect to the Phase 1 development is expected to be major adverse (significant), in balancing of the impacts, consideration is given to the less sensitive, more transient nature of student accommodation.

Land at the junction of Cecil Avenue and High Road (consented scheme)

186. A total of 284 windows serving 282 rooms were assessed for daylight. All but two of the windows assessed would meet BRE's criteria, both of the affected windows would experience an alteration in excess of 40% (major adverse effect). It is noted that both windows are located under deep overhanging balconies, so both would experience less than 1% VSC in the existing situation (against a BRE Guidelines target of 27%).

187. For NSL, of the 188 rooms assessed, 184 are BRE compliant. One of the four affected rooms would experience an alteration in NSL between 30-39.9% (moderate adverse effect), and the other three an alteration in excess of 40% (major adverse effect).

188. Owing to locational factors and orientation of the facades within this consented development, a sunlight impact assessment has not been deemed necessary

189. In summary, Wembley Links Phase 2 (eastern building) currently enjoys light unobstructed to the east, therefore, reductions in daylight are unavoidable if the application site is to be redeveloped in a meaningful way as envisaged by the site allocation policy. The reductions in daylight expected must also be seen in the context that this location is undergoing regeneration, and in a dense urban environment like this, BRE Guidelines are to be applied with appropriate flexibility, which is what the BRE Guidelines advocate. In any event, daylight retained by the windows and rooms on the eastern façade of Wembley Links Phase 2 is closely comparable to the eastern façade of Wembley Links Phase 1. Whilst some major adverse effects are expected to be experienced, the retained daylight is commensurate to other facades within the neighbouring (affected development), as well as the effects expected to be experienced as a result of the Wembley Links development. Any identified harm is required to be weighed against the overall planning benefits.

190. It should be noted that in the cumulative scenario daylight effects do not materially differ for properties 414 – 426 High Road. Effects have been identified to Wembley Links Phase 2, 412, 367, 369, 371 High Road and Best Western Hotel. These effects range from minor adverse (not significant) to major adverse (significant), as is the case for Wembley Link Phase 2. Major adverse (significant) effect is expected in terms of daylight to the consented Phase 1 development (student accommodation) and minor adverse (not significant) effects to redevelopment of land at the junction of Cecil Avenue and High Road.

Overshadowing

191. For the completed development scenario, there is no additional shadow cast over what is already caused by Fairgate House to the south and would therefore be unaffected on the 21st March and 21st December. On 21st June, there is additional shadow cast between 6am and 9am but no additional shadow cast after this time. The assessment demonstrates that the area remains BRE compliant following the construction of the proposed development and more than 50% of the area received 2 hours of sun on the 21st March. With that said, the overshadowing effects of the proposed development on the Wembley Link (Phase 2) amenity space are deemed to be negligible (not significant).

192. Potential impacts from the proposed development on solar panels in the immediate vicinity has also been considered. The only solar panels are located on Lanmor House to the south east of the site. It was not considered necessary to include them specifically in the overshadowing assessment as the proposed massing will have no material effect on these panels given the orientation. The proposed development is located outside of 90 degrees of due south, so it will not cause a reduction in APSH of 0.9 times the former value as suggested in the BRE Guidelines and therefore a full assessment is not required. The transient overshadowing analysis shows that the proposed massing causes no additional shadow to fall

on the roof of Lanmor House on the 21st March or the 21st December. A small amount of additional shadow will be cast on the 21st July, late in the day, from 6pm onwards.

193. In conclusion, whilst there would be some noticeable (major adverse) effects in terms of daylight and sunlight to neighbouring residential properties, these are to quite an extent unavoidable given the existing undeveloped nature of the application site, which is considered acceptable in principle for tall buildings as this would be consistent with the site allocation policy. It is also acknowledged that some of the effects would be experienced by hotel rooms, student accommodation which is more transient in nature and / or recently consented but unoccupied developments (i.e. Wembley Link), none of which would have the same expectations of daylight and sunlight as established residential properties. In this respect, the impact is considered to be of a scale and nature that could be accepted in a densely built up urban area such as this which is currently undergoing change and regeneration. The wider planning benefits associated with the redevelopment and regeneration of the site are considered in the planning balance, when weighing up concerns regarding daylight and sunlight effects.

Quality of student accommodation

Policy background

194. 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.

195. The 2011 BRE Guidelines for assessment of daylight and sunlight within proposed dwellings were recently superseded by 2022 Guidelines. 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.

196. An Internal Daylight, Sunlight and Overshadowing Assessment Report has been provided in support of the application, this is to understand future amenity to the proposed student accommodation. All assessments of internal daylight and sunlight conditions have been undertaken in accordance with the BRE Guidelines 2022. The assessment has been undertaken in the future baseline, with recently consented developments, including the Phase 1 development, Ujima House and land at the junction of Cecile Avenue and High Road, all to the south of the site, taken into account.

Internal layout

197. Internally, the layouts are considered to be well-planned and present a range of typologies that support different ways of living for a range of different residents. A mix of cluster bedrooms and studio rooms are proposed. Cluster rooms would range in size from 12 to 15sqm, and studios range in size from 17 to 21sqm, with the 10% number of accessible studios larger again at 24 to 29sqm. The repeated internal floor layout arrangement across floors typically results in between four and seven cluster rooms being linked to a shared kitchen/dining/living (KDL) room. The placement of the shared KDL spaces on the corners of the buildings would allow these communal spaces to benefit from maximum daylight and sunlight levels, and 98% of these communal spaces are to be dual aspect. A number of the accessible studios are dual aspect also which is welcomed. The proportion of single aspect north facing bedrooms is calculated to be 26.9% (172 bedrooms). It should be noted the majority of these bedrooms are part of clusters which have an alternative western/eastern aspect provided by their associated KDL spaces. The only purely single aspect north facing accommodation accounts for 6.1% of bedrooms (39 in total). It should also be noted that in terms of design response, the chamfered building corners help to improve the internal living conditions by maximising outlook and the daylight and sunlight levels received into the affected rooms.

198. Internal daylight and sunlight has been assessed, for daylight using the Illuminance Method, as suggested in the BRE Guidelines as being one of two possible methodologies (the other being Daylight Factor Method). This assessment uses Spatial Daylight Autonomy (SDA) as an assessment to establish whether target luminance levels are met. For sunlight, using the 1.5 hours (on March 21st) methodology to measure interior access for sunlight.

199. Overall, for daylight levels 93% (651 out of 707) of the proposed bed rooms assessed would achieve higher levels of daylight than the BRE Guidelines. This is considered a high level of compliance in a densely built up urban setting, like the application site. All rooms above the 12th floor (block 1) and 9th floor (block 2) achieve BRE target values for daylight levels. Those rooms that would not meet the BRE Guidelines are located at the lower levels, due to the proximity of the other existing and consented tall buildings in this location. This is considered an unavoidable outcome in dense urban areas such as the application site, which is in a Growth Area, town centre location and in close proximity to other dense development, including tall buildings.
200. Overall, for sunlight levels 36% of the bed rooms assessed meet the BRE Guidelines. The assessment also includes the Phase 1 development and the consented developments at Cecil Avenue and Ujima House within the baseline. Whilst this level of conformity is somewhat lower than daylight levels, as recognised above, lower levels of sunlight are unavoidable in dense high rise locations such as the application site as levels of performance are largely dependent on the surrounding context. The challenge for sunlight levels being received in this instance is the orientation of the sun and intervening development to the south. Given the building obstructions to the south, in designing the proposal it was decided that maximising the daylight to the largest number of cluster KDL's was preferable over placing them to the south and maximising the potential sunlight. These north facing KDL's will therefore have excellent daylight and unobstructed views/outlook north.
201. BRE Guidelines recognise the challenges to daylight and sunlight that commonly exist in high density urban areas, and high density and tall buildings is what the site allocation envisages in order to deliver the desired growth. As such, any harm in terms of future sunlight levels received is considered to be outweighed by wider aspirations of the Site Allocation and the overall planning benefits.
202. Overshadowing assessment has been undertaken to assess the areas of communal amenity space proposed to be provided, referred to as a Sun Hours on Ground assessment. Due to the location of the consented Phase 1 development and Ujima House development, both to the south, certain areas within the site do not meet the BRE target of 2 hours of direct sun on 21st March. Areas to the south-west of block 1 (i.e. the Welcome Yard) perform the best in terms of levels of sunlight throughout the year. As a comparison, on 21st June (midsummer) the majority of communal areas around the buildings would receive over 2 hours of sun.
203. Achieving the BRE Guidelines for overshadowing to the communal amenity space areas is not possible due to the existing consents located to the south, but as highlighted above, these areas will receive good levels of direct sun during summer months, which would be of particular benefit to the Wembley Greenway and new public realm that would be used all year round.
204. In the context of student accommodation that is located in a high density urban environment, in a town centre location, with other tall buildings (existing and consented) surrounding it, the proposal is considered to provide a very good standard of internal daylight and sunlight. It is understandable that daylight and sunlight levels to bed rooms, particularly at lower levels will be more constrained. Careful consideration has been given to the internal layouts, and through the design response (for example the chamfered building corners), which have sought to maximise daylight and sunlight levels. It is appropriate though to apply a degree of flexibility in a location such as this when applying the BRE Guidelines, which is recognised in the sunlight levels performance, but nevertheless, a compliance rate of 93% against BRE Guidelines for daylight is considered a very high level in such a constrained location. Overshadowing is an unavoidable constraint to a site such as this.

