COMMITTEE REPORT

Planning Committee on 12 November, 2025
Item No 04
Case Number **25/1355**

SITE INFORMATION

RECEIVED	**2 May, 2025**
WARD	**Tokyngton**
PLANNING AREA	**Brent Connects Wembley**
LOCATION	**Argenta House, Argenta Way, London, NW10 0AZ**
PROPOSAL	Redevelopment of the site to provide a building containing residential dwellings with commercial unit on ground floor, associated vehicular access, cycle parking spaces, refuse storage, amenity space, landscaping and associated works
PLAN NO'S	See condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	**When viewing this on an Electronic Device** **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_173342 **When viewing this as an Hard Copy** **Please use the following steps** **1.** Please go to pa.brent.gov.uk 2. Select Planning and conduct a search tying "25/1355" (i.e. Case Reference) into the search Box 3. Click on "View Documents" tab

RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to the completion of a legal agreement to secure the following planning obligations;

1. Payment of the Council's legal and other professional costs in (a) preparing and completing the agreement and (b) monitoring and enforcing its performance.

2. Notification of material start 28 days prior to commencement.

3. Provision of 100% affordable housing, broken down as:

   - 88 units for Social Rent (14 x 1 bedroom units, 34 x 2 bedroom units, 40 x 3 bedroom units)
   - 92 units for Shared Ownership (46 x 1 bedroom units, 46 x 2 bedroom units)

4. Sustainability and Energy;

   Detailed design stage energy assessment based on Part L 2021 of Building Regulations with a minimum 35% reduction on site. Initial carbon offset payment to be paid prior to material start if zero-carbon target not achieved on site.

   Post-construction energy assessment. Final carbon offset payment upon completion of development if zero-carbon target not achieved on site.

   Be seen' energy performance monitoring and reporting

5. Highways Works / Highway related;

   (a) A financial contribution of £70,000 towards the introduction of a CPZ in the area or the further improvement of pedestrian/cycling facilities in the area as detailed within 5(e);

   (b) A 'car-free' agreement withdrawing the right of future occupiers of the development to on-street parking permits;

   (c) Provision of a Car Club to operate in the vicinity of the site (unless a Car Club has already been established within a 200m radius of the site) and provision of free membership for residents of the Car Club for a minimum period of three years from first occupation;

   (d) Highway works to be undertaken through a S38/278 Agreement under the Highways Act 1980 to: (i) alter the mini-roundabout at the junction of Point Place and Argenta Way to a priority junction, including a dedicated bus standing area, disabled parking and/or Car Club spaces, the removal of the redundant crossover to the site and provision of a footway loading bay with a 2m footway retained to the rear, improved pedestrian crossing facilities and improved hard surfacing and soft landscaping in general accordance with the layout shown on drawing 2024-5153-003A, together with appropriate amendments to signage, lining, lighting and drainage; and (ii) widen the footway along the old North Circular Road frontage to a minimum of 5m to provide a shared footway/cycleway, as per the site layout shown on drawing DL0254-ASA-ZZ-00-DR-AR-00150/P02;

   (e) A financial contribution of £45,000 towards; improved pedestrian and cyclist crossing facilities on Old North Circular Road in the vicinity of its junction with Argenta Way;

   (f) A financial contribution towards the Stonebridge Park Station Capacity Study (£222,750)

6. Contribution towards the improvement of access to and quality of local open space (£200,000)

7. 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 of the Development;

(c) Financial contribution (£49,500; calculated in accordance with Brent's Planning Obligations SPD) to Brent Works for job brokerage services.

8. Biodiversity Net Gain – Submission of a Biodiversity Gain Plan and Habitat Management and Monitoring Plan to ensure 30 year maintenance of biodiversity improvements as well as a fee of £23,415 to monitor the maintenance and management of the significant habitat on site.

9. TV and radio reception impact assessment, and undertaking to carry out any mitigation works identified within the assessment and agreed.

10. Submission, approval and implementation upon commencement of a Waste Management Plan including commitment to fund and arrange an additional independent waste collections from the site per week.

11. Indexation of contributions in line with inflation from the date of committee resolution.

12. Any other planning obligation(s) considered necessary by the Head of Planning.

That the Head of Planning or other duly authorised person is delegated authority to negotiate the legal agreement indicated above.

That in the event that the Section 106 Agreement is not completed, the Head of Planning or other duly authorised person is delegated authority to refuse the application due to the lack of a completed Section 106 Agreement.

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

Conditions

Compliance

1. 3 year expiry
2. Approved drawings
3. Number of dwellings
4. Class E use
5. Water consumption
6. SuDS implementation
7. Non-Road Mobile Machinery
8. Provision of bicycle and refuse storage
9. Travel plan
10. M4(3) and M4(2) dwellings
11. Delivery and Servicing
12. Noise and vibration measures
13. Flood Risk Assessment
14. Full fibre connectivity

Pre-commencement

15. Construction Logistics Plan
16. Construction Method Statement
17. Construction Environment Management Plan
18. District Heat Network connection
19. Site investigation
20. Undeveloped Buffer Zone
21. Landscape and Ecological Management Plan
22. Wind mitigation
23. Details of materials

Pre-occupation or use

24. Landscaping plan
25. Privacy screening

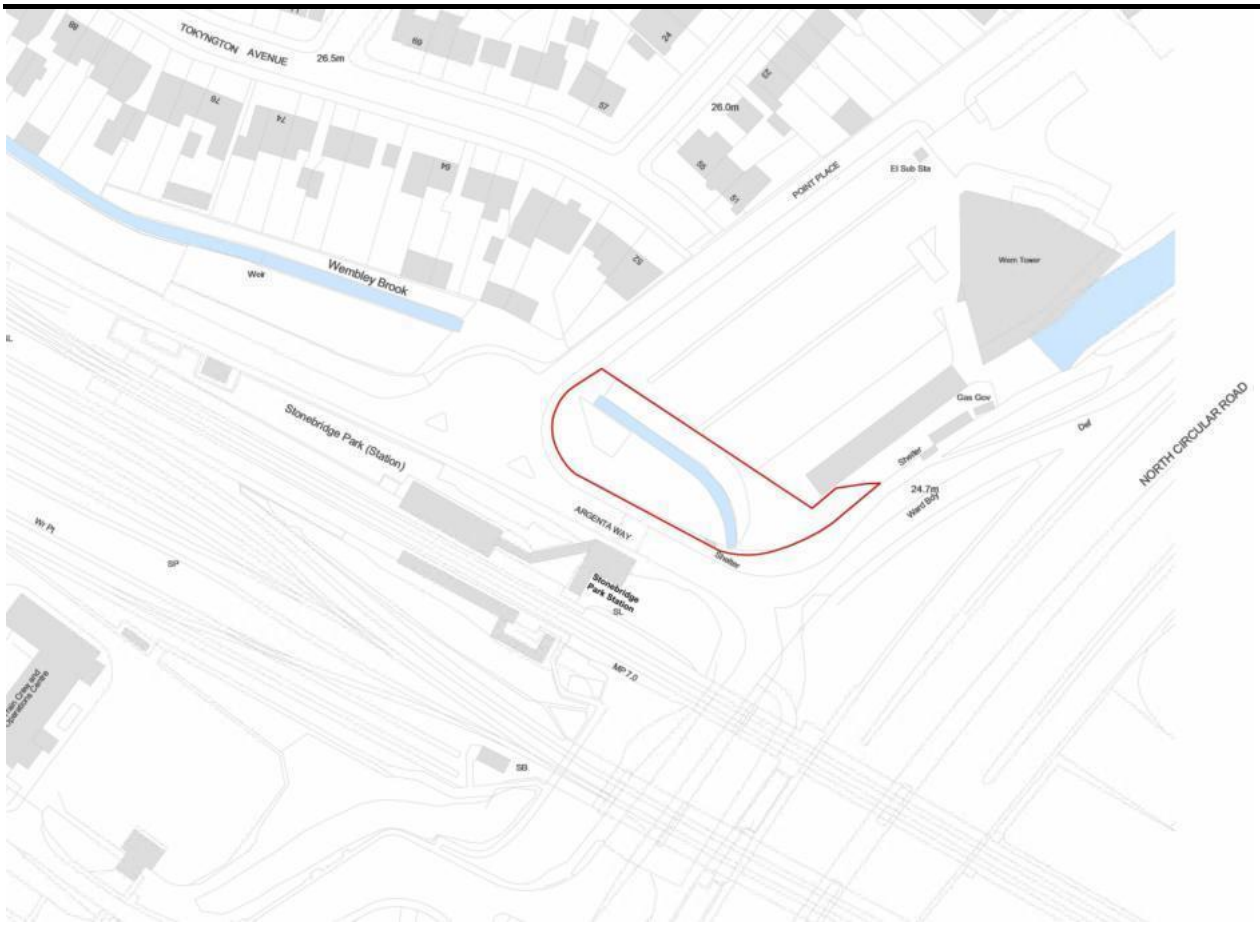
26. Amenity and Play Space Management Plan
27. Whole Life Cycle Carbon
28. Circular Economy
29. External lighting

Informatives
1. Biodiversity Net Gain
2. CIL liable development
3. Party Wall Act
4. Works within site boundary
5. Thames Water
6. Network Rail
7. London Living Wage
8. Fire Safety
9. Soil samples
10. Post-construction Monitoring
11. Environment Agency flood risk activites

That the Head of Planning or other duly authorised person 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 or other duly authorised person 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 or other duly authorised person is delegated authority to refuse planning permission.

SITE MAP



This map is indicative only.

PROPOSAL IN DETAIL

The application seeks full planning permission for the comprehensive redevelopment of the site to provide a part 27, part 30 storey building, comprising 180 residential dwellings (Use Class C3) and 17.8sqm of flexible commercial space (Use Class E).

The scheme would also include ancillary hard and soft landscaping, cycle parking, refuse storage and plant space.

EXISTING

There is an extant planning consent on site (LPA ref: 21/4642) for the demolition of the buildings on site and its redevelopment to provide a 26-storey building containing 141 residential dwellings with associated landscaping and ancillary works. This consent is a variation of condition to planning permission 18/4847 under Section 73 of the Town and Country Planning Act which comprised the demolition of the buildings on site and its redevelopment to provide a 24-storey building containing 130 residential dwellings with associated landscaping and ancillary works.

Following the implementation of 21/4642, the site is currently vacant, with a number of piles in the ground. Wembley Brook runs through the site, which is culverted to the north and south but runs in the open (albeit in a concrete channel) through the site.

To the northeast of the site is a car park which currently serves Wembley Point, a large residential building. This area also benefits from a planning consent known as the Wembley Point Masterplan for the erection of 3 buildings, comprising 515 residential dwellings (Use Class C3), flexible commercial floorspace (Use Class E), indoor sports facility (Use Class E) and associated parking and landscaping provision (LPA ref: 22/0784).

To the south-east is the North Circular Road (managed by Transport for London), to the south is Argenta Way itself and beyond this is Stonebridge Park Station. To the west, Argenta Way leads to a roundabout and beyond this are residential properties.

The site has a PTAL score of 5, with the nearest bus stops located to the south (Argenta Way) north-east (North Circular Road) and north-west (Point Place). Stonebridge Park Station is 10m to the south.

SUMMARY OF KEY ISSUES

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

Representations received: A total of 488 neighbouring properties were consulted, and the application was advertised via site notices and local press. No public representations were received. The application was referrable to the Greater London Authority (GLA) and a Stage 1 response was received which includes comments from Transport for London (TfL). Statutory consultees comprising the Health and Safety Executive, Environment Agency and Local Lead Flood Authority raised no objections, though some requested conditions or further information. These details and responses from other consultees are set out within the consultation section of this report.

Principle of the redevelopment of the site: The site is allocated for residential-led redevelopment under Brent's Local Plan (BSSA6), which supports high-density housing and small-scale commercial uses. There is also an extant planning permission on the site for the development of 141 residential units. The proposal for 180 residential units and a small commercial unit aligns with the site allocation and the uplift on the extant consent contributes to Brent's housing targets. The scheme also supports objectives for improved public realm and connectivity, particularly between Harrow Road and Stonebridge Park Station. The principle of tall buildings is also supported as the site is within a Tall Building Zone.

Affordable housing and housing mix: The scheme proposes 100% affordable housing, comprising 88 units for Social Rent (290 habitable rooms) and 92 for Shared Ownership (230 habitable rooms), which aligns with both London Plan and Brent Local Plan policies. The tenure split is acceptable, and the scheme qualifies for the fast-track route, avoiding the need for a viability assessment at application stage. While the number of family-sized units (40) falls slightly short of the 1 in 4 target set by Policy BH6 (45 units), all such units are for Social Rent, which addresses a significant local need and justifies the shortfall in this instance.

Design, layout and height: The proposed building, reaching up to 30 storeys, is located within a designated Tall Building Zone and is considered a suitable bookend to the emerging cluster of tall buildings in the area. The design is of high architectural quality which is successfully broken down by its height, massing and architectural design. The layout maximises active frontage and integrates well with the re-naturalised Wembley Brook. The building's height exceeds the indicative maximum in the site allocation but is justified by its design quality and contribution to the townscape.

Quality of the resulting residential accommodation: All proposed units exceed minimum space standards, with 83% being dual aspect and none of the single aspect units facing north. The internal layout is efficient, and the scheme includes 10% wheelchair accessible units (18 units) in line with policy. While there is a shortfall in on-site private amenity space, high-quality communal areas such as the "Play Nest and Hub" and "Play Plaza" are proposed. A significant financial contribution of £200,000 is also secured to improve nearby open spaces which, when considering the public benefits of the scheme, is considered to overcome the identified shortfall on this occasion.

Neighbouring amenity: The development maintains appropriate separation distances from existing properties and is not expected to cause significant overlooking or loss of privacy. A detailed daylight and sunlight assessment shows that some windows in the adjacent Wembley Point scheme would experience reductions in daylight/sunlight. However, the level of impact is not considered to be unduly detrimental given the context of the extant consent general high level of compliance given the urban nature of the scheme. The overall impact of the development is considered acceptable, particularly in view of the wider benefits of the scheme in terms of the Council's strategic objectives.

Highways and transportation: The proposal would be "car free" with the exception of 3 blue badge parking spaces along Point Place, which would integrate with the works agreed under the adjacent Wembley Point scheme. There currently is no Controlled Parking Zone (CPZ) in the nearby streets (aside from the Event Day Parking Zone) and a financial contribution of £70,000 would be secured towards the implementation of an all year round CPZ. Cycle parking has been proposed to meet London Plan standards. The highway works along Argenta Way and Point Place would result in the provision of servicing and disabled parking provision and would connect to the re-provided contra-flow cycle lane to be delivered as part of the Wembley Point scheme. Servicing provision is considered to be sufficient to meet projected demand, whilst the initial construction management plan and construction logistics plans are considered to be acceptable in principle, subject to final details being secured by condition. A financial contribution of £222,750 is also sought by TfL for improvements to Stonebridge Park Station. The proposal is considered to be acceptable in relation to the potential transportation impacts subject to the conditions and obligations set out within the recommendation section of this report.

Environmental impact, sustainability and energy: The application would achieve an 68% reduction in carbon emissions beyond the baseline conditions, with an estimated carbon offset contribution of £39,076 sought to achieve net-zero, in line with London Plan Policy. Further clarification of some matters is sought by the GLA ahead of a Stage 2 referral. Subject to appropriate conditions, the scheme would not have any detrimental impacts in terms of air quality, land contamination, noise and dust from construction, and noise disturbance to existing/future residential occupiers.

Landscape, ecology, biodiversity and flooding/drainage: The scheme includes significant landscaping improvements, including the re-naturalisation of Wembley Brook and the planting of 14 new trees. A Biodiversity Net Gain of over 10% is achieved on-site, and the Urban Greening Factor exceeds the 0.4 target. The site is adjacent to a Site of Importance for Nature Conservation (SINC), and mitigation measures would be secured via condition. The ecological enhancements are substantial and contribute positively to the site's environmental value

Flooding: Flood risk has been assessed, and no objections are raised by the Environment Agency on these grounds. A range of SuDS measures are proposed to address surface water management, with further details of the drainage strategy to be secured by condition(s).

Fire safety: The proposal has been reviewed by the Health & Safety Executive (HSE) under the Gateway One process who confirmed that they are content with the proposals and have no objection on layout or land use matters. Fire safety will also be considered at Building Regulations stage.