Communal amenity space (internal and external)

205. The proposal offers a good variety of high quality internal and external communal amenity spaces throughout, which would give future residents greater choice and flexibility of lifestyles. These include at ground level the proposed publicly accessible east-west Wembley Greenway route and new public realm, which is a key part of the amenity and landscape strategy for the development. This is supplemented at the first floor by landscaped podium (resident use only), and other common areas that provide opportunities for internal amenity spaces for future residents to use. Those indicated as potentially being delivered include, student library, cinema room, common rooms, community studio, lounge space, games room, private dining rooms, reading rooms, gym and multi-use fitness studio. Communal spaces are included within the top floors of each tower. The total area of internal amenity spaces proposed is c.966sqm, which equates to an average of 1.5sqm per bedspace.

206. The first floor podium garden provides c.280sqm of useable outdoor space, for students use only. This space offers flexibility of use and is directly accessible from the student gym and common room/lounge areas, which will encourage greater use of the space. Connected directly to the space, towards the north of the podium is 'The Forum', an area of tiered seating that will encourage students to come together and socialise.

207. It is evident that careful consideration has been given to the uses and layouts of the communal amenity spaces, internally and externally, and the proposed approach will contribute towards a high quality environment for students residing here. There will also be wider community benefits through the new public realm and greenway route (see Landscape section for more details).

Comparison with other student accommodation developments

208. The Design & Access Statement sets out a useful benchmarking exercise undertaken by the applicant to compare the quality of the proposal against a number of other student accommodation developments, in Wembley, and elsewhere in London. The comparison looks at the internal amenity quality and on-site facilities provided. This is summarised in the table below, which demonstrates that the proposal is easily comparable to other developments and modestly out performs others in terms of the size of the basic cluster room area and the amount of kitchen space for students, and that it provides noticeably more internal amenity space than all the other schemes that were reviewed. The range of different types of communal facilities provided is noted to be broadly similar across each of the schemes compared.

	Cluster room area	Kitchen area per bedroom	Internal communal amenity space per bedroom	Total internal amenity
Proposal (639 bedrooms)	12.5sqm	4.5sqm	1.5sqm	966sqm
Unite, Olympic Way (678 bedrooms)	9.5sqm	3.14sqm	0.65sqm	445sqm
Apex House, Fulton Way (580 bedrooms)	14sqm	4.44sqm	0.57sqm	313sqm
Kelaty House, First Way (599 bedrooms)	13.5sqm	5.45sqm	0.76sqm	455sqm
Raffles House, Lakeside Way (660 bedrooms)	11.8sqm - 12.7sqm	3.9sqm	0.47sqm	312sqm
Scape, Fulton Road (412 bedrooms)	12sqm	3.56sqm	1.53sqm	570sqm
Wembley High Road (Phase 1 development) (349 bedrooms)	12.5sqm	4.3sqm	1.5sqm	570sqm
Vita Student Exchange, Lewisham (676 bedrooms)	12.6sqm	4.2sqm	0.92sqm	627sqm

209. This review was supplemented by visits to existing local student accommodation offers, including Grand Felda House and Felda House developments in Wembley, input from a specialist student housing provider, focus groups and an online survey of students and graduates, to help understand students' priorities and needs. The exercises undertaken and the engagement with key groups has led to the well-considered design response. Space to socialise, external areas, shared study spaces and access to a gym were amongst the key priorities, all of which would be provided in the proposed development.

Conclusion

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

Sustainability and Energy

Policy background

211. All major developments are required to achieve zero carbon standards including a 35% reduction on the Building Regulations Part L Target Emission Rates achieved on-site, in accordance with the energy hierarchy set out in London Plan Policy SI2. An Energy Strategy is required, setting out how these standards are to be achieved and identifying a financial contribution to Brent's carbon-offsetting fund to compensate for residual carbon emissions. Ongoing monitoring and reporting of energy performance is also required under the 'Be Seen' part of this policy, and a Whole Life-cycle Carbon Assessment is required for applications referable to the Mayor. London Plan Policy S7 also requires a Circular Economy Statement.

212. 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. This has been provided along with a BREEAM pre-assessment.

213. An overheating assessment is also required, to assess and mitigate the risk of high temperatures in residential units in accordance with London Plan Policy SI4, and Policy SI7 also requires a circular economy statement for applications referable to the Mayor.

Proposed Energy Strategy

214. The Energy Strategy submitted follows the hierarchy of '*Be Lean: Be Clean: Be Green*' and sets out details of how regulated carbon emissions are estimated to achieve a 35% reduction compared to 2021 Building Regulations, of which, 23% reductions would be derived from energy efficiency / demand reduction measures, with the remaining 12% accounted for by renewable energy proposals in the form of Air Source Heat Pumps (ASHP) and solar panels. The GLA Stage 1 report confirms this strategy "*would meet the minimum energy efficiency requirement in the London Plan and should be secured by condition*". The strategy also considers risk from overheating, and the strategy proposed is in line with the GLA Cooling Hierarchy.

215. *Be Lean*: A fabric first approach has been followed and adopted to reduce energy demand. Measures proposed will reduce heat loss and gain, and this includes thermal fabric performance measures, enhanced glazing and air tightness measures. This is alongside passive ventilation and cooling measures to address the risk of overheating, including solar glazing and shading devices.

216. The proposals include active cooling in the form of mechanical ventilation, which is in response to the noise environment (noise generated by the adjacent railway and High Road), which means that the ability to open windows during hot summer periods cannot always be relied upon during evening hours, as acceptable noise levels would be exceeded. Specification of the proposed energy efficiency measures, including those to mitigate against overheating shall be secured by condition and / or obligation.

217. *Be Clean*: There are no existing or planned district heating networks (DHN) within the vicinity of the proposed development. The nearest is proposed at Old Oak Common, however, this is 2.8km so is not considered feasible to connect to in future. Notwithstanding this, the applicant has committed to future proofing the proposed development to allow for the potential to connect to a DHN should one come forward. This commitment is secured through condition.

218. *Be Green*: On-site renewable energy generation is being maximised and optimised through use of suitable and available roof area to incorporate solar PV panels into the design. It has been illustrated that 61 PV panels are to be accommodated at roof level, across both blocks, along with intensive green roof areas. This provision is welcomed, and noting that other areas of roof are required to accommodate space for ASHP's, lift overrun and plant, it is considered the provision of PV panels has been maximised. Further details are to be secured by condition and / or legal agreement.

219. The ASHP's will be utilised to generate low carbon heat to satisfy the buildings space and domestic hot water heating requirements.
220. A carbon offset payment is to be secured through the s106 agreement and this will be directed towards Brent's carbon offset fund. At this stage that contribution is estimated to be £84, 190.
221. In line with London Plan policy SI2 the energy performance of completed developments are to be monitored, verified and reported following construction. These Be Seen measures are to be secured by condition and / or s106 agreement.

Sustainability Statement and BREEAM

222. The accompanying Sustainability Statement should be read in conjunction with the Energy Strategy, as it sets out further details of the overall sustainability vision for the proposed development. The aims are to deliver a low carbon development, high wellbeing standards to future occupants and minimal environmental impact on its surroundings. Further details are also to be found within the supporting Whole Life Carbon and Circular Economy Strategies (see below).
223. A BREEAM pre-assessment has been submitted, setting out how a BREEAM "Excellent" is being targeted, with there being the potential to achieve "Outstanding". Further evidence of the achievement of either rating would be required prior to occupation of the building, and secured by condition. Water efficiency measures would also be secured by condition.