Site Designations

Relevant site designations:
Local Plan Site Allocation: BSSA6 – Argenta House and Wembley Point Air Quality Focus Area Air Quality Management Area Tall Buildings Zone Floodzones 3a (Surface) and 3b (Fluvial & Tidal) **Adjacent to:** Site of Importance for Nature Conservation (SINC) (Grade 1) Harlesden to Wembley Central including Wembley Brook Protected View: Abbey Road / Grand Union Canal

Land Use Details

Site area (ha):	0.15ha

Parking

	Car Parking Spaces (General)	Car Parking Spaces (Disabled)	% EVCP	Bicycle Spaces	
				Short stay	Long stay
Existing	0	0	0	0	0
Proposed	0	3	0	6	332

Environmental performance

	Policy target	**Proposed**	
Energy			
Percentage of on-site carbon savings beyond Part L of Building Regulations (2021)	35%	72%	Residential
		43%	Commercial
		68%	Total
Percentage of on-site carbon savings achieved through energy efficiency measures	Residential - 10% Non-residential - 15%	11%	
		16%	
Off-site reduction (%) and/or carbon offset contribution	Shortfall to net-zero (Residential) Shortfall to net-zero (Non Residential)	£39,076	
Unregulated carbon emissions	Major developments should calculate and minimise unregulated carbon emissions	Information submitted	
Sustainability			
Urban Greening Factor (UGF)	0.4	0.59	
Biodiversity Net Gain (BNG)	Positive	Positive	

RELEVANT SITE HISTORY

18/4847: Demolition of the existing two storey building (Use class B1) and redevelopment to provide a 24-storey building containing residential dwellings with associated car and cycle parking, provision for bin

stores, landscaping and ancillary works, subject to Deed of Agreement dated 14 August 2020 under Section 106 of the Town and Country Planning Act 1990 – **Granted, 18/08/2020**

21/4316: Non-material amendment:

Plant and cycle parking.
Provision of heat pumps in place of CHP to the first, third and twenty-fourth floor level plans.
Revised description of development.
Condition 15 wording

of Full Planning Permission reference 18/4847 dated 18 August, 2020, for Demolition of the existing two storey building (Use class B1) and redevelopment to provide a 24-storey building containing residential dwellings with associated car and cycle parking, provision for bin stores, landscaping and ancillary works, subject to Deed of Agreement dated 14 August 2020 under Section 106 of the Town and Country Planning Act 1990 – **Granted, 20/12/2021**

21/4642: Variation of condition 2 (development built in accordance with approved drawings) and 15 (height and number of dwellings) for minor-material amendments to provide 11 additional homes through the provision of two additional storeys and other internal and external amendments of Full Planning Permission reference 18/4847 dated 18 August, 2020, for Demolition of the existing two storey building (Use class B1) and redevelopment to provide a 24-storey building containing residential dwellings with associated car and cycle parking, provision for bin stores, landscaping and ancillary works, subject to Deed of Agreement dated 14 August 2020 under Section 106 of the Town and Country Planning Act 1990, subject to Deed of Agreement dated 28 April 2022 under Section 106 of the Town and Country Planning Act 1990 – **Granted, 29/04/2022**

CONSULTATIONS

A total of 488 neighbouring properties were consulted by letter on the proposal on the 29th May 2025 for a 21-day period.

The application was also advertised by four site notices displayed on 25th June 2025 and in the local press on 5th June 2025.

One representation was made in response to the application by the National Health Service (NHS) seeking a financial contribution towards the provision of health services within the local area. However, Officers note that the provision of funding for healthcare services would be via the Council's Community Infrastructure Levy (CIL) funds, in line with the Council's Infrastructure Delivery Plan. On this basis, no financial contribution has been sought from the applicant.

Statutory/External Consultees

Greater London Authority:
Land Use Principles: The principle of optimising development on this vacant site to provide 180 residential units is strongly supported in land use terms.

Affordable housing: The delivery of 180 affordable housing units (100% affordable housing), with a tenure split of 56% social rent/44% shared ownership product is strongly supported subject to being secured within the S.106.

Urban Design: The layout and scale are appropriate for the current and emerging context; however, there are aspects of the design which would benefit from further refinement. In particular the design detail of the balconies, the perforated screens at the base of the tower, and the articulation of the buildings crown could be further explored.

Transport: The ATZ should be further reviewed with a focus on pedestrian accessibility to and from the site. Confirmation regarding bus shelters and access for bus drivers should be provided, and a contribution secured for Stonebridge Park Station. Cycle Parking, a car permit-free agreement and contributions towards reviewing local parking controls should be secured. A holistic approach to disabled persons parking spaces and the servicing arrangements should be explored.

Environment and sustainable infrastructure: Further information is required in relation to energy, whole life carbon, circular economy, urban greening, sustainable drainage, and water.

Transport for London:
No objection following the provision of further bicycle storage information. Conditions and obligations recommended. These are discussed in more detail below.

Transport for London - Infrastructure Protection:
No objection subject to a construction logistics plan condition.

Thames Water:
No objection subject to informatives.

Health and Safety Executive:
Content with the fire safety design, to the extent that it affects land use planning. Some matters to address for later regulatory stages have been provided to the applicant.

Active Travel:
Decided not to provide detailed comments given the role of Transport for London in promoting and supporting active travel through the planning process.

Metropolitan Police:
No objection subject to conditions. Recommended security specifications provided to the applicant.

Local Lead Flood Authority:
No objection following the provision of further drainage information. This detail is discussed within this report.

Environment Agency:
No objection subject to conditions and informatives. These are discussed within this report.

Network Rail:
No objection subject to conditions. These have been included as informatives below.

Internal Consultation

Environmental Health:
No objections subject to conditions being secured in relation to a construction method statement, non-road mobile machinery, and land contamination.

Environmental Health Noise:
No objections subject to conditions being secured in relation to a construction method statement. Further information requested on the external amenity space noise levels and this is discussed in more detail below.

POLICY CONSIDERATIONS

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

The development plan is comprised of the:

London Plan 2021
Brent Local Plan 2019-2041

Key policies include:

London Plan 2021

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

Policy D12 Fire Safety
Policy D14 Noise
Policy H1 Increasing housing supply
Policy H2 Small Sites
Policy H4 Delivering affordable housing
Policy H5 Threshold approach to applications
Policy H6 Affordable housing tenure
Policy H7 Monitoring of affordable housing
Policy HC1 Heritage conservation and growth
Policy G5 Urban greening
Policy G6 Biodiversity and access to nature
Policy G7 Trees and woodlands
Policy SI 1 Improving air quality
Policy SI 2 Minimising greenhouse gas emissions
Policy SI 4 Managing heat risk
Policy SI 5 Water infrastructure
Policy SI 6 Digital Connectivity Infrastructure
Policy SI 7 Reducing waste and supporting the circular economy
Policy SI 12 Flood risk management
Policy SI 13 Sustainable drainage
Policy T2 Healthy Streets
Policy T4 Assessing and mitigating transport impacts
Policy T5 Cycling
Policy T6 Car parking
Policy T6.1 Residential parking
Policy T7 Deliveries, servicing and construction

Local Plan 2019-2041

DMP1 - Development Management General Policy
BSSA6 – Wembley Point and Argenta House
BD1 - Leading the way in good design
BD2 – Tall buildings
BH1 - Increasing Housing Supply
BH2 – Priority Areas for Additional Housing Provision within Brent
BH4 – Small Sites and Small Housing Developments in Brent
BH5 - Affordable Housing
BH6 - Housing Size Mix
BH13 - Residential Amenity Space
BHC1 – Brent's Heritage Assets
BGI1 - Blue and Green 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

Other material considerations include:

National Planning Policy Framework 2024
Planning Practice Guidance
Brent Waste Planning Guide 2013
Brent's Design Guide – Supplementary Planning Document 1 2018
Residential Amenity Space & Place Quality – SPD – 2023
Sustainable Environment & Development – SPD – 2023
Council's S106: Supplementary Planning Document 2022

Mayor's Housing Design Standards LPG 2023
Mayor of London's Affordable Housing and Viability SPG 2017
Mayor of London's Housing SPG (2016)

DETAILED CONSIDERATIONS

Background

1. The application site benefits from an extant planning permission (LPA Ref: 21/4642) on the site for the demolition of the previous two storey building and its redevelopment to provide a 26-storey building containing 141 residential dwellings with associated car and cycle parking, provision for bin stores, landscaping and ancillary works.

Principle of Development

2. Policy BH1 sets out the need for the Council to maximise the opportunities to provide additional homes in the period to 2041, with a minimum 23,250 homes in the period 2019/20-2028-29 and a minimum of 46,018 homes in the period 2019-20-2040/41. The policy identifies Growth Area, site allocations and appropriate windfall sites to support the delivery of the additional homes.

3. Policy BH2 sets out priority areas for additional housing provision within Brent. In addition to Growth Area and Site Allocation, policy BH2 identifies town centres, edge of town centres, areas with higher levels of public transport accessibility levels and intensification corridors as priority location where the provision of additional homes would be supported.

4. The site forms part of the BSSA6 site allocation within the Brent Local Plan (2019-2041), which promotes residential uses on site (indicative capacity of 569 units), with potential for affordable workspace, supporting community and cultural uses and small-scale retail uses. The policy also highlights the poor quality of the existing public realm around the site and seeks to establish better pedestrian connections between Harrow Road and Stonebridge Park Station, through active frontage and public realm enhancements. Small scale retail uses would be appropriate provided that they support the vitality and viability of the existing nearby parade at Harrow Road.

5. The site allocation area is shared with the larger Wembley Point site, which separates Argenta House from Harrow Road. The Wembley Point site benefits from an extant planning permission for the delivery of 515 residential units, small-scale commercial spaces, a community gymnasium and associated landscaping (LPA Ref: 22/0784). Wembley Point, also more recently referred to as 'WEM Tower' is a 21-storey building that has been converted into 439 studio flats through permitted development rights.

6. The proposed development would deliver 180 new homes, which is an uplift of 39 units from the extant consent, further contributing to the aspirations of the site allocation policy and Brent's housing targets. The proposed commercial space would be small in size (17sqm) and is therefore not considered to detract from the vitality and viability of the Harrow Road parade. It would also aid in activating the street, which is a key principle of the site allocation policy. The application is therefore acceptable in principle.

Affordable Housing

7. London Plan Policies H4, H5 and H6 set out the Mayor's commitment to delivering 'genuinely affordable' housing. Policy H5 establishes a threshold approach to applications where a policy compliant tenure mix is proposed*, where viability is not tested at application stage if affordable housing proposals achieve a minimum of:

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

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

8. In line with the above, a 35% affordable provision threshold therefore applies.

9. Policy H6 requires affordable housing provision to include a minimum of 30% low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent or London Affordable Rent); a minimum of 30% intermediate products; and 40% to be determined by the borough based on identified need.

10. Brent's Local Plan Policy BH5 supports this approach and sets a target of 70% of affordable homes being for Social Rent or London Affordable Rent and the remaining 30% being for intermediate products. This split marries up with London Plan Policy H6 by design, with Brent having considered that the 40% based on borough need should fall within the low cost rented homes category.

11. Fast tracked applications are not required to provide a viability assessment at application stage. To ensure an applicant fully intends to build out the permission, the requirement for an Early-Stage Viability Review will be triggered if an agreed level of progress on implementation is not made within two years of the permission being granted (or a period agreed by the borough).

Proposed Scheme – Affordable Housing Requirements

12. Based on the above requirements, the scheme would meet the threshold for not being viability tested if 182 (35%) of its 520 habitable rooms are provided for affordable housing and if those habitable rooms are allocated such that 127 (70%) of them are for London Affordable Rent or Social Rent and that 55 (30%) of them are for intermediate products. This would represent a proposal that is compliant with both London and Brent affordable housing policy.

13. A proposal for fewer affordable homes than this, or for a less desirable split between low cost rented housing and intermediate housing, would only be acceptable if such an offer could robustly be proven to represent the maximum viable amount of affordable housing deliverable, as demonstrated through an agreed financial viability assessment.

Proposed Scheme – Affordable Housing Offer

14. The proposed development would comprise 180 affordable units and 520 affordable habitable rooms, significantly exceeding the policy target. The applicant has opted to provide Social Rent as the low-cost affordable component and Shared Ownership as the intermediate component. The table below sets out a breakdown of these units by type and tenure:

Homes	1 Bedroom	2 Bedroom	3 Bedroom	Total
Social Rent	14 (7.8%)	34 (18.9%)	40 (22.2%)	88 (48.9%)
Shared Ownership	46 (25.55%)	46 (25.55%)	0 (0.0%)	92 (51.1%)
Total	60 (33.3%)	80 (44.4%)	40 (22.2%)	180

Habitable Rooms	1 Bedroom	2 Bedroom	3 Bedroom	Total
Social Rent	28 (5.4%)	102 (19.6%)	160 (30.8%)	290 (55.8%)
Shared Ownership	92 (17.7%)	138 (26.5%)	0 (0.0%)	230 (44.2%)
Total	120 (23.1%)	240 (46.1%)	160 (30.8%)	520

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

Homes	Number of homes required by policy (BH5 / H5)	Proposed number of homes	Degree of policy compliance
Social Rent	44	88	44 homes in excess of policy requirement
Shared Ownership	19	92	73 homes in excess of policy requirement
Total Affordable	63	180	117 homes in excess of policy requirement

Habitable Rooms	Number of habitable rooms required by policy (BH5 / H5)	Proposed number of habitable rooms	Degree of policy compliance
Social Rent	127	290	163 habitable rooms in

			excess of policy requirement
Shared Ownership	55	230	175 habitable rooms in excess of policy requirement
Total Affordable	182	520	338 habitable rooms in excess of policy requirement

16. In summary, the development is proposing affordable housing above the policy target amount and tenure split. Beyond the requirements of the policy, the scheme provides 44 additional social rent homes and 73 additional shared ownership homes when measured by unit and 163 additional social rent habitable rooms and 175 additional shared ownership habitable rooms when measured by habitable room.

17. The GLA agrees that the affordable housing offer is in excess of policy requirements.

18. As per Policy H5, an Early Stage Review would normally be included as part of the s106 agreement. However, given the amount of Affordable housing and Social Rented homes, this is not considered to be required in this instance.

19. In conclusion, the affordable housing proposals comply with both GLA and Brent policies and deliver substantially more affordable housing than what is expected by policy. This is strongly supported and is a significant benefit of the scheme. The affordable housing offer should therefore be accepted, subject to a s106 agreement to secure the provisions.

Housing Mix

20. Policy BH6 states that the council will seek to deliver a target of 25% of new homes as family sized (3 bedrooms or more) dwellings. For every four dwellings included within developments at least one must be 3 bedrooms or more. Exceptions to the provision of family sized dwellings will only be allowed where the applicant can show that:

    a) the location or characteristics of the development are such that it would not provide a high-quality environment for families, or
    b) its inclusion would fundamentally undermine the development's delivery of other Local Plan policies

21. The proposed development would provide 40 family sized homes. Whilst this falls short of the 1 in 4 target (45 homes), it is noted that all of the 40 family sized units would be for social rent whereby such units are of a significant strategic need to the borough. On this basis, the minor shortfall is acceptable.

Design, Character and Impact on the Street Scene

22. Policy DMP1 sets out the need for development proposals to be:

    (a) of a of a location, use, concentration, siting, layout, scale, type, density, materials, detailing and design that provides high levels of internal and external amenity and complements the locality.
    (f) safe, secure and reduces the potential for crime

23. Policy BD1 highlights the need for all new development must be of the highest architectural and urban design quality. Innovative contemporary design will be supported where it respects and complements historic character but is also fit for the future.

24. In delivering high quality design, development proposals will be expected to show how they positively address all the relevant criteria within London Plan design policies and the Brent Design Guide SPD1.

<u>Bulk, Height and Massing</u>

25. Policy BD2 notes that a tall building is one that is more than 30 metres in height above ground level. Tall buildings are directed to the locations shown on the policies map in Tall Building Zones (TBZ). In Tall Buildings Zones heights should be consistent with the general building heights above ground level shown on the policies map, stepping down towards the Zone's edge.

26. In all cases the tall buildings must be shown to be positive additions to the skyline that would enhance the overall character of the area. They should be of exceptional design quality, consistent with London Plan Policy requirements in showing how they positively address their visual, functional, environmental and cumulative impacts.

27. The proposed building would be made up of a central core, reaching a maximum height of 99.75m, with a 30-storey wing to its east (97.2m) and a 27-storey wing to its west (87.6m). The ground floor would be single height, whilst 'The Nest' at first floor level would be double height, with an open face to its north, east and southern elevations.

28. The site sits within a designated TBZ, which includes both this site together with the adjacent Wembley Point site and the Bridge Park and Unisys sites, located on the opposite side of the North Circular Road. The Local Plan policies map gives an indicative height of up to 78m (above ground level), which is approximately 26-storeys (for typical residential floors).

29. The application has been accompanied by an assessment of the scheme against the criteria set out within London Plan Policy D9 (Tall Buildings) Part C together with a full Heritage, Townscape and Visual Impact Assessment (HTVIA). Part C of Policy D9 states that proposals for tall buildings should address their visual, functional, environmental and cumulative impacts. The tall building assessment looks in more detail at the range of criteria that are referred to within this policy, including views from different distances, the spatial hierarchy, architectural quality and the potential for visual impact on heritage assets. Functional and environmental factors are also assessed together with potential cumulative impacts. The potential townscape impacts of the scheme from a number of viewpoints are assessed and discussed within the submitted HTVIA.

30. The submitted documents discuss the composition of the building within the context of the existing Wembley Tower building, and the wider Wembley Point consent. The Wembley Point consent comprises three buildings of varying heights, and when read alongside the existing Wembley Point Tower creates a series of undulating buildings, with the northernmost building forming a natural apex. The proposed building has been designed to act as a prominent bookend to the emerging visual cluster of tall buildings, in order to better define the regeneration area. The proposed building would have a strong relationship with the cumulative development with regard to articulation and materiality, creating cohesion. The building would comprise a high-quality, brick faceted, grid façade which chamfered corners creating a strong and expressive architectural language to the street.

31. Within the HTVIA, a total of 19 viewpoints were evaluated from a range of locations surrounding the development, considering the visual impact of the development within its both existing and emerging context. These identify a series of short, medium and long-range views, in accordance with Policy D9.

32. View 1: Argenta Way Roundabout, looking south-east. This view currently makes a poor contribution to the townscape, as it creates an unresolved street frontage to the roundabout, directly opposite Stonebridge Park Station. The proposed development would be a prominent feature in this view, creating a defined street frontage along Argenta Way. While the scale of development would be significantly greater than that of Stonebridge Park Station ticket hall opposite, it would form a more legible townscape with the emerging context, improving wayfinding to and from the station.