Whole Life-Cycle Carbon and Circular Economy

224. 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, which has been undertaken in accordance relevant GLA Guidance (2022).
225. The WLC reviews the embodied carbon emissions associated with the four stages in the life cycle of a typical building (i.e. the proposed development), taking into account the materials quantities and loads, the operational energy consumption of the built development, with total emissions estimated and compared to the GLA benchmarks. In this case, materials with a lighter load and carbon intensity are proposed including aluminium which is welcomed. At section 8.0 the WLC identifies a range of further opportunities that could be utilised at detailed design stage to reduce embodied carbon, in relation to the substructure, superstructure, façade and internal finishes. It is recommended this further review be secured through planning condition.
226. A Circular Economy Statement (CES) was also submitted, and this incorporates the following circular economy principles;
- Minimise embodied carbon
 - Operate with a circular economy
 - Maximising the value extracted from materials
 - Prioritising the reuse and recycling of materials
227. These principles will be incorporated into the design, construction and management of the development, including through minimising materials use and the sourcing and specification of materials. Minimising and designing out waste at various stages; and by promoting re-usability, flexibility and longevity of the buildings.
228. The CES sets out how certain targets are aimed to be achieved, such as, in relation the % of demolition waste materials, excavation waste materials and construction waste materials. It provides details of pre-redevelopment/demolition audit and end of life strategy.
229. The GLA is satisfied the CES complies with London Plan policy SI7, and noting that a post-completion report is proposed by the applicant which would provide further details, this should be secured by planning condition.
230. 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

231. London Plan policy D9 sets out the need for careful consideration of wind conditions where tall buildings are proposed. Brent Local Plan policy DB2 also identifies that consideration of wind conditions are important where tall buildings are proposed.
232. A Wind Microclimate Assessment has been submitted with the application to assess the future environmental quality of the spaces around the building. This uses the Lawson Comfort Criteria, the industry standard used in defining how an average pedestrian would react to different wind levels. Wind speeds are categorised as being suitable for either sitting, standing, strolling or walking, or as uncomfortable for most activities. Developments should aim to provide at least strolling conditions along pedestrian thoroughfares, standing conditions at main entrances, drop off areas, taxi ranks and bus stops, sitting conditions at outdoor seating areas in the summer, and standing conditions in large public amenity spaces in the summer, with sitting conditions at designated seating locations. Finally, sitting or standing conditions should be achieved in summer on balconies and private amenity spaces – providing sitting conditions in summer would generally ensure that standing conditions could be maintained in winter. Strong wind thresholds requiring mitigation measures are also defined.
233. The assessment carried out took into account cumulative developments (i.e. the Phase 1 development, Ujima House development and Cecil Avenue developments not yet built). This approach is consistent with the approach taken to analyse daylight and sunlight impacts.
234. The design of the base of the building helps to prevent downdraught and ensure a comfortable environment is maintained. The assessment has found the proposal would not create any regions of potentially unsafe wind conditions, and ground level conditions would be suitable for the intended use or consistent with baseline conditions, conditions for the proposed development (with existing surrounds), and conditions for the proposed development (with cumulative surrounds). Safety at podium terrace level is considered to be acceptable and suitable for intended use. It has been highlighted that some entrances to the nearby Ujima House redevelopment would benefit from being recessed, and as that development has been approved in outline, it is considered there is the opportunity to respond appropriately at detailed reserved matters stage.
235. In conclusion, the assessment has demonstrated there are no wind safety risks associated with the proposed development at either ground level or elevated levels, no mitigation measures were identified as being required. In fact, the development if built is expected to result in some positive impacts on shop entrances on the southern side of High Road. Conditions within the greenway route will be suitable for users (including the cumulative scenarios).
236. A survey of predicted impacts from the development on TV and radio reception to neighbouring properties, and any necessary mitigation measures, would be required and would be secured through the s106 agreement, as referred to in the above draft Heads of Terms. This approach is consistent with the Phase 1 development.

Environmental considerations

Air quality

237. 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 published Air Quality Positive guidance.
238. An Air Quality Assessment has been submitted and includes an air quality neutral assessment and air quality positive statement. The assessment considers the potential air quality impacts associated with the proposed development. These impacts could be experienced from, use of the emergency life-saving diesel generator, in addition to the construction and operation of the development. The air quality assessment has also considered the level of exposure for future occupiers of the proposed development in relation to concentrations of pollutants, and concludes that the levels are below national air quality objectives, and therefore future residents and users will experience acceptable air quality, without the need for specific mitigation measures to avoid potential exposure to poor air quality.

239. The proposed development will be provided with heat and water via an all-electric Air Source Heat Pump system, and it is a car-free development. It is therefore not expected to give rise to significant adverse effects in terms of air quality, once in operation, with negligible effects on sensitive receptors predicted. This would be subject to appropriate planning conditions being secured, including to manage the construction phase so as to minimise potential air quality impacts (i.e. from the effects of dust).
240. The assessment submitted concluded that overall, the construction and operational air quality effects of the proposed development are judged to be 'not significant'. The assessment 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. Related conditions are recommended (i.e. Construction Method Statement and use of non-road mobile machinery on-site).

Noise and vibration

241. London Plan Policy D14 expects new developments to reduce, manage and mitigate noise to improve health and quality of life. A Noise and Vibration Impact Assessment was submitted, and this identifies sources of external noise in the vicinity of the site, including traffic and road works on the High Road, nearby construction related noise, with less significant noise from the nearby railway. Potential noise sources from the use of the building when operational can be from either building services plant or noise from internal amenity areas. Surveys were also carried out to establish:
242. Background sound levels around the site and by nearby noise sensitive premises
- Ambient and maximum noise levels at the site
 - Vibration levels affecting the site
- The assessment recommends mitigation to ensure the acoustic performance of the building is of an acceptable level. Recommendations made relate to elements such as, double glazing configurations and mechanical ventilation (this will be required as part of the overheating strategy also as openable windows cannot be relied upon for summer overheating) which has been incorporated into the design of the development, although, windows are to be openable for purge ventilation. There are also recommendations outlined for plant equipment, and these can be addressed through appropriate planning conditions. Assessments of vibration and re-radiated ground-borne noise indicate these are unlikely to be problematic for the proposed development.
243. In addition to the above assessment, Chapter 3 of the Environmental Statement (ES), provides an assessment of the anticipated likely noise and vibration effects which may arise from both the demolition, enabling works and construction phase of the development. Various noise and vibration related assessment have been scoped out, as confirmed in the ES.
244. The ES identifies a number of sensitive receptors within the vicinity of the site and presents a summary of predicted construction noise levels for each receptor (these are present as worst case and without mitigation). This identifies that there is expected to be significant adverse construction noise effects to the following; Wembley Links, Best Western Hotel, land at junction of Cecil Avenue and High Road, Lanmore House, mixed residential and commercial premises on High Road, Ujima House and 390-406 High Road. However, these will be limited in terms of geographical extent and are considered local and temporary in nature.
245. In the case of effects from vibration during construction, due to piling works, it is identified that significant adverse effects will be experienced at 390-406 High Road mixed residential and commercial premises on High Road and Wembley Links. It should also be recognised that some of the sensitive receptors considered are from consented schemes and therefore may not be occupied during construction of the proposed development. Again, these are deemed to be temporary in nature. In the case of piling works these will only occur at the peak period of construction activity
246. These effects are proposed to be mitigated through the following measures which will be secured through a Construction Environment Management Plan (CEMP) and/or Construction Method Statement (CMS):
247. Localised temporary acoustic screening and / or enclosures to the piling rigs to block the line of sight to the upper floors of the sensitive receptors;
- Where practicable maintain core working hours in line with Brent's working hours (including no

working on Sunday or Bank Holidays); and

- Any essential work outside these hours will be subject to prior agreement and / or reasonable notice to LBB, who may impose certain restrictions with agreement with local stakeholders.
 - Further additional measures as set out in Chapter 3, paragraph 3.76 of the ES
- It can be expected that effective implementation of mitigation measures secured in the CEMP and/or the CMS could reduce residual effects related to construction noise from significant to not significant at some location, though in the case of some sensitive receptors it is expected that significant effects would be experienced even with mitigation measures. Cumulative effects assessment has also been included to ensure the future scenarios have been taken into account.
248. To conclude, the ES indicates that there will be significant effects for some receptors. However, all effects are expected to be medium term and temporary in nature. This is a result of the location of the site, proximity to nearby buildings and the methods of construction that need to be employed. When the proposed development is operational there will be no material noise impacts.
249. Environmental Health officers have reviewed the reports and recommend a condition to limit noise from plant and equipment, and the noise mitigation measures required in the form of acoustic glazing and ventilation shall be installed as proposed. These matters are covered by relevant conditions.
250. In terms of noise from the proposed development impacting on neighbouring residents, though not specifically recommended, it is considered that implementation of a Student Management Plan would be sufficient to help prevent any undue nuisance or disturbance occurring. This approach is consistent with other consented student accommodation development.

Contaminated land

251. A Phase 1 Geo-Environmental Report has been prepared by and is submitted in support of this application. This report states that the site is considered to be of low to moderate environmental sensitivity, and the potential low risks identified are associated with historic contaminative materials on site or potentially migrating onto site. The report recommends that post-planning, an intrusive site investigation is undertaken with appropriate sampling, laboratory testing and monitoring to confirm the preliminary risk assessment and, if required, develop an appropriate remediation strategy. These recommendations can be secured via appropriately worded planning conditions.
252. Environmental Health officers consider the report commissioned to be acceptable and agree the recommendation for further intrusive site investigation to be undertaken. Conditions are recommended in the event of an approval.

Construction process

253. It is noted that details have been submitted to set out how noise and dust impacts will be managed during construction, notwithstanding this a condition is recommended, to secure the submission of a detailed Construction Method Statement prior to commencement, to control dust, noise and other environmental impacts of the construction process. A condition is also recommended to ensure all non-road mobile machinery used during construction complies with emissions standards set out in the GLA's SPG 'Control of Dust and Emissions during Construction and Demolition'.

Flood risk and drainage

254. Paragraph 167 of the NPPF outlines that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Part c of Paragraph 167 requires development to demonstrate that they incorporate sustainable drainage systems, unless there is clear evidence that this would be inappropriate.
255. London Plan policy SI13 outlines that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. Brent policy DMP1 seeks to prevent unacceptable increased exposure to flood risk as a result of new development and BSUI3 and BSUI4 require flood risk management sustainable drainage measures on major development sites.

256. A Flood Risk Assessment (FRA) and separate Drainage Strategy have been submitted in support of the application. The site is within a Flood Zone 1 for both surface water and fluvial flooding and is not in a critical drainage area, nor is it susceptible to groundwater flooding. The principal source of flooding that has the potential to be affected by the development is surface water run-off. The FRA recommends that a drainage strategy is employed to ensure that appropriate measures are taken such that the risk from run-off flooding is not increased on or off site. The strategy employed will also manage surface water run-off for all events up to and including the 1 in 100 year (+40% allowance for climate change) rainfall events.
257. In regard to surface water drainage, site drainage is to be connected to the existing sewers to the south of the site, which has capacity (as confirmed by Thames Water) to accept a runoff restricted to an allowable discharge rate of 2.0L/S for all storm events up to and including the 1 in 100 year storm + 40% climate change. In addition to this, an attenuation tank is to be installed to the southern side of the site, and supplemented by permeable paving, planted areas/rain gardens and green roofs within the landscaped area at roof, podium and ground floor levels (exact areas and subsequent volumes to be confirmed by condition) to provide sustainable means of drainage on-site. A condition is recommended to secure details of the management and maintenance of the drainage/SuDS system.
258. The SuDS system will be managed, maintained and funded by the owner/occupier of the building. A full management and maintenance plan will need to be secured for the lifetime of the development, and this can be through condition prior to installation.
259. The Local Lead Flood Authority have assessed the proposed drainage strategy, noting this will achieve greenfield run off rates, and confirm that it would offer a betterment from a flood risk perspective. Compliance with the strategy would be secured by condition.
260. Thames Water raises no concerns in terms of surface water flood risk and advises they have no issues either in terms of foul water infrastructure.

Trees, biodiversity, urban greening & lighting

261. 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 along the north of the application site are part of a designated wildlife corridor, and form part of a wider SINC, protected by Brent's Policy BGI1, and this policy also requires new development to achieve a net gain in biodiversity on site. London Plan Policy G7 states that, wherever possible, existing trees of value shall be retained as part of the development. Where loss is unavoidable as a result of development then this is to be mitigated through the provision of replacement trees of an adequate value.
262. London Plan Policy G6 states that SINC's should be protected (commensurate with their status and wider contribution they make), and where harm to a SINC is unavoidable the benefits of the development must clearly outweigh the impacts on biodiversity. Where impacts are unavoidable then the mitigation hierarchy should be applied. Development proposals should aim to secure net gain in biodiversity.
263. 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.
264. The Arboricultural Impact Assessment (AIA) confirms the site was visited and the trees and other vegetation surveyed. At present, there is limited visibility of existing trees from the High Road, and some fleeting visibility of existing trees sited on or close to the railway embankment from passing trains. It is proposed that all of the surveyed trees within the application site boundary are to be removed to accommodate the proposed development. This would entail the removal of; 7 Category B trees (of moderate quality), 39 Category C trees (of low quality) and 13 Category U trees (of poor quality). None of the existing trees to be removed at the site are protected either by Tree Preservation Order or Conservation Area designation. The Council Tree Officer is of the view that some of the existing trees on the railway embankment have been undervalued, as these contribute to the wider wildlife corridor and Grade 1 SINC.

265. The existing trees on site have been CAVAT assessed (this quantifies the financial value of trees to be removed and proposed tree planting) and alternative provision is proposed. Whilst there would be an overall net loss of trees, the quality and value of the replacement can be expected to be higher, as demonstrated through the AIA and CAVAT valuation. The value of trees proposed for removal amounts to £75, 883, compared to the value of the replacement trees, which amounts to £107, 047 (after 10 years growth). This demonstrates compliance with London Plan policy G7.
266. Mitigation is proposed in the form of new tree planting, amounting to 41 new, and replacement trees, with indicative locations and species set out in the Landscape Statement. This planting will provide a range of tree types, sizes and different canopy structures, with larger specimen feature trees indicated in the Welcome Yard and Colour Courtyard character areas. These new specimens will contribute to the overall quality of the Wembley Greenway pedestrian route. Additionally, further tree planting is proposed at podium level. Further details of all these trees would be required as part of a detailed landscaping condition.
267. On the basis the proposed tree planting strategy conforms with London Plan Policy G7, an assessment of existing canopy cover against new canopy cover has not been undertaken (as per Local Plan Policy BG12), which is an approach that is consistent with the Phase 1 development.
268. As the proposed development does not affect any of the retained trees (outside of the application site boundary) no specific tree protection measures are submitted in relation to this proposal. The Council's Tree Officer is in agreement that protection measures are not required.
269. In addition, a financial contribution of £7,000 would be secured through the s106 agreement, to enable the planting of street trees in the vicinity of the site to offset the tree loss on site. The applicant is in agreement with this contribution.
270. In summary, there are no high value (Category A) trees for removal, no significant concerns with proposed tree removal from a visual amenity perspective and it is understood that all trees to be removed are necessary to facilitate the site's redevelopment. A CAVAT assessment carried out demonstrates the replacement planting strategy would ensure trees of higher value and quality are reintroduced to the site and the landscaping strategy will ensure appropriate replacement trees to enhance the location. No significant concerns are raised in relation to arboriculture impacts.

Ecology / Biodiversity:

271. As confirmed, part of the application site (c.0.16 hectares) extends into an existing wildlife corridor, also forming part of a wider Grade 1 SINC. The proposed development would result in some impacts on the SINC and the removal of some of the existing habitat, though overall the biodiversity value of the site is limited. The SINC to the north side of the railway would remain unaffected.
272. To assess potential impacts, the application has been supported by an Ecological Impact Assessment (EIA), which reports on an extended habitat survey of the site (including ground level tree assessment), badger monitoring survey and impact assessment. Surveys found the trees to have negligible suitability for potential bat roosts and existing modified grassland and bare ground to be of negligible ecological interest. The mixed scrub supports some native species, is known to be used for foraging and resting (i.e. hedgehogs and nesting birds) and is valuable within a local context, but otherwise the site is found to be of negligible ecological importance in terms of species.
273. Recommendations have been made through the EIA to encourage avoidance, mitigation, compensation or enhancement measured during and post construction. For example, retention of a 3m wide strip of vegetation along northern boundary to maintain connectivity, introduction of native planting, net gain in biodiversity (as demonstrated via the Metric 4.0 calculator), mitigation during construction, sensitive lighting, monitoring of badger sett, protection of birds' nests during construction, increased opportunity for nesting birds and roosting bats and biodiversity offsetting to compensate for loss of existing habitat. Subject to the implementation of appropriate avoidance, mitigation, and compensation measures, it is considered highly unlikely that the proposals will result in significant harm to biodiversity. Further details of mitigation measured would be secured through conditions, and this shall include detailed planting specifications for within the retained 3m wide strip of vegetation.
274. The Biodiversity Impact Assessment Report goes on to quantify the existing (baseline) and proposed biodiversity value of the site. The site has a baseline biodiversity value of 0.82 habitat units. The Biodiversity Metric Calculator (4.0) identifies a post development value of 1.32 habitat units will be

achieved, amounting to a net gain of +0.50 habitat units as a result of the development and landscaping proposals being implemented, equivalent to a positive change of 61.72%. This is welcomed and accords with relevant planning policy.