33. View 2: Tokyngton Avenue, looking south-east. This view is lined by two-storey inter-war period houses and is predominantly residential in character. Wembley Tower is visible above the roofs of the northern line properties. The proposed development would be prominent above the southern rooftops of the residential properties. Its slender appearance would contribute to a varied skyline which, when read alongside the emerging context would act as a visual bookend to a dynamic and varied skyline.

34. View 3: Harrow Road, close to Chatsworth Avenue, looking south-east. Both sides of Harrow Road are lined by commercial units with two-storey housing above. Glimpses of the Wembley Tower appear in the distance. The proposed development would sit within the backdrop of this view and would clearly mark the regeneration area with a well-sculpted design both in the existing and emerging context.

35. View 4: Harrow Road, opposite Aldbury Avenue, looking south-east. Harrow road contains a generous width, with wide pavements and houses set behind front gardens. Wembley Tower appears in the middle distance above the existing housing. The proposed development would appear to the right of Wembley Tower in this view with a similar height, consolidating the appearance of larger scale buildings within background views. Furthermore, when read alongside the emerging context, this would contribute positively to the varied and engaging building cluster.

36. View 5: Harrow Road/Monks Park, looking south-west. Blocks of 1930s housing can be seen in the left-hand foreground of this view, ahead of Wembley Tower. The proposed development would be visible in the middle distance of the view, reinforcing the established character of tall buildings within this area. The three-volume composition of the building would be apparent in this view, helping to breakdown the overall mass of the building. In combination with the emerging context, the buildings would consolidate the area between Stonebridge Park Station and Harrow Road.

37. View 6: Monks Park/Vivian Avenue, looking south-west. Both sides of Monks Park are lined by two-storey inter-war housing, with the straight alignment of Monks Park providing a directional quality. Wembley Tower appears prominently behind the houses as a distinct townscape element in the background of the view. The proposed development would appear in alignment with Monks Park, at a slightly greater height than Wembley Point, reflecting its location as a bookend to the emerging context of the regeneration area.

38. View 7: Tokyngton Recreation Ground, north-eastern section, looking south-west. This viewpoint is located on a path to the eastern section of Brent River Park. The view is well lined with trees however Wembley Tower is visible in glimpses. The proposed development would appear within the background of the view, adjacent to and slightly taller than Wembley Tower. Whilst there would be some harm to the openness of the view, this is expected within the regeneration area identified. Furthermore, when read within the emerging context, this would form part of a coherent skyline with the Wembley Point scheme and the Grand Union development.

39. View 8: Tokyngton Recreation Ground, south-western section, looking south-west. This viewpoint is located on a path to the south-west of Brent River Park. Wembley Tower appears prominently within the central portion of the view above the existing tree line. The proposed development would sit partially obscured by the Wembley Tower and where visible would present a well-articulated addition to the skyline. While there would be some harm to the openness of the view, this is expected within the regeneration area identified and the building would be largely obscured by the emerging context.

40. View 9: Brentfield Road/Meadow Garth, looking south-west. This view contains the BAPS Shri Swaminarayan Mandir in the short-term view, an elaborate templet building which is prominent in appearance. Wembley Tower appears as a distant element and is not a main focal presence. The proposed development would sit within the background of the view, largely masked by Wembley Tower and the emerging context of the site, and it would not affect the ability to appreciate the temple in the foreground.

41. View 10: North Circular/Conduit Way Bus Stop. This viewpoint is located on the pavement next to the North Circular and is near the Conduit Way bus stop. It also gives an impression of the view that would be gained by motorists on the North Circular. Wembley Tower appears in the middle distance and is a focal point in this view between the two-storey housing either side of the North Circular. The proposed development would sit within the background of the view, largely occluded by Wembley Tower and the emerging context of tall buildings.

42. View 11: Stonebridge Park, looking northward. This part of the recreation ground has a large area of grass in the foreground, surrounded by trees along its edges. As a result, the foreground of the view has an open quality, while trees in the middle-distance screen out some of the surrounding urban townscape. Nonetheless, modern housing blocks and Wembley Point are partly visible further west of the recreation ground. The arch of Wembley Stadium can also be seen through a gap in the trees and gives the park a sense of place. The upper section of the proposed development would be apparent from this position, standing to the left of Wembley Tower. In contrast to this building, the development would feature a more slender and elegant form. It would also suitably bookend the emerging cluster of buildings, creating a suitably varied skyline.

43. View 12: Foxhold Gardens, looking north-west. This view immediately looks over a green, with two-storey inter-war housing lying beyond. The existing Wembley Tower and former Unisys buildings are visible and act as a visual marker for medium to large scale development. The proposed development would sit behind the Unisys building, and to the left of Wembley Point, adding a positive layer of variation to the skyline. When read within the emerging context, it would also appropriately bookend the undulating heights of the emerging context.

44. View 13: Brentfield/Conduit Way, looking north-west. Brentfield is four lanes wide and occupies the foreground of this view, whilst the Unisys building and Wembley Tower are prominent features beyond

this. The proposed development would appear between the two of these buildings, providing a visually interesting distinction from the Unisys building. It would also read appropriately as a bookend to the emerging Wembley Point context.

45. View 14: Abbey Road/Grand Union Canal Park, looking northwards. The foreground of this view is framed by vegetation to its left and large, low-rise warehouse to its east. Glimpses of the Wembley Arch are also available beyond the vegetation. The upper levels of the proposed development would be visible above the tree line to the right-hand side of the road, thereby framing the Wembley Arch. The development would read be read within the context of the existing warehouse building, and would provide an appropriate variation to the skyline cluster of the emerging context.

46. View 15: Pedestrian bridge over North Circular, looking north-east. This viewpoint is located on an elevated bridge, with the North Circular Road and railway bridge as prominent features within its foreground. The railway bridge also incorporates the Brent Viaduct, a Grade II listed heritage asset. Beyond the bridge, Wembley Tower is seen and its triangular form lends some interest to the view. The proposed development would appear in the middle ground of the view, adjacent to Wembley Point. From this direction, its broader elevation would be apparent, however, this would be broken down into three volumes through its elevational treatment and feature a stepped-top articulation. Overall, the Proposed Development would appear as a companion to Wembley Point, adding interest to the skyline and view and would not negatively interact with the arch of Wembley Stadium or viaduct. A full assessment on nearby heritage assets can be found below. Cumulatively, the development would create a visually interesting skyline with the emerging Wembley Point context, acting as a visual bookend to the regeneration area.

47. View 16: Grand Union Walk, northern side, looking north-east. This view looks across part of the Grand Union development's residential blocks, which have been recently completed. The view is dominated by the public realm and residential blocks of the new development, however Wembley Tower can be seen above the Beresford Avenue terraced properties located in the background, between residential blocks. The upper levels of the proposed development would be visible in the backdrop of this view, terminating the vista of Wembley Tower. Nevertheless, like Wembley Tower, the development would appear distant and clearly part of a separate layer of the townscape, marking the location of Stonebridge Park Station. Its greater height, compared to Wembley Point, would provide a more robust and defined termination to the view. Overall, the Proposed Development would enhance the termination of this view, reinforcing the visual structure and legibility of the townscape.

48. View 17: Heather Park, by bench, looking north-east. This viewpoint is taken near the south-wester corner of Heather Park. The grassed area of the park occupies much of the foreground of the view, with the backs of two-storey houses lying beyond this. Gantries for the railway lines and the Wembley Point building appear further in the distance. These can be clearly understood as lying beyond and distinct from the park and its immediate surroundings. The proposed development would appear in the middle distance, in front of Wembley Point and behind the railway gantries. It would clearly lie beyond and distinct from the park and its immediate surroundings, further in the foreground of the view. The building would replace Wembley Point as a skyline element within the background of the view. While it would have a somewhat greater apparent scale than Wembley Point, the nature of its contrast with the foreground of the view would be similar, and its scale would be effectively broken up by its stepped massing and its three-volume form. The building would stand in front of Block A of the emerging Wembley Point Masterplan. In combination with this scheme, the buildings would form a clear group of taller elements that mark the location of the regeneration area.

49. View 18: One Tree Hill Recreation Ground, looking eastwards. The open space of the park dominates the foreground of the view, whilst trees screen views beyond to a significant extent. Two-storey housing can be seen beyond the park, alongside the tops of the towers of the Shri Vallabh Nidhi Mandir temple and directly behind them in the distance, the Wembley Tower. The proposed development would be visible within the backdrop of this view, although would be largely screened by the foreground elements. It would be visible amongst the emerging Wembley Point context, forming an interesting and coherent group of taller buildings.

50. View 19: Roundwood Park, looking westwards. The open space of the park occupies the foreground of the view. Trees screen views out of the park to some extent. Nonetheless, two-storey housing surrounding the park is visible in the middle ground of the view. Further in the distance, tall buildings around Wembley Stadium and the Wembley Point building near the Site are visible. The proposed development, with its distinctive stepped profile, would mark the skyline in this view and stand adjacent to Wembley Point. Together, the two buildings would appear as distant elements, clearly forming part of a

separate layer within the townscape. When read alongside the emerging context, this would create a dynamic cluster of taller buildings, marking the regeneration area.

51. Overall, the assessment has demonstrated that the proposal would not adversely impact mid-range and long-range townscape views. The slender proportions of the proposal create an elegant silhouette which is best appreciated in views from the east and west. In views from the north and south the tripartite building form and steeped roof profile break up the mass and width of the building effectively. Whilst there would be more noticeable impacts within the short-range views, these are expected in accordance with the site's designation as within a TBZ. The detailed information submitted with regard to functional, environmental and cumulative impact in line with D9(C) is considered to be acceptable.

Architecture and Materiality

52. SPD1 states that the use of durable and attractive materials is essential in order to create development that is appealing, robust and sustainable and fits in with local character. Developments should also have a clear base, middle, and top.

53. The proposed building would incorporate a grid pattern across each of its elevations to act as a visual break to the building's height, whilst also achieving a refined level of articulation. The approach is considered to result in a visually elegant and textured tall building with a strong sense of rhythm and order that reinforces its verticality and enhances its presence within the streetscape.

54. The façade design itself would incorporate a materials palette to provide an element of visual continuity with the Wembley Point masterplan whilst also recognising the building as having its own identity. This would comprise of buff brickwork, metal banding, and perforated panels to the lower floors. In particular, the materials proposed draw reference from the materials approved within Block C of the Wembley Point masterplan, the building to the opposite side of the allocation, which helps to reinforce the building's book-ending role within the urban block.

55. Officers do however note that the proposed residential entrance currently reads as disproportionately small within the wider façade, reducing the sense of arrival quality for future residents. To this end, the applicant has provided details of alternative materials to ensure that the entrance could be better represented in order to enhance its prominence and presence. Officers are satisfied with this approach and such details would be secured by condition.

56. The condition would require samples of the materials to be reviewed and approved by officers, to ensure that a high-quality development would be delivered.

Impact on Heritage Assets

57. Paragraph 207 of the NPPF highlights that when determining application, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Paragraph 208 goes on to say that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.

58. When considering the impact of a proposed development on the significance of a designated heritage asset, paragraph 212 of the NPPF highlights that great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (paragraph 212).

59. Where a proposed development will lead to substantial harm to (or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss (paragraph 214).

60. Where a development proposal will lead to less than substantial harm significance of a designated heritage asset, paragraph 215 of the NPPF highlights that the harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

61. The above position is reinforced within policy BHC1 of Brent's Local Plan.

62. The application has been accompanied by a Heritage Statement as part of the Heritage, Townscape and Visual Impact Assessment. There are no designated or undesignated heritage assets within the site or its curtilage. However, there are 7 above ground heritage assets within proximity of the site likely to be affected by the development on site as set out below:

    - Brent Viaduct, Grade II Listed
    - Stonebridge School, Grade II Listed
    - Stonebridge Park Public House, Grade II Listed
    - Canal Cottage, Locally Listed Building
    - Brent River Park, Locally Listed Land
    - Stonebridge Recreation Ground, Locally Listed Land
    - The Old Orchard, Locally Listed Land

63. The assessment concludes that the proposed development would not give rise to any adverse effects on the setting of the surrounding heritage assets. This includes the Brent Viaduct, which is the closest heritage building to the site and Grade II listed.

64. In assessing the impact of development on the Grade II Viaduct, the statement sets out that the proposed development would be seen in the backdrop of views towards the structure, in a similar manner to the Wembley Tower. It would be clear that the proposed development would be separate from the viaduct and consistent with the existing character of its townscape setting. It would not affect the ability to appreciate the viaduct and would not harm its heritage significance. The same conclusion is also made with regard to the other above noted buildings, which are set a greater distance from the site.

65. In terms of the nearby locally listed land, the development would be in closest proximity to Brent River Park. It is concluded that where visible, the development would be understood as a distant element that is part of a different layer of the townscape. As such, there would be no harm to the park and indeed the other areas of locally listed land.

66. Officers have reviewed the conclusions made with Brent's Heritage Officer and raise no objection to the conclusions made. The application is therefore acceptable on this basis and would not give rise to any adverse impact on the setting of its nearby heritage assets.

<u>Layout</u>

67. The proposed building would have a relatively small footprint due to the overall size of the site. The proposal would include the re-naturalisation of the Wembley Brook, which creates a drop in ground level from the west to the east of the site. On this basis, the eastern portion of the building would be supported by a series of stilts, allowing for wider views of the re-naturalised brook and through to the Wembley Point site at the rear.

68. The ground floor of the building would contain the residential entrance lobby, refuse storage, plant storage, and a Class E unit fronting onto Argenta Way. The entrance lobby would be visible on the right-hand side of the building within the direct sightline of the Stonebridge Park Station entrance. This would be read alongside 'The Nest' at first floor level which due to its double height ceiling and open aspect would provide a striking visual feature when viewed from the south and east. The residential lobby area is relatively small, but of a similar size to the extant consent, and would provide views over the re-naturalised brook which is considered to be a good use of the space provided. Whilst the residential bin store would also be located to the front of the building, the entrance to this would be masked from the south by well-considered landscaping. Instead, the more active Class E unit would be visible to the left of this, providing animation to the corner of the site. The western portion of the site would also be well animated by the 'Play Plaza' providing a natural desire line across this portion of the site with a well-landscaped seating area.

69. The first and second floors would be dual split, with the aforementioned 'Play Nest' providing a focal point of visual interest to the east of the building. To the west of the building would be the cycle storage, which would be accessible via suitably sized lifts. At third floor level, there would be a final layer of bicycle storage to the west, and the first set of residential units to the east.

70. From the fourth floor and upwards, the building is fully residential, providing access to eight units per floor from its single core. The building would step in height at its twenty seventh floor where the number of

units per floor reduces to four.

71. Overall, the proposed layout is considered to be successful, maximising active frontage on this relatively small site, thereby contributing to the successful visual appearance of the building proposed.

Impact on Nearby Residential Amenity

Separation Distance and Privacy

72. Any development is required to maintain adequate levels of privacy and amenity for existing residential properties, in line with the guidance set out in SPD1. SPD1 recommends that directly facing habitable room windows will normally require a minimum separation distance of 18m, except where the existing character of the area varies from this. A distance of 9m should be kept between gardens and habitable rooms or balconies.

73. There are no existing residential buildings within 18m of the proposed development. Likewise, there are no existing residential gardens within 9m of the habitable rooms/balconies proposed. The application would have an acceptable impact on the privacy of nearby properties in this regard.

74. To the north, the proposed building would be set approximately 6.35m away from the site boundary with the emerging Wembley Point site. The north facing elevation contains a number of habitable room windows and balconies at each level of the building and therefore relies on the openness of the car park environment of the neighbouring land in separate ownership for a policy compliant level of outlook. Nevertheless, this relationship was established within the extant consent for the site, owing to the significant limitations on the development because of the plot's size. Furthermore, since the approval of the extant consent, the Wembley Point site itself has come forward for development. Within the assessment of this scheme, it was noted that Building B would be set 6.3m from the joint boundary which is also less than the 9m guidance set out within SPD1. However, as Building B only comprises three storeys, and the residential accommodation within the extant consent of Argenta House started at the third floor, the degree of overlooking was considered to be acceptable. Similarly, the subject application would contain the first area of residential accommodation at third floor level, and this would also be located to the eastern portion of the site, away from Block B. As such, the reduced separation distance to Block B, which is in accordance with the principles established under the Wembley Point scheme, is acceptable. Otherwise, the residential accommodation contained within Building A of the Wembley Point scheme would be set away from the shared boundary by 14.8m, achieving an overall separation distance of more than 18m between buildings. On this basis, the proposed relationship with the Wembley Point scheme is considered to be acceptable.

Daylight and Sunlight

75. Where buildings would be within a 25-degree line of existing windows, the Building Research Establishment 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. This guidance supersedes the 2011 version, however the advice in relation to assessing the impact on neighbouring properties remains consistent with the earlier version.

76. In support of the application a Daylight and Sunlight Report has been submitted, which assesses the effect of the proposed development on surrounding properties as well as within the proposal itself (discussed below).

77. In terms of impacts on daylight and sunlight to neighbouring properties, BRE Guidelines recommend two measures for daylight. Firstly, the Vertical Sky Component (VSC) assesses the proportion of visible sky and is measured from the centre of the main window. If this exceeds 27% or is at least 0.8 times its former value, residents are unlikely to notice a difference in the level of daylight. In addition, existing daylight may be affected if levels of No-Sky Line (NSL) within rooms are reduced to less than 0.80 times their former values.

78. In respect of direct sunlight and overshadowing, the 2022 BRE guidance recommends that a space should receive a minimum of 1.5 hours of direct sunlight on a selected date between 1st of February and 21st of March with cloudless conditions. It is suggested that 21st March (equinox) be used for the assessment.