275. The metric indicates that rules relating to 'trading down' have not been fully satisfied due to the loss of some area of medium distinctiveness mixed scrub habitat, which needs to be replaced with a comparable habitat. This is not feasible within the current proposals and therefore biodiversity off-setting will be required to mitigate. It is proposed that this will be achieved through an offset financial contribution which would be secured as a planning obligation. The contribution secured, which has been agreed as £71, 000, would be used to contribute towards delivery of biodiversity enhancement projects within the local area (on Council owned sites). Ideally, replacement mixed scrub should be provided to compensate for what is being lost, however that may not be feasible, and in which case other alternative suitable biodiversity enhancement projects in the local area can benefit from the contribution secured.
276. It has been demonstrated clearly that net gains will be achieved in line with national, regional and local planning policy, subject to a biodiversity offsetting contribution being secured via s106 agreement. Relevant conditions and/or s106 obligations relating to biodiversity shall be secured, including a Biodiversity Net Gain Management and Monitoring Plan.

Urban Greening

277. The proposal includes an urban greening factor plan and calculator, showing that an Urban Greening Factor of 0.4 would be achieved. This is delivered through a mix of planting, new trees, green roof, permeable paving and rain gardens. It is considered the potential for urban greening on site has been reasonably maximised and relevant London Plan (G5) and Brent policies (BG11) are complied with.

Lighting Strategy

278. Sensitive lighting is proposed for the Wembley Greenway route, this will help both in terms of wayfinding and security. Lighting columns will be used for visibility and legibility and lighting used to illuminate planted areas and some trees will be up-lit. A feature ribbon lighting installation extends across the greenway route horizontally, this will be elevated above the tree canopies, will weave through the space and act as a wayfinding tool, with visibility from the High Road. Further details of the final Lighting Strategy are to be secured by condition.

Transport considerations

279. Wembley High Road is a London distributor road and bus route, and a Controlled Parking Zone operates from 8am to 6.30pm Monday to Saturday (8am to midnight on Wembley Stadium event days). The PTAL rating is 6a (excellent), the site has access to rail and underground stations, and is also served by seven bus routes. On-street parking and loading is generally prohibited at all times, however there is a loading bay (17m in length) on the High Road to the south of the site, immediately east of the main site access.

Parking provision

280. London Plan Policy T6 strongly supports a move towards more sustainable travel choices, and expects car free development (in which only designated Blue Badge parking is provided) to be the starting point in accessible locations such as this. Policy T6.1 sets out maximum parking allowances for residential developments (the maximum for areas of PTAL 6 is car-free development other than for disabled persons parking), and Local Plan Policy BT2 also requires student housing development to be car free.
281. The development is proposed to be car-free, as such no parking is proposed, and this would comply with the relevant parking standards. Although students would not be eligible for on-street parking permits, as they would not be permanent residents, a condition is recommended to ensure that students are notified of this.
282. The car-free proposal also includes no Blue Badge car parking within the development. To support this, the applicant has submitted information which confirms that other similar developments within the same ownership of the proposed management company have experienced very limited demand from people requiring access to a Blue Badge parking space. In light of this and given the town centre location, officers consider it to be acceptable for the development to be entirely car-free. This position had been questioned by Transport for London (TfL), who in commenting, have reiterated that Blue Badge parking

should be provided in line with Policy T6. However, on reflection of the information submitted by the applicant to justify the absence of such parking, and the fact there are step-free public transport options within the vicinity of the site, TfL accepts that a Blue Badge parking bay may not be required in this instance.

Cycle parking

283. London Plan Policy T5 requires the provision of 0.75 cycle parking spaces per bedspace for the student accommodation, in addition to one short-term space per 40 bedrooms. This results in an overall scheme requirement for at least 480 long-stay spaces and 16 short-stay spaces. The proposal is to provide 480 long-stay spaces and 18 short-stay spaces (through provision of nine Sheffield stands within the surrounding public realm), therefore meeting the numerical requirements of Policy T5.
284. All 480 long-stay spaces proposed are to be accommodated within the basement level (within six separate storage areas) and would be accessed via a dedicated cycle lift, of an acceptable size. The access to the cycle lift has been revised since pre-application stage, and is now prominently located to the south-eastern corner of the podium. This is welcomed, as the entry will be more legible and will benefit from greater passive surveillance in this location.
285. Officers had initially queried the overall cycle provision within the basement level stores, and this has since been clarified by the applicant, and it has been confirmed that the number of long-stay spaces proposed is 480, with an acceptable amount of enlarged spaces also included.
286. TfL's initial comments noted that the quality of the cycle parking did not meet the standards set out in the London Cycle Design Standards (LCDS), raising concerns relating to width of access corridors, blocking of spaces and siting of Sheffield stands below two tier type stands. The applicant has provided a technical note responding to these comments, as well as a range of others that had been raised initially by TfL. The further clarifications contained within this note relating to cycle parking provision are accepted by TfL. Further details of end of journey facilities for staff shall be secured by condition, as part of a detailed cycle parking condition.

Deliveries and Servicing

287. In order to ensure pedestrian and cyclist priority is maintained as much as possible for the proposed east to west greenway route, the intention is for the existing on-street loading bay on the High Road to be utilised for the majority of general deliveries, but also allowing for a limited number of deliveries / servicing trips to be made closer to the proposed building. The expected number and how they would be managed would be required through a detailed Delivery and Servicing Plan (DSP). TfL notes that the intended use of the on-street loading bay would not accord with London Plan policy T7, which states space for such activity should be provided on site.
288. In seeking to justify the proposed servicing strategy the applicant has set out details within the Transport Assessment (TA) to demonstrate the existing on-street loading bay has spare capacity to take on the additional level of servicing this development is expected to generate. The TA includes trip generation rates for deliveries. This estimates that the development would attract 40 two-way trips per day. This number was added to the predicted servicing trips for the Phase 1 development in order to assess the adequacy of the existing loading bay on High Road to service both sites. This work suggests that the existing lay-by does have sufficient spare capacity (subject to effective enforcement) to meet future servicing demand. Notwithstanding this, TfL maintain a general concern over the distance between the loading bay and the development, and how the access to the servicing road will be effectively managed, similar concerns had initially been raised by Brent's Transport Officer.
289. Technical response notes provided by the applicants transport consultant, issued to both the Council as well as TfL provide more clarification and details of how the delivery and servicing of the site is proposed to work. To incorporate the aspirations for a pedestrian / cyclist friendly east to west route then the scheme has been intentionally designed so that only a small number of vehicles require direct access to the site for servicing, and these would be on an ad-hoc, managed basis. This has resulted in the dedicated and controlled area (within the Welcome Yard) at the front of the site. This facilities space for these vehicles to stop and serve the development, and they are then able to turn safely and exit back onto the High Road in forward gear. This set-down area provides space for one larger vehicle (i.e. refuse vehicle) and a second smaller vehicle at the same time, or should the need arise, multiple smaller vehicles at one time.

290. The only vehicles permitted to access this set-down area are; emergency vehicles as required, student move-in / drop-off under a managed arrangement (which will need to be set out in more detail in the final Student Management Plan), weekly (private contractor) refuse collection vehicles; and ad-hoc servicing / maintenance trips which will be managed and controlled by the on-site management (further details are to be set out in the final DSP, to be secured by condition). On this basis, the only regular vehicle trips to the set-down area are expected to be weekly refuse collection vehicles, all other trips would be on an infrequent or ad-hoc, managed arrangement.

291. Retractable bollards are proposed as an additional control measure to restrict other general vehicles from using the set-down area, with further bollards proposed along the greenway route to restrict general vehicles from driving down here. This measure is welcomed from a pedestrian safety and priority perspective. Raising and lowering of these bollards when required would be the responsibility of the on-site management team. Further details in relation to this will need to be set out in the final DSP, to be secured by condition. This detailed DSP will also be expected to include details on how motorbike deliveries i.e. Uber Eats deliveries will be accommodated / managed at the site.

292. Following further review Brent's Transport Officer has raised no further queries in relation to deliveries and servicing. TfL welcomes the additional detail that has been provided, which satisfies their initial concerns.

Access and Construction Logistics

293. Pedestrian and cycle access to the site would primarily be via the existing access road from High Road. As set out above the overarching servicing strategy for the development seeks to discourage general delivery vehicles from using this route, which is welcomed, as this could be detrimental to pedestrian and cyclist safety. TfL consider that the future management of this access road is still a little unclear (including during construction periods), and seeks further clarity be provided in the final DSP and through the Construction Logistics Plan (CLP).

294. The applicant has submitted an updated outline CLP, clarifying the expected duration of the construction period (June 2024 commencement to March 2028 completion). This document details how the development would be constructed and in developing this regard has been had to the future construction arrangements of the neighbouring Ujima House, to ensure that construction management related to both sites is coordinated as much as possible. The outline CLP has taken into account the following logistics;

- Site set up and demolition stage (including piling stage and use of cranes), traffic management, delivery scheduling, vehicle routing and access, pedestrian routes, site security, personnel access, vehicle access, welfare facilities and accommodation, delivery co-ordination (factoring in neighbouring business requirements), materials distribution, waste management, accident reporting and fire safety

295. It is acknowledged the submitted CLP is an outline at this stage, and that an updated version will be produced prior to commencement of development, and secured by condition. In this future updated version the applicant would need to provide further details of where construction vehicles are expected to park whilst servicing the site, and potential changes made to the construction vehicle routing, as requested by Brent's Transport Officer. TfL also requests further information, as set out in their Stage 1 response, on the location of the existing loading bay swept path analysis and how vulnerable road users will be protected during the construction phase in line with London Plan Policy T7, and requires this further information prior to determination.

Refuse

296. The proposed 639 student bedrooms would require a minimum provision of 76, 680l of refuse capacity, split evenly between recyclable and residual waste. This would equate to a minimum provision of 70 Eurobins, with only space for 25 Eurobins proposed (in two separate stores). This clearly represents a shortfall, but as is the agreed position for the Phase 1 development (same applicant), it is proposed that collection will be via a private operator, so more frequent collections can be arranged to suit the needs of the development. This commitment, including to fund this entirely will be secured via the s106 agreement (along with a Waste Management Plan).

297. Tracking has been submitted to demonstrate refuse vehicle access will be achieved to the set-down area, on the western side of the site. As previously stated, access to this lay-by will be managed and

controlled by retractable bollard. This set-down area adequately serves the western refuse storage area, and for the eastern refuse storage area it will be the responsibility of the building management team to drag the bins to the external holding area / collection point, situated at the western end of the building, and then place these back in the internal storage area. Details of this will need to be set out in the final DSP and a Refuse Management Plan.

Fire Safety

298. Tracking has been submitted to demonstrate how fire appliances can access and egress the building along its southern edge and also its south eastern corner, providing suitable access around the building. The east to west greenway route has been designed to facilitate fire appliance access, if required.

Active Travel Zone, and Healthy Streets Assessment

299. An Active Travel Zone Assessment (ATZ) and Healthy Streets assessment was carried out in line with London Plan Policy T2. It was agreed with Brent's Transport Officer that the ATZ assessment for the Phase 1 development could be used again for this proposal. That assessment didn't identify any significant issues with the area. One route does require the crossing of Park Lane at its junction with High Road, and a financial contribution towards future improvements to this crossing would ideally be secured. However, the overall costs involved in delivering these crossing improvements would be more than would be reasonable and necessary, and the absence of such contributions does not make the development unacceptable in planning terms. Furthermore, it is noted that similar contributions were not secured from other recently consented major developments in the locality.

300. Similarly, the ATZ assessment concluded that some routes could benefit from improvements, for example to the cycle facilities along the High Road. TfL would support the Council in securing a contribution towards improving the active travel environment. As with the case above, the neighbouring Phase 1 development for student accommodation (albeit at a lower density) was not required to make such a contribution, and it would be inconsistent to require it of this development.

301. The applicant has confirmed, as requested by TfL, that the original ATZ assessment has considered the routes from the perspective of a disabled person, and that all routes are step-free.

Travel Plan

302. A framework Travel Plan (FTP) has been submitted at this stage. It is noted that a nominations agreement has not been provided (the reasons for which have been discussed above), and TfL has sought further information of where the students residing here would be going to, to help ensure appropriate modal share targets are developed. The applicant has explained that this information is not known at this stage, but does agree that this will all need to be detailed and covered in a full Travel Plan, to be secured by condition.

303. It has been noted by Brent's Transport Officer that the submitted FTP includes a target that at least 80% occupants will walk, cycle and use public transport for their journeys. However, the predicted trip generation in the TA assumes this would cater for 96% of trips. Furthermore, it is unclear what modes of travel the other 20% of trips would be made by. Given the lack of parking, Transport would suggest that a car driver target of 0% is set.

304. Provided a condition / obligation is secured this addresses the requirements of Brent and TfL (and the final Travel Plan should demonstrate which higher education institutions students are expected to be travelling to). An updated Travel Plan would be secured through the s106 agreement, together with arrangements for on-going monitoring and review. As the development would be car-free, the applicant should be including a target of 100% of trips being by walking, cycling or public transport in this case.

Trip Generation

305. The TA uses TRICS to predict the potential trip generation of the development and as the site is proposed to be car-free, the majority of these trips would be walking, cycling or public transport. The predicted 61 two-way trips in the AM peak and 49 two-way trips in the PM peak are considered unlikely to have a significant impact in local public transport capacity.

306. TfL have noted the site's location within an area of high growth, where there is significant cumulative growth and seek contributions from all development in such areas to deliver improvements to the bus

network to alleviate capacity issues, in line with Policy T4. The contributions sought are proportionate to the development and based on the impact the development will be having on the transport network. Based on the trip generation provided, a site specific contribution of £91,000 to bus network capacity has been requested to mitigate the development impacts, and has been agreed between the applicant and TfL. This contribution would be secured through the s106 agreement.

Student move-in / move-out

307. The management arrangements for this, and the vehicle movements associated with such activity would be required to be detailed as part of a final DSP, and the final Student Management Plan, prior to occupation. Both of these Plan's are secured by condition(s).

Conclusion

308. A car-free development is acceptable in this sustainable, town centre location and adequate cycle parking provision would be made, together with appropriate arrangements for deliveries and servicing to be undertaken without affecting the flow of traffic on the High Road, and other managed arrangements for within the site itself in order to minimise movement within the space which if left unmanaged would be at the expense of the proposed greenway route. Subject to the conditions and planning obligations recommended by Brent Officers and TfL, as discussed above, and any financial contribution requested by TfL being secured through the s106 agreement, the proposal is considered to be acceptable in transport terms.

Health Impact Assessment

309. This assessment has been provided to understand and optimise any health impacts arising from the proposed development. This assessment considers how the scheme could impact factors that can influence human health and wellbeing. It suggests ways potential positive health impacts could be enhanced through the proposed design and negative health impacts mitigated.

Equalities

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

Environmental Impact Assessment

311. At pre-application stage the applicants submitted a formal request to the Council for an Environmental Impact Assessment Scoping Opinion. On 8 August 2023, the Local Planning Authority published its Scoping Opinion, which confirmed agreement on the topics to be addressed (i.e 'scoped in') within the Environmental Statement (those being, effects from construction noise and vibration, and daylight, sunlight and overshadowing effects from the completed development). These topics have been comprehensively assessed within the submitted ES, and considered and discussed in detail in the above sections.

Conclusion

312. Following the above discussion, officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to conditions and completion of a Section 106 Agreement.
313. The proposed development would make efficient use of the land in a sustainable location, in line with the NPPF, and is an appropriate form of development within Wembley Town Centre and Wembley Growth Area, consistent with the aims of the site allocation policy. This is identified as an appropriate location in the Borough where tall buildings can be located, and the proposed scale, massing and appearance of the buildings would relate well to the existing and emerging context. As the report acknowledges, owing to the constrained nature of the site and dense urban pattern of development in the locality, both existing and emerging, there is expected to be some adverse impacts on daylight and sunlight conditions to some existing residential properties, as well as others coming forward in the immediate vicinity. As the report acknowledges these adverse effects 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 locality, and such impacts which are to be expected, as well as other planning harm identified (i.e. net loss of trees) must be balanced against the overall planning benefits of the proposal. Whilst the proposal is not in accordance with London Plan policy H15, due to the absence of affordable student accommodation on site, the payment in lieu that will be secured (£3.958m) which is agreed as the maximum viable, and which is to be utilised for the delivery of additional C3 affordable homes in the Borough, for which there is the greatest need at a local and strategic level, offers greater public benefit to the Borough.