79. To assess impacts on sunlight to existing south facing windows and amenity spaces, assessment of Annual Probable Sunlight Hours (APSH) is recommended. Adverse impacts occur when the affected window receives less than 25% of total APSH including less than 5% in winter months and that the amount of sunlight, following the proposed development, is reduced by more than 4%, to less than 0.80 times its former value.

80. The BRE guide defines criteria by which to assess the impact of a proposed development on open spaces using the sunlight amenity test. This test quantifies the area of each space that receives at least two hours of sunlight on the 21st of March, in both the existing and the proposed situations. The 21st of March is chosen as it represents the mid-point of the sun's position throughout the year (equinox). The guidance suggests that, for a space to appear adequately sunlit throughout the year, at least 50% of its area should receive two or more hours of sunlight on the 21st of March. If the space fails to meet the above, then the area receiving at least 2 hours of sunlight should not be reduced to less than 0.80 times its former area.

81. However, the BRE also recognise that different criteria 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 the NPPF also supports a flexible approach to applying standards in order to make efficient use of sites. Where existing buildings have windows close to the site boundaries, the BRE suggests that a new building of similar height and proportions could be assumed in order to derive 'mirror image' target values for VSC. Where the proposed development would affect other newly consented developments, the impact on the Average Daylight Factor (ADF) achieved for those developments can also be used as an alternative means of assessing the impact of the proposed development.

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

    - 51-59 (odd) Tokyngton Avenue
    - 52-62 (even) Tokyngton Avenue
    - Wembley Point (Building A)

83. In the event that the Wembley Point scheme does not come forward, Wembley Tower has also been tested, as this is sited behind the proposed Building A of the Wembley Point scheme.

Wembley Tower

84. Due to the distance of development proposed from this building, all windows and rooms contained within the building would remain compliant with BRE guidance (VSC, NSL and APSH) and would not therefore experience a noticeable impact on daylight/sunlight.

51-59 (odd) Tokyngton Avenue and 52-62 (even) Tokyngton Avenue

85. These properties are located to the west of the site, separated by Point Place. They consist of two-storey terraced/semi-detached units with well sized gardens.

86. 10 of the 11 properties modelled would not experience reductions in daylight and sunlight below the default thresholds set out in the BRE guidelines and therefore they would not experience a noticeable change in daylight (VSC and NSL) and sunlight (APSH). No. 58 Tokyngton Avenue contains one window located beneath a deep overhanging canopy which would experience a 27.34% loss in VSC, thereby failing to meet BRE guidelines. However, due to the siting of this window beneath a deep overhanging canopy, the existing VSC score is relatively poor at 2.56%, and the absolute loss of VSC would be 0.7%, which is not considered to be material and noticeable to the residents. The property would also remain fully compliant for NSL and APSH. Therefore, the overall impact of development on these properties is considered to be acceptable.

Wembley Point Scheme (Building A)

87. The consented development is located to the north of the site. Of the three buildings approved, Building B is for commercial purposes whilst Building C is located to the far north of the site, screened behind Wembley Tower. On this basis, only Building A has been tested for its resultant levels of daylight and sunlight.

88. There would be a mixture of bedrooms and living/kitchen/dining rooms (LKDs) facing the site. A number of windows within this façade are recessed and located beneath balconies. It is noted that these architectural features restrict the level and daylight and sunlight to the windows beneath them, which makes them particularly sensitive to changes in the skyline opposite. Such features however are common within high-density developments. Indeed, this was noted within the consideration of the Wembley Point scheme, which noted a reduced compliance level for those windows located beneath balconies.

89. A total of 364 windows serving 280 habitable rooms have been tested, with a summary of the results set out below. The existing levels of VSC, NSL and APSH have been modelled without the extant consent for Argenta House in situ (i.e assuming that the application site is vacant). A comparison of the results for the impact of the proposed development against the extant consent are set out later in this section.

Assessment		Total no. of Windows/Rooms	Total that meet BRE Guidelines	Below BRE Guidelines		
				20-29% Loss	30-39.9% Loss	>=40% Loss
VSC		364 windows	203 windows	7	53	101
NSL		280 rooms	234 rooms	46	0	0
APSH	Winter	140 rooms	95 rooms	0	0	23
	Annual			3	23	18

90. 203 of the 364 windows assessed (56%) would adhere to the default BRE criteria for VSC and therefore would not experience a noticeable change from the approved scenario. Of the remaining 161 windows, it has been found that 95 of these would be located behind recessed balconies whereby the loss of VSC would be less noticeable to occupants given the lower existing levels of VSC. A further 23 unobstructed windows would experience potentially noticeable changes albeit 7 of these would retain VSC levels of above 18%. The remaining 43 windows would also retain VSC levels ranging from 18% to 26%.

91. In terms of NSL, 234 of the 280 rooms assessed (83%) would meet the default BRE criteria. The remaining 46 rooms would experience alterations between 22% and 29% whilst all of the rooms would retain at least one window with an NSL score of 69%.

92. In terms of sunlight, 95 of the 140 rooms (68%) assessed adhere to the BRE guidance for APSH and would not experience a noticeable change. It has been found that all of the remaining 45 rooms would be located beneath inset balconies where the degree of loss would be less noticeable given the existing scenario. 23 of these rooms would also retain an annual APSH of 21% or above whilst 22 rooms would also retain a winter APSH of 17%-18%.

Consented vs Proposed

93. As noted above, the application site benefits from an extant consent for the construction of a 26-storey building which comprises a different approach to design and massing. An analysis of the proposed impact on Building A of the Wembley Point scheme has been undertaken against the impact of the extant consent on this building in order to ascertain the additional level of impact from the extant consent (if any).

94. When compared to the extant consent, 208 of the 364 windows (57%) assessed would retain the same or slightly higher levels of VSC than the consented levels. 147 windows (40%) would experience and improvement of between 0.1% and 5.5%, with 99 of these experiencing an absolute improvement in VSC of between 3% and 5.5%. Otherwise, it has been found that 118 of the remaining windows would retain absolute values within 3% of the consented levels which is considered to be a generally immaterial impact. The remaining 38 windows would serve 23 LKD's and 15 bedrooms. 14 of these windows would retain a VSC of more than 27% thereby still meeting guidance. The remaining 24 windows would experience an absolute change in VSC between 3% and 4.9%.

95. In terms of sunlight (APSH), 19 of the 45 rooms (42%) impacted would experience an absolute improvement of between 3% and 5% in winter and 1-6% annually, when compared to the 2020 Consent. The remaining 26 rooms are located beneath balconies and are therefore more sensitive to changes in massing opposite. These rooms would experience an absolute change in winter APSH of between 1%-5% and between 3% and 11% annually, when compared to the 2020 Consent.

Overshadowing to Outdoor Amenity Spaces

96. The application has considered the impact of development on the outdoor amenity spaces serving the Tokyngton Avenue properties and the privately owned public space within the southern area of the Wembley Point scheme.

97. All of the areas assessed would continue to receive two hours of sun on 21st March for half of their area, in accordance with BRE guidance. On this basis, direct sunlight throughout the year would not be noticeably affected.

Impact on Nearby PV Panels

98. The report submitted does not consider the impact of development on the performance of nearby PV Panels in accordance with BRE Guidance. Nevertheless, in terms of potential impact, the development would be to the south of the emerging Wembley Point Scheme but would be lower in height than Building A, which would contain an array of PV panels. On this basis, it is considered that any impact would be immaterial due to the changing heights. Whilst Building B would be much lower in height at 3 storeys, this would not contain any PV equipment on its roof. Wembley Tower and Building C would be located further to the north and any impact on these buildings would be immaterial.

99. Otherwise, the nearby residential properties along Tokyngton Avenue do not contain rooftop PV panels. In any case, these properties are sited to the west of the application site and would continue to receive unfettered access to sunlight from the south. The application is therefore acceptable in this regard.

Summary

100. The proposed development would have a generally immaterial impact upon the level of daylight/sunlight received by the nearby residential properties along Tokyngton Avenue.

101. Whilst the proposed development would result in some windows in rooms of Building A of the emerging Wembley Point consent that would experience a reduction in daylight and sunlight levels beyond the approved scenario, it has been found that the vast majority of these windows/rooms would be located behind recessed balconies, whereby the resultant impact would be intensified by the existing conditions. The majority of the remaining unobstructed windows/rooms would retain good levels of sky visibility for this area identified as suitable for greater density development.

102. Furthermore, the vast majority of windows/rooms would experience no material differences in impact between the 2020 Consent and the Proposed Development. Where there are more noticeable differences in retained VSC levels, it has been found that there are far more windows that experience improvements than there are windows that experience reductions. Where there are reductions in VSC and APSH they are typically to windows/rooms located behind recessed balconies and therefore, are more sensitive to changes in massing opposite.

103. Overall, while there are a number of windows and rooms within Building A of the Wembley Point scheme which would not achieve BRE guidelines, the scheme provides a generally high compliance with BRE guidance as a whole, and these results are considered to be acceptable given the context of the extant consent and the location of the building within a tall building zone and within a site allocation policy which expects high density of development. It is also worth setting out that the NPPF highlights a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site.

Quality of Accommodation

104. Policy D6 of London Plan sets out that housing developments should be of high-quality design and provide adequately sized rooms with comfortable and function layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures. Part (c) highlights that housing developments should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings. A single aspect dwelling should only be provided where it is considered a more appropriate design solution to meet the requirements of Part B in Policy D3 Optimising site capacity through the design-led approach than a dual aspect dwelling, and it can be demonstrated that it will have adequate passive ventilation, daylight and privacy, and avoid overheating.

105. Part F of Policy D6 sets out that housing developments are required to meet the minimum standards

below which apply to all tenures and all residential accommodation that is self-contained:

a. Dwellings must provide at least the gross internal floor area and built-in storage area set out in Table 3.1 (below).

b. A dwelling with two or more bedspaces must have at least one double (or twin) bedroom that is at least 2.75m wide. Every other additional double (or twin) bedroom must be at least 2.55m wide.

c. A one bedspace single bedroom must have a floor area of at least 7.5 sq.m. and be at least 2.15m wide.

d. A two bedspace double (or twin) bedroom must have a floor area of at least 11.5 sq.m.

e. Any area with a headroom of less than 1.5m is not counted within the Gross Internal Area unless used solely for storage (If the area under the stairs is to be used for storage, assume a general floor area of 1 sq.m. within the Gross Internal Area).

f. Any other area that is used solely for storage and has a headroom of 0.9-1.5m (such as under eaves) can only be counted up to 50 per cent of its floor area, and any area lower than 0.9m is not counted at all.

g. A built-in wardrobe counts towards the Gross Internal Area and bedroom floor area requirements, but should not reduce the effective width of the room below the minimum widths set out above. Any built-in area in excess of 0.72 sq.m. in a double bedroom and 0.36 sq.m. in a single bedroom counts towards the built-in storage requirement.

h. The minimum floor to ceiling height must be 2.5m for at least 75 per cent of the Gross Internal Area of each dwelling.

Type of dwelling		Minimum gross internal areas and storage (sqm)	
Number of Bedrooms	Number of bed spaces	1 storey dwelling	Built-in storage
1b	2p	50	1.5
2b	4p	70	2
3b	5p	86	2.5

106. The proposed building would be made up of two typical floorplates: one for the proposed social rent accommodation at the lower building levels, and one for the proposed shared ownership accommodation at the higher building levels. Where the floorplates are split with ancillary uses/rooftop, the residential areas would be representative of the relevant portion of the typical floorplates identified. In all cases, the dwellings would be arranged around a central access and service core. There would typically be 6 units per floor for the Social Rent units and 8 units per floor for the Shared Ownership units, in line with the guidance set out in the Housing Standards LPG. Each of the homes would also exceed the minimum space standards set in policy D6, with bedroom sizes meeting or exceeding the minimum 7.5 sqm for a single bedroom and 11.5 sqm for a double bedroom. The homes would all achieve a minimum ceiling height of 2.5 m for at least 75% of the gross internal area of each dwelling. 83% of the homes proposed would be dual aspect, and none of the single aspect units (all 1 bedroom units) would be north facing. Furthermore, the development would not give rise to unacceptable levels of overheating as set out within the 'Sustainability' section of this report. The overall layout is considered acceptable in this regard.

Daylight and Sunlight

107. The submission has been supported by a technical assessment of the light that is expected to be received by the habitable rooms of the flats within the scheme. In terms of internal daylight, the annual daylight method is used, and this involves using climatic data for the location of the site (via the use of an appropriate typical or average year weather file) to calculate the illuminance from daylight at each point on as assessment grid on the reference plane at an at least hourly interval for a typical year.

108. A target illuminance (ET) is the illuminance from daylight that should be achieved for at least half of annual daylight hours across a specified fraction of the reference plane in a daylit space. Daylight

Autonomy (DA) is the percentage of occupied hours that each sensor receives more than the illuminance threshold, and Spatial Daylight Autonomy (SDA) is an annual daylighting metric that quantifies the fraction of the area within a space for which the daylight autonomy exceeds a specified value. The UK National Annex gives specific minimum recommendations for habitable rooms in dwellings in the United Kingdom. These are intended for 'hard to light' dwellings, for example in basements or with significant external obstructions or with tall trees outside, or for existing buildings being refurbished or converted into dwellings. The National Annex therefore provides the UK guidance on minimum daylight provision in all UK dwellings. This consists of illuminance recommendations of:

- 100 lux in bedrooms
- 150 lux in living rooms
- 200 lux in kitchens

109. These are the median illuminances, to be exceeded over at least 50% of the assessment points in the room for at least half of the daylight hours.

110. Analysis has been undertaken in two separate scenarios, the baseline scenario (without the Wembley Point scheme in situ) and the cumulative assessment (which assumes that the Wembley Point scheme has been completed.

Baseline Scenario

111. The illuminance method daylight results show that 447 of the 520 rooms assessed (86%) meet the suggested median lux levels for their room use.

Cumulative Scenario

112. The illuminance method daylight results show that 409 of the 520 rooms assessed (79%) meet the suggested median lux levels for their room use

113. Where rooms fall short, they are generally located within areas served by inset balconies which limit the available daylight reaching the fenestration. This is commonly the case for high density schemes, where the provision of private external amenity space that is accessed directly from a living space is a critical requirement in order to ensure that flats have an appropriate quality and quantity of external space. It is considered that the provision of this external space for each flat outweighs the harm associated with the reduction in daylight that typically does result from this provision.

114. The assessment also considers the levels of sunlight received by the seated areas within the proposed development through the Sun Hours on Ground assessment. This consists of the Play Plaza area to the west of the site. For the spaces to be well sunlit, they should receive two hours of sun on the 21st March to half of its area (50%). The areas identified would meet this test.

115. Overall, the assessment of the light for the future occupants demonstrates an acceptable level of adherence to the daylight assessment, whilst also demonstrating a good level of sunlight will be achieved.

<u>Accessibility</u>

116. Policy D7 requires at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings.

117. The plans provided identify that 18 of the dwellings proposed would provide an M4(3) level fit out in accordance with Policy D7. These would be equally distributed between both tenures proposed and would be dispersed throughout the development to provide a range of floor level locations. The submission highlights that the remainder of the units would provide an M4(2) fit out, and this arrangement would be secured via condition.

<u>Privacy</u>

118. Due to the tripartite composition of the proposed development with a central core, there would be two

sets of balconies at each typical floor which would be sited within 9m of one another. To ensure there would be no harmful levels of overlooking between these areas, a condition requiring details of privacy screens to be installed would be included with any consent. This is not considered to have a material impact on the level of outlook, daylight and sunlight received by these spaces or the associated units.

Amenity Space

119. Policy BH13 sets out that all new dwellings will be required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This is normally expected to be 50sqm per home for family housing (3 bedrooms or more) situated at ground floor level and 20 sqm for all other housing.

120. Policy D6 of London Plan sets out that a minimum of 5 sq.m. of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sq.m. should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m. The policy highlights that new developments should provide private amenity space to all dwellings, accessible from a main living room without level changes and planned to take maximum advantage of daylight and sunlight. Where sufficient private amenity space cannot be achieved individually for each dwelling to meet the full requirement of the policy, the remainder should be supplied in the form of communal amenity space.

121. In some locations, such as town centres, in high density developments the council understands that meeting the overall minimum might be challenging. Whilst amenity space will assist in achieving the urban greening factor targets, other requirements such as renewable energy sources may compete for areas that might otherwise accommodate amenity areas, such as roofspace. As such flexibility could be allowed where it can be shown that all reasonable options for provision have been considered. In these cases, the quality of any communal space will need to be particularly high to show it can meet residents' needs. Where not meeting the standards, developments will need to demonstrate how the level of amenity space provided is considered to be acceptable taking into account factors such as, accessibility of dwellings to their own amenity space and its quality, the amount and quality of communal space, proximity to other areas of open space nearby and internal amenity spaces.

122. In line with Policy BH13, the scheme would be required to provide a total of 3,600sqm of private external amenity space (20sqm per unit). It is proposed that each home would have access to a private balcony that meets or exceeds London Plan Policy D6 standards for private external amenity space. However, there is an overall shortfall in private external amenity space of 2,280sqm. Where sufficient private amenity space cannot be achieved individually, policy sets out that the remainder should be supplied in the form of communal amenity space.

123. The proposed development would include space for communal amenity within 'The Play Nest and Hub' and 'Play Plaza'. These spaces would measure a combined total of 289.5sqm, reducing the shortfall in on-site amenity space to 1,990.5sqm.

124. Given the significant shortfall of on-site amenity space proposed, the communal space proposed must be of a particularly high quality to show that it can meet residents' needs. The 'Play Nest and Hub' would form an elevated communal amenity space at first floor level, with a double-height ceiling and attractive open-sided views of the re-naturalised Wembley Brook. The 'Play Nest' element would be accessible to all residents, and would comprise fixed play space, seating and tables, casual activity space and a flexible-use activity zone. The Design and Access Statement submitted with the application outlines that year-round use would be supported by weather-proofing solutions such as sheltered areas with timer-activated heaters. The space would also connect to 'The Hub', which would offer a fully indoor space for socialising, working, exercising or learning. Given the diverse range of uses proposed between these spaces, the applicant has provided an indicative management strategy, setting out staff responsibilities, hours of access, resident engagement etc. This would also include a commitment by the applicant of £25,000 to go towards funding initiatives within these spaces. Typical uses throughout different periods of the day have also been identified which include co-working on weekdays, breakfast clubs and fixed children's play on weekday mornings and an area for residents to undertake casual social activities in the evening. Officers consider that the identified range of uses proposed would help in forming a sense of community within the building, and would provide a wide range of activities for residents. However, officers do acknowledge the limitations of the size of the space when considering the overall scale of development. To ensure the space is well used and managed, the requirement for an amenity space management plan would be conditioned as part of any consent.

125. The Residential Amenity Space and Place Quality SPD does recognise that privately owned public

spaces may be used to support the justification for a lower provision of communal amenity space. Whilst it is not solely accessible to residents within the development, it does help to support the integration of developments into their physical and human context. As such, it also has potential benefits for quality of life, community and green infrastructure. The proposed Play Plaza would provide an area of public private space on the western portion of the site to provide areas for seating and landscaping, which is considered to be of a good quality, providing areas for social interaction and play.

126. The application was also accompanied by an Amenity Space Quality Statement, which sets out how the development would respond to the specific user needs of the building, and measures the development against specific health and wellbeing, community and belonging, vibrant and inclusive and sustainability objectives. Upon review of this document in line with Section 8.3 of the Amenity Space SPD, the proposed development would achieve a score of Poor, as it fails to appropriately respond to all of the Tool A principles. Specifically, these points are A2 (distribution of amenity space throughout the development) and A6 (provision of amenity space for a wide range of communities within the development). Officers acknowledge that due to the shortage of quantum of on-site amenity space, it would not be possible for the development as currently proposed to overcome these issues. However, the issue of shortfall and mitigation is discussed as acceptable later on in this report. When considering the performance of the development otherwise (excluding the need to meet Criteria A2 and A6), this would meet the Excellent score, further highlighting the quality of the on-site space provided.

127. Whilst Officers acknowledge the potential of the amenity spaces proposed to provide high-quality amenity provision, it is acknowledged that the degree of shortfall in terms of space would mean that there would remain a number of residents in the development who would likely seek amenity within nearby open areas. The proposed development is within a 400m walk of Brent River Park (formerly St. Raphael's Open Space) and within a 500m walk of Heather Park. Whilst the access to Brent River Park is considered to be of a suitable distance, it is noted that residents would need to cross Harrow Road (5 lanes of traffic) to reach this space. However, it is also noted that the Wembley Point scheme secured a number of highways improvements, including the widening, landscaping and addition of a bicycle lane to Point Place as well as a financial contribution towards the delivery of CFR23, an identified strategic link which would improve pedestrian/bicycle permeability along the North Circular Road and to Brent River Park. The privately owned public areas within the development were also secured as public spaces within the associated Section 106 Agreement.

128. The proposed development would also secure a £45,000 financial contribution towards the delivery of CF23, thereby improving future access to Brent River Park. Furthermore, in view of the significant shortfall of on-site amenity space, a contribution of £200,000 would be secured to further improve the access to and improvement of nearby local parks. In this instance, and when considering the significant planning benefits of the scheme, which includes the delivery of 100% affordable housing, the overall approach to amenity is considered to be acceptable on this occasion.

Play Space

129. London Plan Policy S4 requires development proposals to make provisions for play and informal recreation based on the expected child population generated by the scheme. Further detail is provided in the Mayor's 'Shaping Neighbourhoods: Play and Information Recreation' Supplementary Planning Guidance (SPG), which sets a benchmark of 10sqm of usable child place space to be provided per child and makes clear that playspace must not be segregated by tenure.

130. The child yield of the development is projected as a total of 129.3 children requiring the need for a total of 1,293.8sqm of playspace. This is further broken down as follows:

- 55.4 children aged 0-4 (553.5sqm of playspace needed)
- 42.9 children aged 5-11 (429.4sqm of playspace needed)
- 31 children aged 12+ (310.9sqm of playspace needed)

131. A Play Space strategy has been provided, which identifies play spaces on site amounting to 301sqm. This is broken down as 121sqm for the 0-4 age group (Hub and Nest) and 180sqm for the 5-11 age group (Play Plaza). The submission sets out that whilst there is a shortfall against play space standards, the calculation does not allow for the fact that the Hub and Nest would be flexible spaces, which could cater for all age groups (albeit at different times) through a flexibly managed solution. Officers do recognise the flexibility of this space in meeting the needs of the different age groups on site, however recognise that for this to be successfully implemented, the space would need to be well managed. As discussed above, a condition would be attached to any consent requiring the submission of a

comprehensive amenity space management plan, and this will clearly need to set out management arrangements for each of the age groups identified. Otherwise, noting the overall shortfall in quantum, it is again acknowledged that the older children within the development would likely seek play within nearby open spaces. It is considered that the £200,000 contribution identified above would allow for significant improvements to these spaces (including access). There would also be publicly accessible play equipment for the younger age groups within the Wembley Point scheme.

132. Whilst the proposed development would not provide the amount of play space as required by Policy S4, it is noted that 0-4 provision would be prioritised on site, and that a flexibly managed solution to the limited quantum of space could provide various activities for the other age groups. When considering the further financial contribution for the improvement of nearby parks (including access), and the significant public benefits of the scheme, the shortfall in quantum is considered to be acceptable on this occasion.

Transport and Highways Considerations

Car Parking

133. Policy T6.1 of London Plan sets out that new residential development should not exceed the maximum parking standards set out in table 10.3 (below). This is also reinforced within policy BT2 of Brent's Local Plan that sets out that developments should provide parking consistent with parking standards in Appendix 4. Car parking standards are the maximum and car free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking.

Location	Number of beds	Maximum parking provision
All areas of PTAL 5-6	All	Car free

134. Policy BT2 highlights that additional parking provision should not have negative impacts on existing parking, highways, other forms of movement or the environment. The removal of surplus parking spaces will be encouraged. Development will be supported where it does not:

i. add to on-street parking demand where on-street parking spaces cannot meet existing demand such as on heavily parked streets, or otherwise harm existing on street parking conditions;
j. require detrimental amendment to existing or proposed CPZs. In areas with CPZs access to on-street parking permits for future development occupiers other than for disabled blue badge holders will be removed or limited;
k. create a shortfall of public car parking, operational business parking or residents' parking;

135. Disabled persons parking should be provided for new residential developments. Residential development proposals delivering ten or more units must, as a minimum:

l. ensure that for three per cent of dwellings, at least one designated disabled persons parking bay per dwelling is available from the outset
m. demonstrate as part of the Parking Design and Management Plan, how an additional seven per cent of dwellings could be provided with one designated disabled persons parking space per dwelling in future upon request as soon as existing provision is insufficient. This should be secured at the planning stage

136. Disabled parking bays should be located to minimise the distance between disabled persons parking bays and the dwelling or the relevant block entrance or lift core, and the route should be preferably level or where this is not possible, should be gently sloping (1:60-1:20) on a suitable firm ground surface.

137. With the PTAL rating of the site having risen to 5 with the extension of bus route 79 to terminate at Stonebridge Park station, any residential or retail units would be expected to be 'car-free'. With no parking proposed within the site, maximum standards would be complied with.

138. However, residents would still be able to park on-street in the area with virtual impunity, as there is no Controlled Parking Zone (CPZ) in operation at present (other than the Wembley Stadium event day zone). To address this, a financial contribution of £70,000 for the extant consent was previously secured through the S106 Agreement towards the Council's costs in introducing a Controlled Parking Zone in the area. Whilst the proposed development would contain an uplift of 39 units, it is noted that this scheme

would provide 100% affordable housing, which is of significant public benefit to the borough. On this basis, no uplift is sought in the CPZ contribution, which would again be secured as part of the S106 Agreement.

139. A 'car-free' agreement within the S106 Agreement would also be secured for the building to remove the right of future residents to on-street residential parking permits for both the existing Wembley Stadium event day zone and any year-round Controlled Parking Zone that is introduced in the area in future.

140. In terms of disabled parking, the London Plan requires a space to be provided for 3% of units, which would equate to 5-6 spaces in this case. With no off-street parking to be provided, alterations are proposed to the highway layout to accommodate about 3 spaces along the Point Place frontage, in a layout consistent with the highway proposals for the redevelopment of the adjoining site at Wembley Point.

141. Officers note that this would not meet the London Plan requirement however it is noted that any residents holding Blue Badges would be exempt from the 'car-free' agreement, so could purchase parking permits within any future CPZ.

142. The extant consent also secured a total of 3 disabled spaces (2 on site and 1 along Point Place to be agreed as part of the highway works attached to the s106 agreement). Whilst the subject application would provide an uplift of 39 units from the extant consent (equivalent to London Plan requirements for 1 additional disabled parking space), it is acknowledged in this instance that the on-site public realm area is limited, and has instead been utilised for the re-naturalisation of the Wembley Brook (providing visual and ecological enhancements) and for improved pedestrian access to Stonebridge Park Station (in accordance with the aspirations of the site allocation). Therefore, and on balance when considering the wider public benefits of the scheme, the proposed level of provision is acceptable in this instance.

Bicycle Parking

143. Policy T5 of London Plan sets out the need to secure the provision of appropriate levels of cycle parking which should be fit for purpose, secure and well-located. Developments should provide cycle parking at least in accordance with the minimum standards set out in Table 10.2 and Figure 10.3, ensuring that a minimum of two short-stay and two long-stay cycle parking spaces are provided where the application of the minimum standards would result in a lower provision. This is also set out within policy BT1 of Brent's Local Plan that highlights the need for developments to include cycle parking, in line with or exceeding London Plan standards. The relevant standards are set out below:

Use Class		Long-stay (e.g. for residents)	Short-stay (e.g. for visitors)
C3	Dwellings (all)	1 space per studio or 1 person 1 bedroom dwelling 1.5 spaces per 2-person 1 bedroom dwelling 2 spaces per all other dwellings	5 to 40 dwellings: 2 spaces Thereafter: 1 space per 40 dwellings

144. Cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards. Development proposals should demonstrate how cycle parking facilities will cater for larger cycles, including adapted cycles for disabled people.

145. Where it is not possible to provide adequate cycle parking within residential developments, boroughs must work with developers to propose alternative solutions which meet the objectives of the standards. These may include options such as providing spaces in secure, conveniently-located, on-street parking facilities such as bicycle hangers.

146. The 180 new flats would require a minimum of 330 long-stay spaces and 5 short-stay spaces. The proposed retail unit is too small to require any bicycle parking. To meet this requirement, internal stores at second and third floor levels are proposed with a combined capacity for 332 bikes on a mixture of two-tier and 'Sheffield' stands, with suitable access via three enlarged bike lifts. The short-stay

requirement would be satisfied by the siting of three bike stands to the front of the building. The application is therefore acceptable in this regard.

Refuse

147. Policy D6 of London Plan highlights the need for housing should be designed with adequate and easily accessible storage space that supports the separate collection of dry recyclables (for at least card, paper, mixed plastics, metals, glass) and food waste as well as residual waste. This is reinforced within policy DMP1 that highlights the need for developments to provide high levels of internal and external amenity and does not unacceptably increase exposure to smells and waste.

148. Brent's "Waste and Recycling Storage and Collection Guidance for Residential Properties" sets out the following requirements:

Property Type	Receptacle position	Residual waste (litres)	Dry recycling (litres)	Food waste (litres)
Residential developments over 8 households	External	60l per bedroom	60l per bedroom	23l per household
	Internal	30l min per household	30l min per household	5l per household

149. The guidance also highlights that collection operatives should not be required to:

n. move wheeled bins of up to 240 litres more than 20 metres in total. This is the maximum distance between the point of collection and the collection vehicle.
o. move a 1,100 litre eurobin or a similar wheeled container more than 10 metres in total. This is the maximum distance between the point of collection and the waste collection vehicle.

150. The 180 flats proposed would require 38 eurobins (1,100l) and 18 wheeled bins (240l) to meet the combined storage requirements for recycling, residual and organic waste.

151. Due to the very constrained ground floor footprint of the site, it is accepted that it is difficult to provide the full storage requirement at ground floor level. The extant consent was therefore subject to a S106 clause requiring twice-weekly waste collection to be agreed with Brent and paid for by the building's owner, thus allowing on-site storage requirements to be halved. An Operational Waste Management Plan has been submitted that commits to securing twice-weekly waste collection for the site. On this basis, this proposal includes a bin store at ground floor level with space for 20 Eurobins and 9 wheeled bins, thus meeting capacity requirements for an enhanced refuse collection schedule. It is noted that the bins are tightly arranged though, with many bins being positioned behind another bin. Regular rotation of the bins by the building management team would therefore be required and this is acknowledged in the Operational Waste Management Plan. Full details would be secured as part of the S106 Agreement.

152. All servicing, including bin collection, is proposed to be undertaken from a loading bay to be constructed within the Argenta Way footway, in the location of the existing vehicular access to the site between the Point Place junction and the speed table fronting the site. Approximately 18 daily deliveries are expected and a Delivery & Servicing Plan has been submitted with the application to try to manage deliveries. As a residential scheme, the developer has no direct control over delivery movements though, whilst no concierge is proposed either for this affordable housing scheme to receive deliveries if residents are not at home. Nevertheless, the loading bay is considered sufficient to accommodate the expected level of activity.

153. The construction of the loading bay would be undertaken through a S38/S278 Agreement secured as part of the S106 Agreement, which would include the adoption of land behind the loading bay to ensure a clear footway of at least 2m is retained along the site frontage.

Highways Works

154. The S38/S278 highway works proposed as part of this application also include works to the junction of Point Place and Argenta Way to convert it from a mini-roundabout to a priority junction with increased soft landscaping. This would in turn accommodate the three on-street disabled parking bays along Point Place referred to above, whilst retaining the existing bus stands and contraflow cycle lane. Tracking runs for electric buses have also been provided to demonstrate that the bus stands would remain useable by buses on route 79 that terminate here. As per the extant consent, these works are welcomed in terms of

helping to improve the Healthy Streets rating along the site frontage.

155. Schedule 9 of the S106 Agreement attached to the extant consent also required the safeguarding of land within the site to provide a future pedestrian/cyclist bridge link over the River Brent to connect Argenta Way with the adjacent Wembley Point development. However, the approved layout of the Wembley Point development does not include any connection to this proposed bridge link, so there is no longer a requirement to safeguard this land.

156. Instead, the approved Wembley Point scheme proposes to widen the footway along the North Circular Road frontage to allow it to operate as a shared footway/cycleway. It is therefore vital that this development also dedicates land to provide a widened footway/cycleway along its boundary to North Circular Road to continue the Wembley Point proposals. In this respect, the proposed site boundary to North Circular Road in the northeastern corner of the site is shown splayed back into the site to provide the necessary footway/cycleway width. This triangle of land needs would also be included in the S38/S278 Highways Agreement secured as part of the S106 Agreement.

157. To ensure the proposed cycleway connects seamlessly with the existing footway/cycleway along Old North Circular Road southwards towards Park Royal and Alperton, a safe crossing over North Circular Road is also sought within the vicinity of the site. At this stage, this is identified to include a potential zebra crossing with cyclist elephant print markings on a raised table fronting the site, linking to an extension of the cycle path along the highway verge land opposite.

158. As this development has increased in size from the extant consent, an extension to the scope of the highway works to deliver the raised crossing is considered appropriate. Ideally, this would be delivered as a further Heads of Terms to the S38/S278 Highways Agreement, but the land on which the extended cycleway sits is managed by TfL, so this may add complications. A financial contribution of £45,000 towards this work would therefore be secured in the S106 Agreement. Given the importance of this route, it is deemed appropriate that the monies secured for the introduction of a CPZ could also be used either in full or part towards the delivery of this cycle route.

159. The initial layout plan also shows new zebra crossings on Argenta Way and it is confirmed that this development would not compromise the ability to provide those crossings.

Trip Generation

160. A Transport Assessment has been submitted with the application, which considers the likely level of trips that would be generated by the development and the impact that these would have on transport capacity in the area.

161. Based on comparisons with four other housing developments of between 100-200 flats in outer London, the development is estimated to generate 18 arrivals/81 departures in the morning peak hour (8-9am) and 55 arrivals/35 departures in the afternoon peak hour (5-6pm). These trips have then been allocated to various modes of transport based upon Census data for the area, with an adjustment to reduce car driver trips to 1% to reflect the car-free nature of the proposal. As a result, just 2-3 vehicle trips (1 car & 1-2 taxi) are expected to be made in each peak hour. This level of traffic is not significant enough to have a noticeable impact on the local highway network.

162. The majority of trips are expected to be made by public transport, with 45% by rail and Underground and 35% by bus. These figures translate to about 9 arrivals/36 departures passing through Stonebridge Park Station in the morning peak hour and 24 arrivals/15 departures in the evening peak hour. In terms of train loadings, this amounts to less than two additional passengers per train, so it is not expected that this would result in capacity problems.