314. Overall, and on balance, the impacts identified that are to be associated with the proposed development would it is considered be clearly outweighed by the overall planning benefits that would follow, including the provision of student accommodation to meet identified demand and this contributing positively towards the housing targets within the Borough, wider economic benefits, provision of the new east to west pedestrian route (as per the site allocation policy), new public realm, urban greening measures, sustainable drainage, sustainable transport contributions and biodiversity net gain (including off-site contribution).

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 23/2811

To: Zelig Batchelor
Montagu Evans LLP
70 St Mary Axe
London
EC3A 8BE

I refer to your application dated **22/08/2023** proposing the following:

Erection of 2 purpose-built student accommodation buildings up to 20 and 22 storeys with basement level (Sui Generis) connected at ground floor level by a podium together with ancillary communal facilities, internal and external communal amenity space, cycle parking, mechanical plant, hard and soft landscaping, new public realm, play space and other associated works. This application is accompanied by an Environmental Statement.

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

at **Land rear of 390-408, High Road, Wembley, HA9**

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

Date: 05/12/2023

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:-

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

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

01977D-JTP-ZZ-XX-DR-A-00001	revP1	Location plan
01977D-JTP-ZZ-XX-DR-A-00002	revP1	Site plan
01977D-JTP-ZZ-XX-DR-A-00003	revP1	Proposed block plan
01977D-JTP-ZZ-B1-DR-A-10000	revP2	Proposed basement plan
01977D-JTP-ZZ-00-DR-A-10001	revP1	Proposed ground floor plan
01977D-JTP-ZZ-01-DR-A-10002	revP1	Proposed first floor plan
01977D-JTP-ZZ-02-DR-A-10003	revP1	Proposed 2 nd to 18 th floor plan
01977D-JTP-ZZ-19-DR-A-10019	revP1	Proposed 19 th floor plan
01977D-JTP-ZZ-20-DR-A-10020	revP1	Proposed 20 th floor plan
01977D-JTP-ZZ-21-DR-A-10021	revP1	Proposed 21 st floor plan
01977D-JTP-ZZ-RF-DR-A-10022	revP1	Proposed roof plan
01977D-JTP-ZZ-XX-DR-A-11000	revP1	Proposed north elevation
01977D-JTP-ZZ-XX-DR-A-11001	revP1	Proposed east elevation
01977D-JTP-ZZ-XX-DR-A-11002	revP1	Proposed south elevation
01977D-JTP-ZZ-XX-DR-A-11003	revP1	Proposed west elevation
01977D-JTP-ZZ-XX-DR-A-12000	revP1	Proposed section AA
01977D-JTP-ZZ-XX-DR-A-12001	revP1	Proposed section BB
01977D-JTP-ZZ-XX-DR-A-12002	revP1	Proposed section CC
01977D-JTP-ZZ-XX-DR-A-12003	revP1	Proposed section DD
01977D-JTP-ZZ-XX-DR-A-12004	revP1	Proposed section EE
WG595-TML-ZZ-00-DR-L-0205	revP06	Ground floor GA
WG595-TML-ZZ-01-DR-L-0206	revP05	First floor GA
WG595-TML-ZZ-BL-DR-L-0217	revP03	Basement level GA
WG595-TML-ZZ-RP-DR-L-0216	revP03	Roof plan GA
WG595-TML-ZZ-ZZ-DR-L-0204	revP08	Planting GA
WG595-TML-ZZ-ZZ-DR-L-0215	revP04	Materials GA
WG595-TML-ZZ-ZZ-DR-L-0250	revP09	Urban Greening Factor

Supporting Documents:

Arboricultural Impact Assessment and accompanying Tree Survey (Tim Moya Associates, August 2023, ref: 220161-PD-21c)
 Ecological Impact Assessment (Ecology by Design, August 2023 ref: 22)
 Biodiversity Impact Assessment (Ecology by Design, August 2023 ref: 23)
 Flood Risk Assessment (Terrell, August 2023, ref: 24)
 Drainage Strategy Report (Terrell, August 2023, ref: 25)
 Noise and Vibration Impact Assessment (Sandy Brown Consultants, August 2023, ref: 30)
 Fire Statement Report (Ashton Fire, 17 August 2023, issue 01)

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

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

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

- 3 The development hereby approved shall contain 639 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.

- 4 The development hereby approved shall comprise the construction of a building up to part 20 and part 22 storeys (including ground level), unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

- 5 The development hereby approved shall be built so that no fewer than 10% of the student bed 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.

- 6 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

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

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

- 8 Occupiers of the student accommodation 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 in the locality.

- 9 All internal and external communal amenity spaces located within the development hereby approved shall be made available to all students, regardless of the type of their accommodation.

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

- 10 The development hereby approved shall be carried out fully in accordance with the approved Arboricultural Impact Assessment and accompanying Tree Survey (Tim Moya Associates, August 2023, ref: 220161-PD-21c), unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure adequate consideration for trees, in accordance with Brent Policy BG12.

- 11 The development hereby approved shall be carried out fully in accordance with the Recommendations in the approved Ecological Impact Assessment (Ecology by Design, August 2023 ref: 22) and Biodiversity Impact Assessment (Ecology by Design, August 2023 ref: 23), unless otherwise agreed in writing by the Local Planning Authority.

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

- 12 The development hereby approved shall be carried out fully in accordance with the approved Flood Risk Assessment (Terrell, August 2023, ref: 24), and Drainage Strategy Report (Terrell, August 2023, ref: 25), unless otherwise agreed in writing by the Local Planning Authority.

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

- 13 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 (in writing through the submission of an application for approval of details reserved by condition). Any piling must be undertaken in accordance with the terms of the approved Piling Method Statement, unless otherwise agreed in writing by the local planning authority following consultation with Thames Water.

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

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

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

- 15 The development hereby approved must be implemented and operated fully in accordance with the provision of the approved Fire Statement Report (Ashton Fire, 17 August 2023, issue 01) for the lifetime of the development, unless alternative details are submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development incorporates the necessary fire safety measures in accordance with London Plan Policy D12.

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

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.

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

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

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

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

- how construction would be co-ordinated with the construction operations of other developments in the area, so as to minimise the cumulative impacts on local residents and businesses.
- how the majority of construction vehicles (including all smaller rigid vehicles) would be routed via the A404 Harrow Road and the A406 rather than the A406/A40/Ealing Road;
- construction vehicles would be managed so as to prevent any undue obstruction to Wembley High Road and associated bus services:
- how impacts from construction vehicles on the existing on-street loading bay are to be avoided;
- how vulnerable road users will be protected during the construction phase;
- how the existing site access road will be managed during the construction phase
- the construction programme, forecast construction trip generation (daily) and mitigation proposed;
- the site set up and access arrangements and booking systems
- construction phasing and details of times when the use of a crane(s) would be required;
- parking of vehicles of site operatives and visitors;
- storage of plant and materials used during the construction period;
- wheel washing facilities;
- any temporary lighting;
- protection of the carriageway and any footway users at all times;
- erection of hoardings, security fencing and scaffolding;
- banksmen arrangements;
- contact details of personnel responsible for the construction works

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

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

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

- 18 Prior to the commencement of development hereby approved (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, unless otherwise agreed in writing by the Local Planning Authority.

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

- 19 Prior to commencement of development hereby approved (excluding demolition, site clearance and the laying of foundations), detailed plans shall be submitted to and approved in writing by the local planning authority demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development. 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.

- 20 Prior to commencement of relevant landscape works for the development hereby approved (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 approved landscaping scheme and implementation programme shall be completed in full:-

- (a) prior to use or occupation of the building, in respect of all hard landscaping elements and boundary treatments;
- (b) during the first available planting season following completion of the development hereby approved, in respect of all soft landscaping elements, unless alternative timings are agreed.

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

The landscaping scheme submitted shall incorporate the hard and soft landscaping details proposed on the approved plans, as well as further details of (but not limited to the following):-

- i. Proposed materials for all hard surfaces and the permeable qualities (including colour finishes and materials for the Colour Courtyard);
- ii. Species, sizes, locations and densities for all trees (and tree pits), shrubs, planting and native hedge along the northern site boundary, which shall include details of semi-natural vegetation to be provided near to and along the railway embankment;
- iii. Materials and size of all raised planters and trellises;
- iv. All external furniture, benches, tiered seating and informal seating (including location and type of cycle parking stands);
- v. All biodiversity enhancement measures as set out in the approved Biodiversity Impact Assessment;
- vi. Existing and proposed functional services above and below ground in relation to proposed landscaping (e.g. drainage, power, communications, shared ducting provision)
- vii. Any external CCTV installations;
- viii. A Landscape Management and Maintenance Plan setting out details of the proposed arrangements for maintenance of the landscaping, including management responsibilities;

- ix. Acoustic/sensory play equipment and external games apparatus;
- x. All raised edges, including locations, in order to protect planted / landscaped areas from vehicle damage;
- xi. Proposed retractable bollards;
- xii All boundary treatments, fencing (including anti trespass type fencing along the rail embankment), gates, retaining structures and other means of enclosure (including at podium level), indicating materials, position and heights;
- xiii Soil depth and composition of green roof areas, and details of their future maintenance

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

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

- 21 Following any demolition, site clearance and preparation works, 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 the Local Planning Authority, that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. The written report is subject to the approval in writing of the Local Planning Authority.