163. However, the additional passengers passing through the station, particularly when considered cumulatively with other developments in the area, would be likely to have an impact on station gateline capacity. A financial contribution of £191,840 was previously secured by TfL as part of the extant consent for capacity improvements at Stonebridge Park station. To capture the increased density of development, a revised figure of £222,750 would be secured as part of the S106 Agreement, as requested by TfL.

164. Bus trips are estimated to total 7 arrivals/28 departures in the morning peak hour and 19 arrivals/ 12 departures in the evening peak hour. This amounts to less than one additional passenger per bus passing in the vicinity of the site, so is not considered significant enough to cause concern. TfL have also reviewed this data, and have raised no concerns.

Healthy Streets

165. To assess the suitability of the local streets to accommodate the above noted increases in walking and cycling trips, a Healthy Streets Audit has been undertaken for five routes linking the site to Brent River Park, Stonebridge Park station, Alperton Community School, Stonebridge School and Harrow Road shops and surgery, with a night-time assessment also carried out.

166. However, aside from improved street lighting along unspecified parts of the route to Stonebridge School, no improvements have actually been suggested. Nevertheless, the provision of a crossing on Old North Circular Road (as mentioned above) would represent a significant improvement to the assessed route to Alperton Community School, so the £45,000 financial contribution secured towards the delivery of CF23 is considered to be sufficient to address the Healthy Streets needs of the area.

167. Road accident statistics were also considered in the Healthy Streets Assessment for the five-year period October 2020-September 2024. This revealed a large number of personal injury accidents along Harrow Road, including a fatality and a number of serious accidents. However, only four slight injury accidents were recorded in the immediate vicinity of the site, so this 'car-free' proposal is not expected to have any impact on road safety in the area.

Travel Plan

168. To help to reduce car dependency, promote the health benefits of sustainable travel and generally reduce the traffic generated by residents and visitors, a Residential Travel Plan has been prepared and submitted with the application. This proposes to appoint a Travel Plan Co-ordinator to oversee the management of the plan. Their duties would include implementation of various measures, including the provision of Travel Packs incorporating useful travel and promotional information, such as Bike2Work schemes and links to journey planning websites. Other measures include securing discounts on cycling equipment from local retailers and promotion of Car Clubs to residents.

169. Schedule 2 of the S106 Agreement secured as part of the extant consent included a requirement for the applicant to establish a car club within the vicinity of the site, with free membership to be offered to new residents for a period of three years.

170. However, the emerging development at the adjoining Wembley Point site also includes a commitment through its S106 Agreement to provide a Car Club parking space within its site. As that site will provide off-street parking and has a much longer highway frontage, it is far more able to accommodate a Car Club space. As such, unless the Wembley Point site does not get developed, the obligation to establish a Car Club on this site can be relaxed. The requirement to offer free membership for residents for three years needs to remain though and this detail would be secured via the S106 Agreement for this scheme.

171. With no car parking to be provided on site, there are no targets relating to car use as this is expected to be negligible anyway. Proposed targets instead seek to increase walking and cycling, at the expense of public transport use. An initial travel survey in accordance with the TRICS survey methodology would be undertaken within the first year of occupation, followed by further TRICS surveys biennially thereafter for a period of five years. This detail is considered to be acceptable given the 'car-free' nature of the development proposed and its implementation would be secured via condition.

Construction Logistics

172. An outline Construction Logistics Plan for the site has been prepared in line with TfL guidance, to consider how construction traffic to this very restricted site would be managed during the 33-month construction period identified (July 2027 – April 2030).

173. Due to the lack of on-site space, it is proposed that deliveries would be undertaken from a pitlane on Argenta Way fronting the site, which would in turn entail the closure of the footway and suspension of the bus stop. This would require approval from both the London Borough of Brent (as Highway Authority) and TfL. TfL have reviewed this detail and have raised concern over the suspension of the bus stop and the associated impact that this would have upon the continued access to bus operations. On this basis, further correspondence would be required with TfL as part of the final Construction Logistics Plan, and this would be secured by condition.

174. It is also envisaged that the whole road may require occasional closure from time to time, such as for

the erection and dismantling of cranes. Delivery lorries would be routed to the site via North Circular Road, Harrow Road and Point Place, departing via Old North Circular Road eastbound. This is considered appropriate and should be strictly adhered to.

175. Due to the shortage of storage space, deliveries would be booked in advance outside of peak hours, to ensure that no more than one delivery vehicle is attending the site at any time. However, during the basement excavation and piling stage (the latter part of 2027), as many as 27 deliveries (predominantly HGV's) are anticipated per day. Further information would be sought via condition on how this many deliveries could be accommodated at this restricted site.

176. No car parking would be provided on site, so staff would be encouraged to use public transport to reach the site. A final Construction Logistics Plan would be developed once the principal construction contractor is appointed and this is to be secured via condition.

Green Infrastructure

Trees

177. London Plan policy G7 sets out the need for development proposals to ensure that, wherever possible, existing trees of value are retained. If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by, for example, i-tree or CAVAT or another appropriate valuation system. The planting of additional trees should generally be included in new developments – particularly large-canopied species which provide a wider range of benefits because of the larger surface area of their canopy.

178. Policy BGI2 highlights in the case of major development to make provision for the planting and retention of trees on site. Where retention is agreed to not be possible, developers shall provide new trees to achieve equivalent canopy cover or a financial contribution for off-site tree planting of equivalent canopy cover will be sought. Replacement canopy cover will be measured as total canopy area of new trees at time of planting being equal to canopy area of existing mature trees proposed for removal.

179. The tree survey submitted identifies five existing trees adjacent to the application site, with no trees on-site. The off-site trees growing within the adjacent Wembley Point site are covered by a Tree Preservation Order (TPO). At the time of the report completion, one of the individual apple trees protected by the TPO has since failed or been removed and is no longer present.

180. None of the off-site trees would need to be removed in order to accommodate the proposed development. The two off-site trees mostly impacted would be the Field Maple (T2) and the Norway Maple (T3), both identified as Category C trees. T2 would require a crown reduction up to 2m back to the boundary whilst T3 would require a crown reduction of up to 5.5m. This extent of reduction to T3 would typically be considered as significant, however a similar extent of reduction has been undertaken previously and there is as a result some quite significant epicormic growth. On this basis, Brent's Tree Officer has advised that it would be prudent to reduce back to previous points of reduction. Whilst the development would also encroach into the Root Protection Area (RPA) of T3, it is noted that the removal of this tree and the wider off-site trees has been agreed as part of the emerging development on the Wembley Point site. As such, the overall impact of development on nearby trees is considered acceptable in view of the emerging site context. In the event the Wembley Point scheme does not come forward for completion, ongoing maintenance of the off-site trees would be undertaken to ensure they do not grow into the building proposed.

181. The proposed development is strong in terms of new tree planting, particularly when considering the constrained site size. 14 trees are proposed within the application site, whilst 7 further trees are indicated at this stage to comprise part of the adjacent highways works. The indicative location of the proposed trees is considered to add value both in terms of biodiversity and visual amenity for occupiers within the site as well as the sites overall appearance, however is subject to detailed design discussions in consultation with Transport for London, including Buses, and LBB Highways.

182. A condition is recommended that requires final detailed landscaping drawings to be submitted and approved by the LPA, which would include full details of type and species of tree planting throughout the site. Off-site trees would be secured as part of the highways works contained within the S106 Agreement.

Ecology

183. London Plan policy G6 highlights the need for Sites of Importance for Nature Conservation (SINCs) to be protected.

184. Where harm to a SINC is unavoidable, and where the benefits of the development proposal clearly outweigh the impacts on biodiversity, the following mitigation hierarchy should be applied to minimise development impacts:

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

185. The application site is not located within a SINC however forms a break in the north-west to south-east running Wembley Central SINC, which also includes the Wembley Brook. Brent River Park SINC is also located to the north of the Wembley Point site.

186. A Preliminary Ecological Appraisal (PEA) has been submitted with the application, which comprises a desk-based study and site walkover. The purpose of the report is to establish the ecological value of the site and the potential presence of designated sites, protected/notable habitats and legally protected species in order to inform appropriate mitigation, compensation and enhancement actions in light of the proposed development works.

187. The site comprises sparsely vegetated land of scattered vegetation, which was establishing on gravel and crushed substrate following the recent demolition of the previous building on site. Wembley Brook passes through the site in a slight curve between the northwestern boundary and the southern boundary.

188. As part of the extant consent, a PEA, River Corridor survey and bat survey was undertaken in 2018. These surveys assessed the habitats on site to include building and hardstanding, scattered scrub, semi-improved grassland and running water (Wembley Brook). Suitability for nesting birds was also identified whilst the potential for roosting bats was low. Japanese Knotweed was also identified within the site. The building was subsequently demolished in 2023 as part of the extant consent. A professional contractor was later hired to manage the Japanese Knotweed.

189. The report for the current scheme sets out that the stretch of the Wembley Brook running through the site is a concrete culverted channel so does not offer shelter opportunities for amphibians and other species which may seek refuge, foraging opportunities or habitat within water. Following the demolition of the previous building, the site also offers limited opportunities for foraging and nesting by common bird species. The sparsely vegetated land is too sparse for ground nesting birds and there is therefore low potential for roosting birds. In terms of bats, it was not fully possible to inspect any cracks within the culvert due to health and safety constraints. However, this is unlikely to provide suitable habitat due to nearby street lighting and internal temperatures. Nevertheless, in the absence of a full inspection, the culverts must be classified as having a ‘moderate’ potential for roosting bats.

190. In terms of invasive species, Japanese Knotweed was identified at the southern end of the Brook, on the northern embankment. The stems were young, fresh, and growing along a 20m stretch at the bank top.

191. The report for the current scheme sets out that without consideration, the development could impact upon the Wembley Central SINC through dust or pollution run off into the Brook (including downstream) and noise and lighting. On this basis, a condition is recommended in relation to a Construction Environmental Management Plan (CEMP) to include mitigation measures for impact of development during construction. In light of the above conclusions, this should also include mitigation measures to minimise impacts on foraging/commuting bats and Japanese Knotweed.

192. Otherwise, the PEA includes recommendations for:

- Bat emergence survey (two surveys) to be carried out between May and September, with at least once survey taking place within the peak bat activity season (June-August) to confirm presence/likely absence of summer/transitional roosting bats;
- Hibernation bat survey of the culverts to confirm presence/likely absence of hibernating bats;
- Nesting bird checks should be carried out no more than 48 hours prior to the commencement of works, by a suitably qualified ecologist, if vegetation clearance is timed within the nesting bird season (March to August inclusive); and,

- The continued management of Japanese Knotweed by a suitably qualified and licenced contractors, in line with DEFRA guidance.

193. Compliance with the above recommendations would be secured by condition.

Biodiversity Net Gain

194. Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act (TCPA) 1990, for major applications made on or after 12th February 2024. Non-major developments are also required to achieve the net gain in biodiversity for applications made on or after 2nd April 2024.

195. This sets out the need (subject to some exceptions) that every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

196. Local Plan Policy BGI1 (d) sets out the need for all developments to achieve a net gain in biodiversity and avoid any detrimental impact on the geodiversity of an area.

197. The application has been accompanied by a Biodiversity Metric, which outlines that the development would deliver the mandatory 10% net gain in biodiversity entirely on site. This is based upon the following metrics:

Baseline		Proposed Development		Net Gain (%)		Trading Rules Met?
Habitat Units	Watercourse Units	Habitat Units	Watercourse Units	Habitat Units	Watercourse Units	
0.58	0.12	0.63	0.31	11.36%	162.39%	Yes

198. The proposed development would enhance the biodiversity of the site by re-aligning the brook to a more sinuous course, removing the concrete edging and creating soft-vegetated banks. This is alongside the general on-site landscape improvements which would include the introduction of neutral grassland, mixed shrub and new trees. A minimum 10% net gain in biodiversity would be achieved in line with the TCPA. As the habitat created would be classed as significant, a maintenance fee of £23,415 would be secured as part of the s106 agreement, as well as the submission of a Habitat Maintenance and Management Plan to ensure appropriate management for a minimum 30 year period.

199. The PA submitted also recommends that bat boxes or bat bricks, bird nest boxes, mixed native scrub and a diverse planting mix should be included for the qualitative enhancement of the development for wildlife which would also be suitable for the connection to the nearby SINC, in accordance with Policy BGI1. These measures would be secured as part of the landscaping condition attached to the application.

Urban Greening

200. Policy G5 highlights the need for an urban greening factor score of 0.4 to be achieved on predominantly residential developments.

201. The proposed landscaping strategy is expected to achieve an Urban Greening Factor of 0.59, with significant contribution coming from the re-naturalised brook and proposed planting. Full details would be secured via condition.

Energy and Sustainability

Carbon Emissions

202. Policy S12 of London Plan sets out the need for major developments to be net zero-carbon in terms of reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:

1) be lean: use less energy and manage demand during operation

2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
4) be seen: monitor, verify and report on energy performance.

203. Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy.

204. Policy SI2 sets out that a minimum on-site reduction of at least 35 per cent beyond Building Regulations is required for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either:

1) through a cash in lieu contribution to the borough's carbon offset fund, or
2) off-site provided that an alternative proposal is identified and delivery is certain.

205. Development proposals referable to the Mayor should calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions.

206. Policy BSUI1 highlights the requirement for major developments to connect to or contribute towards a decentralised energy system unless it can be demonstrated that such provision is not feasible or the proposed heating system if 100% renewable.

207. The energy assessment submitted sets how the London Plan energy hierarchy has been applied. At the 'be lean' stage of the hierarchy, applicants must achieve carbon emissions savings through passive energy saving measures. For this proposal, the applicants have proposed high performing building fabric, energy efficient light fittings to minimise energy demand, the use of mechanical ventilation with heat recovery (MVHR) and the use of Low Temperature Hot Water generated by the heat pumps.

208. For the 'be clean' stage, the applicants explored the potential to connect to a district heat network (DHN). There are no nearby communal DHNs. The development should ensure that it is designed to allow future connection to a heat network and the details of a connection point to be incorporated into the development as a futureproofing measure would be secured by condition. Nonetheless, in the absence of a connection to a DHN, the development would not achieve any carbon savings through the 'be clean' stage of the hierarchy.

209. For the 'be green' stage, applicants are required to maximise the use of onsite renewable technologies in further reducing carbon emissions. The applicants propose to incorporate solar photovoltaic panels and air source heat pumps (ASHPs) to serve a communal heating system.

210. The assessment demonstrates that the scheme would deliver a 68% reduction in carbon emissions across the development (72% reduction for the residential element and 43% reduction for the non-residential element) below the 2021 Building Regulations baseline, which is broken down into the following elements below:

Domestic element

	Regulated emissions CO2 p.a	Saving in regulated emissions CO2 p.a	% reduction
Baseline Building Emissions based on Part L 2013	35.8	n/a	n/a
Building Emissions following 'Be Lean' measures	31.8	4	11%
Building Emissions following 'Be Clean' measures	9.4	22.4	63%
Building Emissions following 'Be	10	-0.6	-2%

Green' measures			
Total		25.8	72%

Non-domestic

	Regulated emissions CO2 p.a	Saving in regulated emissions CO2 p.a	% reduction
Baseline Building Emissions based on Part L 2013	6.5	n/a	n/a
Building Emissions following 'Be Lean' measures	5.5	1	16%
Building Emissions following 'Be Clean' measures	5.5	0	0%
Building Emissions following 'Be Green' measures	3.7	1.8	27%
Total		33	43%

211. The proposed reduction in carbon emissions significantly exceeds the overall energy performance targets in policy SI2 for both residential and non-residential carbon savings. In respect of the 'Be Lean' savings, the non-residential component of the scheme falls short of the 15% minimum savings sought for this element but given the overall savings significantly exceeding the 35% target, the limited conflict with policy SI2, is accepted on balance. A carbon offsetting payment of £95 per year for 30 years for each tonne of emitted regulated carbon is to be secured from the developer in line with London Plan policy. A detailed energy strategy would be secured within the s106 agreement with the need to pay any contribution should the scheme not achieve zero carbon, which at this stage is anticipated to be around £39,076.

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

213. The GLA have confirmed that the development's energy strategy is in general compliance with the London Plan policies, although to ensure that the projected and (where possible) additional savings are achieved, further information or clarifications relating to the Be Lean target for the non-residential element, overheating, photovoltaics (demonstrate that delivery is being maximised), futureproofing, air source heat pumps and on-site heat network are required. This would be provided ahead of the stage 2 referral.

214. The GLA have also requested a commitment that the development will be designed to enable post construction monitoring and that the information set out in the 'Be Seen' guidance is submitted to the GLA's portal at the appropriate reporting stages is to be secured via the Section 106 agreement, as well as carbon off-set contribution. Connection or future connection to a district heating network should also be appropriately secured.

Whole Life Cycle Carbon

215. A Whole Life Cycle (WLC) Carbon Assessment has been provided, as required by London Plan policy SI2, demonstrating whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrating actions taken to reduce life-cycle carbon emissions. By undertaking a WLC, the development has demonstrated (subject to further Stage 2 consideration by the GLA) that options for reducing carbon emissions have been considered and implemented where feasible.

Circular Economy

216. Policy SI7 of London Plan highlights the need for referable applications to promote circular economy outcomes and aim to be net zero-waste. A Circular Economy Statement should be submitted, to demonstrate:

1) how all materials arising from demolition and remediation works will be re-used and/or recycled
2) how the proposal's design and construction will reduce material demands and enable building materials, components and products to be disassembled and re-used at the end of their useful life
3) opportunities for managing as much waste as possible on site
4) adequate and easily accessible storage space and collection systems to support recycling and re-use
5) how much waste the proposal is expected to generate, and how and where the waste will be managed in accordance with the waste hierarchy
6) how performance will be monitored and reported.