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

- 22 Prior to any works commencing on site, notification of the likely destination of all waste streams (beyond the Materials Recycling Facility) and a written confirmation that the destination landfill(s) has/have the capacity to receive waste shall be submitted and approved by the Local Planning Authority in writing.

Reason: In the interests of sustainable waste management.

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

- 23 Prior to installation of the drainage/SuDs systems hereby approved, a whole-life management and maintenance plan for the drainage/SuDS system shall be submitted to and approved in writing by the Local Planning Authority. This plan shall set out how and when to maintain the full drainage system (e.g. a maintenance schedule for each drainage/SUDS component), with details of who is responsible for carrying out the maintenance. The approved maintenance plan shall subsequently be implemented in accordance with the approved details for the lifetime of the development.

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

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

- 24 Prior to commencement of development above ground, details of materials for all external work to the building, including samples/sample boards to be made available at an agreed location and including details of any proposed integral bird boxes and other integral habitat boxes, 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 thereafter, unless otherwise agreed in writing by the Local Planning Authority.

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

- 25 Prior to first occupation of the development hereby approved, a report shall be submitted to and approved in writing by the local planning authority, which provides evidence that the recommended noise mitigation measures described in the approved Noise and Vibration Impact Assessment (Sandy Brown Consultants, August 2023, ref: 30) have been fully implemented.

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

- 26 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 first occupation or use of the development, 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.

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

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

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.

- 28 Prior to first occupation or use of the development hereby approved, a Delivery and Servicing Plan shall be submitted to and approved in writing by the local planning authority. This Plan shall set out measures to ensure that all delivery and servicing activities, including activities

associated with students moving into and out of the development, can be safely accommodated without adversely affecting conditions on the highway network or pedestrian safety in the area. Details of how motorcycle deliveries are to be safely accommodated and managed on site shall also be provided.

Furthermore, the Plan shall also set out measures to demonstrate how vehicle access to the Welcome Yard area and the wider Greenway Route will be controlled / restricted, and access only permitted for certain delivery and servicing activities. Details of the retractable bollards to be used and how these will be managed shall also be provided

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

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

- 29 Prior to the occupation of the development hereby approved, 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. 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, in accordance with London Plan Policy SI 7.

- 30 Prior to the occupation of the development hereby approved 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 guidance.

Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, within three months of completion of the building.

Reason: In the interests of sustainable development and to maximise on-site carbon dioxide savings, in accordance with London Plan Policy SI 2.

- 31 Prior to commencement of above ground works, proof that the plans can achieve secured by design accreditation must be submitted to the design out crime officer and the Local Planning Authority. The site / development should demonstrate reasonable endeavours have been used to achieve secured by design accreditation to silver and maintain this standard throughout the lifetime of the development.

Reason: In the interests of reducing the potential for crime, in accordance with Local Plan Policy DMP1.

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

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

- 498 cycle parking spaces to be provided overall, including number of short-stay cycle parking spaces surrounding the perimeter of the building;
- A suitably sized lift to allow cycle access to the basement and cycle stores for the residents
- Minimum of 3% accessible cycle spaces
- Details of end of journey facilities (showers, lockers and changing facilities) for staff travelling by bike

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

All of the cycle parking within the development shall be made available for use prior to the first occupation of the 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, unless alternative details are agreed in writing by the Local Planning Authority.

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

- 33 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.

- 34 Prior to installation a Wayfinding Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall set out details of any signage, signboards, integration of artwork / features to be provided on site. The Strategy shall thereafter be implemented in full prior to occupation and shall be maintained in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

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

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

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

- 36 If any soil contamination remediation measures are required by the Local Planning Authority these shall be carried out in full. If this is the case, Prior to occupation a verification report shall be provided to the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required).

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

INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at www.brent.gov.uk/CIL.
- 2 The applicant is advised to notify the Council's Highways Service of the intention to commence works prior to commencement. They shall include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.
- 3 The developer should be aware of any protected species legislation relevant to the implementation of this development, including statutory protection for nesting birds. Further guidance on construction near protected species can be found at <https://www.gov.uk/guidance/construction-near-protected-areas-and-wildlife>

- 4 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.

- 5 The applicant should note this decision does not relate to any aspect of the advertisements or signage on site. Separate formal advertisement consent approval may be required for these.

- 6 Thames Water:

As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

[https://urldefense.com/v3/https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes_!!CVb4j_0G!Xb6V_Vrom5gL4cFL3Lcch9vk1FvRzJ9n0nnAX2MThs1giNxyt0dYYYQu0Tm48eqIkY8zCtRgFbfV0U4Lz2Phu3r4iKDjRIU\\$](https://urldefense.com/v3/https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes_!!CVb4j_0G!Xb6V_Vrom5gL4cFL3Lcch9vk1FvRzJ9n0nnAX2MThs1giNxyt0dYYYQu0Tm48eqIkY8zCtRgFbfV0U4Lz2Phu3r4iKDjRIU$)

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Should you require further information please refer to our website

[https://urldefense.com/v3/https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes_!!CVb4j_0G!Xb6V_Vrom5gL4cFL3Lcch9vk1FvRzJ9n0nnAX2MThs1giNxyt0dYYYQu0Tm48eqIkY8zCtRgFbfV0U4Lz2Phu3r4iKDjRIU\\$](https://urldefense.com/v3/https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes_!!CVb4j_0G!Xb6V_Vrom5gL4cFL3Lcch9vk1FvRzJ9n0nnAX2MThs1giNxyt0dYYYQu0Tm48eqIkY8zCtRgFbfV0U4Lz2Phu3r4iKDjRIU$)

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

- 7 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- 8 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.
- 9 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.
- 10 In relation to Contaminated Land conditions (numbers 22 and 37), the applicant should note the quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.
- 11 Network Rail:

The applicant should note the following comments raised and requests made by Network Rail;:

An Basic Asset Protection Agreement (BAPA) will need to be entered into with Network Rail to facilitate the design and construction of development works to be undertaken within 10m of the operational railway.

A Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway together with details of suitable trespass proof fencing (to be set back at least 1m from the railway boundary), details of scaffolding works within 10m of the railway boundary, details of any vibro-compaction machinery / piling machinery or piling and ground treatment works including a demolition method statement, drainage details, details of excavation and earthworks within 10m of the railway boundary, boundary treatments, suitable choice of tree species next to the boundary with the railway, vehicle safety measures along the boundary with the railway shall be agreed with Network Rail prior to the commencement of those works.

The applicant /developer should submit the RAMs and the BAPA directly to:
AssetProtectionLNWSouth@networkrail.co.uk

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail land and its infrastructure or undermine or damage or adversely affect any railway land and structures.

- There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land or under the Network Rail boundary.
- All buildings and structures on site including all foundations / fencing foundations must be constructed wholly within the applicant's land ownership footprint.
- Buildings, windows and structures must not over-sail Network Rail air-space/boundary.
- Any future maintenance must be conducted solely within the applicant's land ownership.
- Rainwater goods must not discharge towards or over the railway boundary
- Should the applicant require access to Network Rail land to facilitate their proposal they would need to approach the Network Rail Asset Protection Team at least 20 weeks before

any works are due to commence on site. The applicant would be liable for all costs incurred in facilitating the proposal and an asset protection agreement may be necessary to undertake works. Network Rail reserves the right to refuse any works by an outside party that may adversely impact its land and infrastructure.

- Any unauthorised access to Network Rail air-space or land will be deemed an act of trespass.
- Network Rail land must not be included in the proposal / red line location plan area. Where any works are proposed the applicant is advised to contact: PropertyServicesNWC@networkrail.co.uk in addition to any planning consultation comments to determine if the proposal will impact any Network Rail land ownership rights or any rights of access for the avoidance of doubt.

Any person wishing to inspect the above papers should contact Gary Murphy, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 5227