217. A Circular Economy (CE) statement has been submitted, as required by London Plan policy SI7. This is to be reviewed by the GLA as part of the stage 2 referral.

218. Suitable planning conditions (where relevant) relating to the WLC and CE Statement will be incorporated following consideration of GLA feedback at the Stage 2 referral stage.

Sustainability

219. Policy BSUI1 highlights the requirement for major developments to submit a Sustainability Statement demonstrating how sustainable design and construction methods have been used to enable the development to mitigate and adapt to climate change over its intended lifetime.

220. A Sustainability Statement has been submitted with the application. A number of the applicant's submission documents also outline sustainability benefits which would be incorporated into both the residential and non-residential elements of the scheme.

221. With regard to overheating, an Overheating Assessment has been submitted which sets out a number of measures being used to help eliminate or reduce overheating risk and achieve the requirements of London Plan Policy SI4. This sets out that the following passive design measures have been included:

- Solar control glass for south facing windows (g-value of 0.35)
- Recessed windows into reveals
- Pipe work designed to be insulated

222. In order to reduce further the overheating risk additional measures, the following additional measures have been considered to meet the TM59 requirements:

- Fully openable windows with restrictor required where noise is no issue
- Glazing G-value reductions to 0.4 for west and east facing rooms and 0.35 for south facing rooms
- Increased flow rate through boosted MVHR
- Peak lop cooling

223. As a summary, the overheating calculations listed in the appended overheating report are showing that 100% of the assessed dwellings are meeting the TM59 requirements.

Water Efficiency

224. London Plan Policy SI5 sets out another sustainable design requirement, to ensure the residential dwellings would be limited to water consumption of less than 105 litres per person per day, achievable through the use of individual water meters and flow restrictors. Officers recommend a condition to ensure that water consumption is restricted to less than 105 litres per person per day as identified above, in line with this policy requirement, and in response to the GLA Stage 1 comments.

Environmental Considerations

225. Policy DMP1 (g) highlights that development will be acceptable provided it does not unacceptably increase, and where possible reduce, exposure to flood risk, noise, dust, contamination, smells, waste, light, other forms of pollution and general disturbance or detrimentally impacting on air or water quality.

Air Quality

226. Policy BSUI2 sets out that major developments within Growth Areas and Air Quality Focus Areas will be required to be Air Quality Positive and elsewhere Air Quality Neutral. Where on site delivery of these standards cannot be met, off-site mitigation measures will be required.

227. The application site is not located within a Growth Area but is within an Air Quality Management Area. In this regard, the application has been accompanied by an Air Quality Assessment and Air Quality Positive Statement.

228. The Air Quality Statement submitted considers the suitability of the site for introducing new residential occupants. Construction activity associated with the proposed development is assessed to be medium risk for dust soiling and low risk for human health effects. The adverse impacts of construction on air quality are likely to be negligible through good site practice and adopting mitigation measures such as ensuring sand and other aggregates are stored in bunded areas and are not allowed to dry out. Compliance would be secured via condition.

229. In terms of occupation, the Air Quality Assessment approved as part of the extant consent identified that residents on Floors 3-6 would require nitrogen dioxide filters in order to safely mitigate the impact of nitrogen dioxide levels. This was based upon predictions of air quality in 2018, based upon 2016 emissions factors. The Air Quality Assessment submitted with the subject application has considered the latest measured concentration of the nearest receptor to the North Circular on the east of the site in 2023, which following reductions between 2019 and 2022, had dropped to acceptable levels for the proposed development without further mitigation required.

230. In addition, the Air Quality Positive Statement sets out that the impact of development upon operation on local air quality would be negligible because the development would be fully electric and 'car-free'. As such, no further mitigation measures are required.

231. Officers in Environmental Health have reviewed the air quality information and have raised no objections subject to conditions relating to a Construction Method Statement and Non-Road Mobile Machinery.

Construction Noise and Dust

232. As noted above, the development is within an Air Quality Management Area and located close to other residential and commercial premises. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours.

233. It should be noted that in relation to these matters, there is also control through Environmental Health Legislation and planning cannot duplicate any controls that are available under other legislation. However, the council's regulatory services team have recommended a condition requiring a Construction Method Statement to be submitted for approval before works start. This will need to include management of dust through wheel washing and other mitigation measures such as noise restrictions.

234. A further standard condition is also attached requiring all non-road mobile machinery to meet low emission standards, as set out within the London Plan.

Lighting

235. A condition is recommended to be attached requiring that a lighting strategy to any forthcoming scheme that considers lighting levels within the site, details of luminance levels at the nearest residential windows and any overspill lighting onto the nearby River Brent and Wealdstone Brook.

Flooding

236. Policy BSUI3 highlights that proposals requiring a Flood Risk Assessment must demonstrate that the development will be resistant and resilient to all relevant sources of flooding including surface water. Proposed development must pass the sequential and exceptions test as required by national policy. The design and layout of proposals requiring a Flood Risk Assessment must contribute to flood risk management and reduction and:

a) minimise the risk of flooding on site and not increase the risk of flooding elsewhere;
b) wherever possible, reduce flood risk overall;
c) ensure a dry means of escape;
d) achieve appropriate finished floor levels which should be at least 300mm above the modelled 1 in 100

year plus climate change flood level; and
e) not create new basement dwellings in areas of high flood risk.

237. Proposals that would fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.

238. The site allocation Policy BSSA6 highlights that more vulnerable uses should be restricted to areas of lowest flood risk and on upper floors. Ground floors should be designed to be resistant and resilient to flood risk. Basement dwellings will not be acceptable on the site. Development must be informed by a detailed Flood Risk Assessment and Drainage Strategy, reduce flood risk overall and not increase the risk of flooding on adjoining sites. Development must be consistent with the recommendations of the Brent Strategic Flood Risk Assessment (SFRA) Level 2.

239. The majority of the application site is located within Flood Zone 3 for flooding, and within a high-risk area of surface water flooding. A Flood Risk Assessment (FRA) and Hydraulic Modelling Report, alongside an accompanying Flood Response Plan, has been submitted with the application.

240. The FRA submitted identifies flooding from the Wembley Brook and River Brent (fluvial sources) to be the main risk of flooding to the proposed development. As the majority of the site lies within Flood Zone 3, only certain types of development are acceptable, as set out within the Flood Risk Vulnerability Classification table set out within the NPPF. Residential uses are classed as 'More Vulnerable' whereby such uses would not be supported in Flood Zone 3 where the sequential and exception test has not been met. In this case, as noted above the site does form part of a site allocation within the Local Plan. As part of the evidence base to support the Local Plan, the site was included as part of the Brent Flood Risk Sequential and Exception Test documentation. The document set out that the Sequential Test had been passed as "It is necessary to identify the site to address longer term housing needs as there are insufficient alternative sites in fluvial zones 1 or 2". The document also set out that the site would pass the exception test concluding the following: "subject to the requirements of the SFRA Level 2, development can be made partially safe throughout its lifetime without increasing flood risk elsewhere and passes the exceptions test in principle. In the case of an application, a site specific flood risk assessment should demonstrate that the development meets the requirements of the SFRA Level 2.".

241. In relation to fluvial flood risk mitigation measures, the SFRA requires the development to not increase flood risk offsite. The proposed development seeks to respond to this recommendation through the incorporation of flood storage measures around the Wembley Brook (including Gabions).

242. To support the FRA, a hydraulic modelling process was carried out to derive the finished floor levels of the proposed building and to demonstrate that the development would not increase flood risk elsewhere.

243. The FRA has been reviewed by the Environment Agency (EA) who raised the following concerns with the modelling initially undertaken:

- Out of date hydrology model used to determine the water inflow levels within the site;
- Additional sensitivity testing required on the hydraulic element of the model to ensure suitability of flood resilience measures proposed.

244. Further justification of the hydrology model used was provided by the applicant outlining that the older model (which was used to determine the flood risk as part of the modelling undertaken as part of the extant consent) contained higher peak flows than the more recent 2025 model which has since been made available. On this basis, the final output was to propose higher finished floor levels than would have been required on the most up to date model, effectively making the development safer. This approach was subsequently supported by the EA, on the basis that is provided a more conservative, and therefore safer approach to flood risk management on site.

245. With regard to the hydraulic element, additional sensitivity testing was undertaken by the applicant to ensure robustness of the flood resistance and resilience measures proposed. The further information provided was found to be fit for purpose by the EA.

Third-Party Flooding

246. Following completion of the hydraulic modelling review, for all modelled events, there would be no increase in flood level around the wider Brent area following development.

247. The Design Flood Level for the site serves as the maximum height the flood water could reach at some point throughout the lifetime of the development. This has been established using historical data and future climate predictions and is used to determine the proposed finished floor levels, assess flood depths, evaluate safe access and egress and requirements for flood storage compensation. In this case the Design Event would be 1% Annual Exceedance Probability (AEP) (a 1 in 100-year flooding event), plus allowance for 17% climate change.

248. For the design event, the main changes in water level would be contained within the site red-line boundary, in order to reduce the risk of flooding elsewhere. Outside of the boundary, the magnitude of water level difference would typically be 1mm. There would be a small, localised area of new flooding on Point Place (4mm), but this is considered negligible given the wider minimal impacts demonstrated by the modelling. Furthermore, no vulnerable third-party property would be impacted. It is also noted that should the Wembley Point scheme be developed, this would further contribute to the management of flood water.

249. In the 5.0% Annual Exceedance Probability (AEP) (1 in 20-year event) +17% Climate Change, there would also be an area of 11mm flood level increase (to the north within the Wembley Point site), just above the recommended tolerance of 10mm. However, the depth level in this area is shown to be approximately 1m and therefore the additional 11mm is not considered to increase the flood risk. The approved flood resilience measures for this scheme also required to the vulnerable uses to be suitably set above ground level, further mitigating any impact.

Finished Floor Levels

250. As set out in more detail above, the design flood level for the scheme is 26.32mAOD (1 in 100 year event + 17% allowance for climate change). Guidance requires the finished floor level to have 300mm freeboard above the design flood level, giving a recommended finished floor level of 26.62mAOD.

251. A 26.60mAOD finished floor level has been proposed which is 0.02m below the recommended level. However, the applicant has outlined that a finished floor level of 26.62mAOD would increase crossfalls and cause accessibility issues, which is not desired from an architectural, landscaping and aesthetics perspective. This minor shortfall is considered acceptable on the basis that all vulnerable plant and all residential accommodation would be above or at the guidance level of 26.62mAOD. Flood doors are also proposed on the ground floor, providing further resilience (which is described in more detail below).

Flood Compensation and Resilience

252. The proposed landscaping measures around the Wembley Brook have been designed to ensure flood storage compensation is provided. This has been demonstrated by the hydraulic modelling results, which show negligible third party flood impacts as a result of proposed development and have been confirmed as acceptable by both the Environment Agency and Brent's Local Lead Flood Authority.

253. The development would incorporate flood doors in order to minimise the impact of flooding on the ground floor and to allow rapid re-occupation of the building in the event of a flood. All outside doors on the ground floor would be flood resistant to minimise any flood water entering the building.

254. The Flood Risk Assessment provided also recommends that Materials which are easily damaged by water are excluded. This applies to the fixtures / fittings and the fabric of the building. The overall objective would be to provide a space which can be wiped clean following flooding. Other recommended measures include:

- Exclusion of hydrophobic materials such as wood, plaster and MDF from fixtures and fittings.
- Exclusion of soft furnishing including carpeting.
- Installation of non-return valves on foul drainage connections to washrooms and kitchens.
- Cement or cement lime rendered concrete, block or bricks for internal and external walls.
- Ceramic tiles / concrete / cement rendered floors.
- PVC or aluminium windows and doors
- Installation of electrical ring main at high level with supply supported by drops to sockets and switches.
- Electrical, gas and water meters installed at high level
- Incorporation of a low capacity submersible pump to assist in the removal of flood water.

255. Compliance with the recommendations as set out within this document would be secured by condition.

Flood Response Plan

256. A full flood warning and evacuation plan has been submitted within Appendix D of the FRA. The objective of this document is to ensure that the development would not place an additional burden on the emergency services in the case of a flooding event. On-site wardens would be trained and available at all times when the building is occupies and would be responsible for implementing the plan. The plan has been designed to assist people in safely leaving the building before the onset of flooding but if timings do not allow, safe refuge could be found in the residential homes set 15m over the design flood level. The operation would include a warning system, identification of more vulnerable occupants and associated assistance measures, evacuation measures prior to flood onset and requirements to stay in the building if flood onset reaches before all residents are evacuated. This document has been reviewed and assessed by both the EA and LLFA who consider the strategy to be fit for purpose. Compliance with this document would be secured via condition.

Sustainable Drainage

257. Policy BSUI4 highlights the need to achieve greenfield run off rates for surface water, unless clearly justified by the applicant. Major development proposals or minor developments and changes of use which would impact on the current drainage regime must be accompanied by a drainage strategy.

258. Proposals that would fail to make adequate provision for the control and reduction of surface water run-off will be refused.

259. Proposals for minor developments, householder development, and conversions should make use of sustainable drainage measures wherever feasible and must ensure separation of surface and foul water systems.

260. The application has been accompanied by a (Sustainable Urban Drainage Systems) SuDS Strategy. It notes that achieving Greenfield runoff rates for the development could not be achieved due to the extremely low greenfield run-off rates, and associated concerns regarding potential blockages of the system due to maintenance difficulties. It also acknowledges the discharge rate of the extant consent, which was agreed to be 5l/s under the 1 in 100 year storm event (+40% climate change allowance).

261. The hydraulic modelling provided identifies a reduction from the existing run-off rate of 25.34l/s to 4.68 l/s, which is also a betterment on the 5l/s agreed under the extant consent. Suitable information has also been provided to demonstrate that this would contain surface water for a 1 in 100 year event (+40% climate change). Whilst greenfield rates have not been achieved, the application represents a significant betterment on existing rates and an improvement on the extant consent, which is a material consideration.

262. The SuDS strategy proposed to achieve these rates clearly demonstrates compliance with the drainage hierarchy, incorporating multifunctional blue roofs, permeable paving and rain gardens.

263. Confirmation has been provided the surface and foul water would be separated, and that the sustainable drainage measures would be managed and maintained for the lifetime of the development by an appropriate managing body. It is considered that the sustainable drainage measures are acceptable and in accordance with policy BSUI4. Such details are recommended to be conditioned to any forthcoming consent. The LLFA is satisfied with the findings of the drainage report. It is noted that the GLA have requested further information on the drainage strategy to ensure that it achieves run off rates as close to greenfield rates as possible, including information on whether rainwater harvesting and reuse could be applied. This could be addressed ahead of Stage 2 referral.

264. Thames Water were consulted during the course of the application and confirmed that they would have no objections in relation to surface water drainage based on the information provided. They have also raised no objection with regard to the impact of development on foul water network. The proposed development would also be located more than 15m away from Thames Water assets and no further information regarding piling is required. Should the development identify an unmapped asset during construction, they would need to contact Thames Water. An informative is recommended to this end.

Fire Safety

265. Policy D12b highlights that all major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor.

266. The statement should detail how the development proposal will function in terms of:

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

267. It is considered that the submitted fire statement sufficiently addresses the matters set out within policy D12b of London Plan. It should also be noted that the development would still be subject to building regulations where a detailed assessment of fire safety would be carried out.

268. The Health and Safety Executive (HSE) has been consulted on the application who have advised that they are 'content' with the fire safety design to the extent it affects land use planning.

Impacts of Microclimate and Reception of TV and Radio Services

Wind Microclimate

269. Policy D8 requires amongst other considerations that development proposals should ensure that appropriate shade, shelter, seating and, where possible, areas of direct sunlight are provided, with other microclimatic considerations, including temperature and wind, taken into account in order to encourage people to spend time in a place. It goes onto say within policy D9 that wind, daylight, sunlight penetration and temperature conditions around the building(s) and neighbourhood must be carefully considered and not compromise comfort and the enjoyment of open spaces, including water spaces, around the building.

270. To support the above requirement, the application has been accompanied by a Wind Microclimate Study which makes an assessment of the likely significant effects arising from the proposed development upon the wind microclimate of the locality and proposed building. The wind assessment pays particular attention to wind effects in open amenity spaces, building entrances and pedestrian routes to determine the level of adherence to the recommended standards for sitting, standing and leisure walking. The extent of the study area covered a 500m radius from the centre of the site in line with best practice guidance.

271. The assessment of the wind microclimate impact comprises two scenarios:

- Proposed Scenario: Assessment of the proposed development on the site within the existing surrounding context.
- Cumulative Effects: Assessment of the proposed development on the site within the existing surrounding context and cumulative schemes.

272. The methodology adopted uses Computational Fluid Dynamics (CFD) modelling to predict air flows and wind velocities around the proposed development.

273. It is identified that wind conditions are safe across all areas within the site boundary in both existing and future scenarios. One isolated unsafe area was identified in the extended surroundings under the future scenario, attributed to the massing of cumulative schemes.

274. They also show that the wind conditions at the ground are suitable for the intended use in many areas, However, there remain some areas where wind conditions are unsuitable for the intended use. These results are worsened when considering the cumulative context. For areas with unsuitable wind conditions, further mitigation measures are recommended, and details of these would be secured via

condition.

TV and Radio Services

275. In line with London Plan SI6, a Television and Radio Reception Impact Assessment has been submitted to demonstrate that no issues (or suitable mitigation of issues) arising from obstruction of the reception to local television and radio receivers will be incurred by the development.

276. Widespread interference to digital terrestrial television reception is not expected, due to the coverage provided by both the Kensal Town and Hampstead Heath Transmitters. The Proposed Development may cause reception degradation to receptors (terrestrial television viewers) immediately adjacent to the Site. If required, simple and cost-effective antenna betterment or antenna relocation should enable the optimal reception of all digital terrestrial television (DTT) services. These are standard and easy to adopt mitigation solutions in situations where new development or construction work has degraded local DTT coverage. If any antenna betterment is required, it is advised that a registered professional antenna installer undertakes the work.

277. The Proposed Development is unlikely to adversely impact the reception of VHF(FM) radio broadcasts due to the existing good coverage in the survey area and the technology used to encode and decode VHF(FM) radio signals. Regarding the digital satellite television services, it is not anticipated that the proposed development would adversely affect reception. It is noted that most providers offer TV over broadband / fibre, which provides an alternative source of digital television broadcasts.

278. The TV/Radio Assessment undertaken is considered to be proportionate to the scale of the Proposed Development and finds that there would unlikely be any adverse effect on the telecommunication and reception signals as a result of the proposal, in line with Policy SI6 of the London Plan.

279. Overall, the Proposed Development may cause interference to digital terrestrial around the application site, but mitigation solutions exist that can restore the reception of affected television services. Such measures would be secured within the section 106 agreement.

Utilities

280. The applicants have submitted a report setting out the existing and required utilities / statutory services for the scheme, including clean water supply, sewer connection, gas, electric and internet. The details of the report are not considered to contravene any relevant planning policies.

281. The connectivity report indicates that fibre internet is proposed to be made available to all apartments, which would accord with the aims of London Plan policy SI6.

Employment and Training

282. Policy BE1 sets out the requirement for an Employment, Apprenticeship and Training Plan (EATP) for all developments of 5,000sqm or more or sites capable of providing 50 or more residential units, to be prepared in partnership with Brent Works or any successor body.

283. A commitment to submit an 'Employment and Training Plan' to the Council for its approval prior to the material start of the development would be secured by way of a Section 106 obligation. This obligation is required of all major development schemes within the borough which comprise of 50 or more dwellings or at least 5,000sqm of floor space.

284. As set out in Brent's Planning Obligations SPD (2022), the obligations in this respect require that 1 construction job (for a minimum period of 26 weeks) for an unemployed Brent resident is secured per ten C3 homes delivered and per each 500sqm of commercial floorspace delivered, and that 50% of those jobs should be secured as apprenticeships for Brent residents, for a minimum period of 52 weeks. It also requires that a minimum of 20% of the operational phase jobs within commercial uses should be secured for Brent residents. The operational job requirements are set out in the Homes and Communities Agency Employment Density Guidance 3rd Edition (2015), requiring 1 operational job per 15-20sqm of commercial floorspace.

285. When applying these standards to the proposed development, it is projected that 18 construction jobs would need to be secured for unemployed residents, with at least half of these jobs being in the form of apprenticeships for Brent resident's. In addition, reasonable endeavours must be used to secure a

minimum of 20% of jobs, one operational, for Brent resident's. Projected construction phase jobs shall be set out in an accompanying Employment and Training Plan, secured via s106 agreement. Due to the relatively small size of the Class E space proposed (17sqm), no operational jobs would be required.

286. The SPD also sets out a requirement for financial contributions to deliver support fees for each of the Brent resident's jobs to be secured. This contribution would be £49,500 for the construction and operational jobs. This would also be secured within the Section 106 Agreement.

287. If the job targets are not met, an additional payment of £5,000 per the number of jobs below the target is to be secured to help secure other job opportunities for Brent residents. If the applicant fails to meet the job targets but can demonstrate that reasonable endeavours were undertaken to seek to meet the job targets, an increase in the base contributions would not be required. On the other hand, if the number of apprenticeship positions delivered for Brent residents exceeds the apprenticeship target, a reduction in the base contribution of £1,000 per additional apprenticeship would be applied.

Equalities

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

Conclusion

289. The proposed development would result in the provision of a number of new homes (180 in total), with 100% of these being affordable. Of the new homes proposed, 88 would be for Social Rent while 92 would be for Shared Ownership. This represents a 49:51 ratio by unit, but would be 56:44 if calculated by habitable room (taking into account the higher number of 3-bedroom Social Rent homes). As the application would provide 100% of affordable housing, with an acceptable tenure split when considering the Policy H5 requirement for major residential development to deliver a threshold level of 35% affordable housing, no viability testing is required as part of the application submission. Whilst the provision of family sized housing would be below the 25% requirement, Officers weigh the benefits of the 40 Social Rent family sized homes to overcome the minor shortfall in provision.

290. A small commercial (Use Class E) unit would be provided which is acceptable and in accordance with policy (including the site allocation).

291. The proposal would result in the provision of a high quality public realm, with routes and spaces proposed at ground level which are publicly accessible and represent a significant benefit of the scheme. The proposal would also include the re-naturalisation of the Wembley Brook, which would bring significant biodiversity and visual benefits. The architectural quality of the building is considered to be high, and the approach to building height, massing and composition is well considered. Whilst this is noted to be higher than the indicative maximum height set out in the site allocation, it is considered that this building works well in terms of visual appearance and massing when viewed from a range of locations and the benefits associated with the provision of additional homes is considered to outweigh the potential harm of a taller building in this location. Potential heritage impact has been considered, with no harm identified.

292. The quality of the homes is considered to be good, with homes meeting internal space standards and other quality factors considered and discussed in this report. Whilst there would be a shortfall against the Council's targets for external amenity space and children's play space, the quality of the reduced provision is considered to be high and a financial contribution to improvements to nearby open spaces (which may include improvements to the routes to those spaces) is therefore recommended. The provision of 100% affordable housing, including 40 family sized units for Social Rent, is also considered the potential harm of reduced amenity space provision on this occasion.

293. The proposal would result in some daylight and sunlight impacts, some of which would go beyond targets within BRE guidance. However, the level of impact is not considered to be excessive given the policy allocations and designations, and the benefits of the scheme are considered to outweigh the harm.

294. The development would be car free with the exception of blue badge parking which is considered to be sufficient to serve the proposed development. Improvements would be made to Point Place and Argenta

Way, including the provision of a large servicing bay, blue badge parking spaces and the re-location of the bus stop. Improvements are also proposed to cycle infrastructure, including the provision of a cycle lane adjacent to the North Circular Road slip road as well as a contribution to the delivery of future improvements. Transport for London have considered the potential impact on public transport infrastructure, and consider the proposal to be acceptable subject to financial contributions towards bus capacity and towards improvements to Stonebridge Park Station.

295. The proposal is within an area of high risk to flooding, and a significant amount of analysis has been undertaken. Landscaping and contours have been designed in order to mitigate the potential impacts of flooding both on the proposed occupants and on the surrounding homes and places. A surface water drainage strategy has also been worked up to ensure that the proposal will result in a significant reduction in surface water runoff from the site.

296. The proposal is considered to accord with the development plan when read as a whole. There are some divergences from policy (such as the amount of external amenity and play space), and some impacts that go beyond guidance levels (such as the light received by some properties). However, the benefits of the scheme are considered to significantly outweigh the harm. It is recommended that the planning committee resolve to grant permission subject to the stage 2 referral to the Mayor of London, the completion of a legal agreement as set out above and subject to the conditions listed below.

DRAFT DECISION NOTICE

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: **25/1355**

To: Mr Barker
Avison Young
65 Gresham Street
London
EC2V 7NQ

I refer to your application dated **02/05/2025** proposing the following:

Redevelopment of the site to provide a building containing residential dwellings with commercial unit on ground floor, associated vehicular access, cycle parking spaces, refuse storage, amenity space, landscaping and associated works

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

at **Argenta House, Argenta Way, London, NW10 0AZ**

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

Date: 04/11/2025

Signature:

David Glover
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

SCHEDULE "B"

Application No: **25/1355**

SUMMARY OF REASONS FOR APPROVAL

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

National Planning Policy Framework 2024
London Plan 2021
Brent's Local Plan 2019-2041

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

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

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

Existing Site Information

DL0254-ASA-ZZ-00-DR-AR-00100 P02	Existing Site location Plan
DL0254-ASA-ZZ-00-DR-AR-00101 P02	Existing Block Floor Plan
DL0254-ASA-ZZ-ZZ-DR-AR-00120 P02	Existing Site Section AA
DL0254-ASA-ZZ-ZZ-DR-AR-00121 P02	Existing Site Section BB

Proposed Site Information

DL0254-ASA-ZZ-00-DR-AR-00150 P02	Proposed Site Plan
DL0254-ASA-ZZ-00-DR-AR-00151 P02	Proposed Block Plan

Plans

DL0254-ASA-ZZ-00-DR-AR-00200 P08	Proposed Ground Floor
DL0254-ASA-ZZ-01-DR-AR-00201 P08	Proposed First Floor
DL0254-ASA-ZZ-02-DR-AR-00202 P07	Proposed Second Floor
DL0254-ASA-ZZ-03-DR-AR-00203 P07	Proposed Third Floor
DL0254-ASA-ZZ-ZZ-DR-AR-00204 P08	Proposed Fourth - Seventh Floor
DL0254-ASA-ZZ-ZZ-DR-AR-00208 P04	Proposed Eighth - Twelfth Floor
DL0254-ASA-ZZ-13-DR-AR-00213 P07	Proposed Thirteenth Floor
DL0254-ASA-ZZ-ZZ-DR-AR-00214 P08	Proposed Fourteenth - Sixteenth Floor
DL0254-ASA-ZZ-ZZ-DR-AR-00217 P07	Proposed Seventeenth - Twentieth Floor
DL0254-ASA-ZZ-21-DR-AR-00221 P06	Proposed Twenty-first Floor
DL0254-ASA-ZZ-ZZ-DR-AR-00222 P05	Proposed Twenty-second Twenty-sixth Floor
DL0254-ASA-ZZ-27-DR-AR-00227 P05	Proposed Twenty-seventh
DL0254-ASA-ZZ-ZZ-DR-AR-00228 P01	Proposed Twenty-eighth to Twenty-ninth Floor
DL0254-ASA-ZZ-30-DR-AR-00230 P06	Proposed Thirtieth Floor
DL0254-ASA-ZZ-RP-DR-AR-00231 P06	Proposed Roof Plan

Sections

DL0254-ASA-ZZ-ZZ-DR-AR-00300 P04	Proposed Section AA
DL0254-ASA-ZZ-ZZ-DR-AR-00301 P04	Proposed Section BB
DL0254-ASA-ZZ-ZZ-DR-AR-00302 P04	Proposed Section CC

Elevations

DL0254-ASA-ZZ-ZZ-DR-AR-00400 P05	South West Elevation
DL0254-ASA-ZZ-ZZ-DR-AR-00401 P05	East Elevation
DL0254-ASA-ZZ-ZZ-DR-AR-00402 P05	North East Elevation
DL0254-ASA-ZZ-ZZ-DR-AR-00403 P05	West Elevation

Landscape Drawings

DL0254-ASE-XX-00-DR-LA-0200 P01	Landscape proposal - GA plan
DL0254-ASE-XX-00-DR-LA-0201 P01	Landscape proposal - Levels plan

Supporting Documents
Air Quality Assessment (prepared by SRL, dated 29 April 2025)
Argenta House SuDS Strategy (prepared by Heyne Tillett Steel 28 April 2025)
Flood Risk Assessment (prepared by Edenvale Young, dated TBC)
Preliminary Ecological Appraisal (prepared by Greengage, dated February 2025)
Noise and Vibration Impact Assessment (prepared by Scotch Partners, dated 25/04/2025)
Overheating Assessment (prepared by CPW, dated 23/04/2025)
Whole Lifecyle Carbon Assessment (prepared by CPW, dated 29/04/2025)
Circular Economy Statement (prepared by CPW, dated 30/04/2025)
Travel Plan (prepared by TTP Consulting, April 2025)
Service and Delivery Plan (prepared by TTP Consulting, dated April 2025)
Operational Waste Management Plan (prepared by TTP Consulting, dated April 2025)
Wind Microclimate CFD Study (prepared by Windtech, ref: WE297-06F02(Rev0), dated May 1, 2025)

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

3 The scheme hereby approved shall contain 180 residential dwellings within Use Class C3 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 non-residential floorspace hereby approved shall not be used other than for the purpose within Use Class E and shall not be used for any other purpose, notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 2015 or the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instruments revoking and re-enacting those Orders with or without modification unless planning consent is otherwise granted for an alternative use.

Reason: To ensure the use remains appropriate for the location and in the interest of highway flow and safety.

5 The building 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.

6 The works shall be carried out in full accordance with the recommendations set out within the approved Argenta House SuDS Strategy (prepared by Heyne Tillett Steel 28 April 2025) in relation to the proposed surface water drainage strategy. The measures shall thereafter be maintained in accordance with the sustainable drainage systems management plan throughout the lifetime of the development, unless an alternative strategy is submitted to and approved in writing by the Council and thereafter implemented in full.

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

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 Policies BSUI1, BSUI2 and London Plan Policy SI1.

8 The development hereby approved shall not be occupied unless the cycle storage and refuse stores have been completed in full accordance with the approved drawings and made available to residents of the development and shall not be used other than for purposes ancillary to the flats hereby approved unless alternative cycle/and or refuse storage details are submitted to and approved in writing by the Local Planning Authority, and the development thereafter completed in accordance with those details.

Reason: To ensure a satisfactory standard of accommodation.

9 The recommendations set out within the Travel Plan hereby approved (prepared by TTP Consulting, April 2025) shall be implemented in full from first occupation of the development.

Reason: To ensure the development encourages sustainable travel modes and has an acceptable impact on the local highway network.

10 The development hereby approved should be built so that 10% of the residential units achieve Building Regulations requirement M4(3) – ‘wheelchair user dwellings’ and the remaining to be built in accordance to M4(2) – ‘accessible and adaptable dwellings’.

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

11 The development hereby approved shall be carried out in full accordance with the details stipulated in the approved Delivery and Servicing Plan (prepared by TTP Consulting, dated April 2025), unless alternative details are first agreed in writing by the Local Planning Authority.

Reason: To ensure the free and safe flow of the public highway during periods of servicing of the proposed development.

12 The development hereby approved shall be carried out in full accordance with the mitigation measures stipulated in the approved Noise and Vibration Impact Assessment (prepared by Scotch Partners, dated 25/04/2025), unless alternative details are first agreed in writing by the Local Planning Authority and thereafter carried out in full.

Reason: To appropriately mitigate air quality impact.

13 The development shall be carried out in accordance with the approved Flood Risk Assessment (prepared by Edenvale Young, ref. EVY1201, revision C, dated May 2025) and the mitigation measures it details, including that finished floor levels shall be set no lower than 26.60mAOD metres unless an alternative Flood Risk Assessment is submitted to and approved in writing by the Local Planning Authority, and the development thereafter completed in accordance with those details.

Reason: To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided, in line with paragraph 170 of the National Planning Policy Framework (2024) and Policy BSUI3 ‘Managing Flood Risk’ of the Brent Local Plan (2019-2041).

14 The development shall include the provision of sufficient ducting space to facilitate the installation and maintenance of full fibre digital connectivity infrastructure within the building(s). The development shall be completed and maintained thereafter to ensure the ongoing provision of such infrastructure.

Reason: To ensure the development provides high-quality digital connectivity infrastructure to support modern communications and contribute to London's global competitiveness, in accordance with Policy SI6 of the London Plan (2021).

15 Prior to the commencement of the development hereby approved a Construction Logistics Plan

shall be submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London. The CLP shall include, but not be limited to:

a) Logistics details of access ingress of construction vehicles/machinery and waste management, ensuring the Emergency vehicle access is maintained at all times;
b) Plans and section drawings with clearance to TfL station assets including the station exits, structure and open section railway, etc.
c) A Ground Movement Assessment for the unloading and proposed loading clearly demonstrating the impact to the railway. This may lead to monitoring TfL assets and track.
d) Risk Assessment Method Statements for the use of and installation and dismantling of cranes and lifting machinery.
e) Further information to ensure the continued access of bus operations and accessibility to associated services.
f) Further information on how the number of anticipated deliveries per day can be accommodated while minimising impact on the local streets.

The approved CLP shall thereafter be implemented in full accordance with the approved details.

Reason: To ensure the development is constructed in an acceptable manner and in the interests of pedestrian and highway safety. To ensure that the development does not impact on existing London Underground/DLR transport infrastructure.

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

16 Prior to the commencement of the development hereby approved (excluding demolition), a Construction Method Statement shall be submitted to and agreed by the Local Planning Authority, in consultation with the Environment Agency. This shall include (but not be limited to):

a) Details of proposed timings of construction;
b) Details of a biosecurity plan for works in proximity to invasive species for tools, plant and Personal Protection Equipment;
c) Details of the proposed management or treatment of the Japanese Knotweed throughout the construction phase;
d) Details of measures to protect the Wembley Brook from pollution or dust runoff, noise and lighting (including but not limited to silt mitigation);
e) Details of measures to prevent disturbance to foraging and commuting bats throughout the construction phase;
f) Measures that will be taken to control dust, noise and other environmental impacts of the development.

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

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

Reason: To ensure the protection of wildlife and supporting habitat and successful establishment of newly created habitats and to secure opportunities for enhancing the site's nature conservation value in line with paragraphs 187 and 193 of the National Planning Policy Framework (2024) and Policy BGI1 'Green and Blue Infrastructure In Brent' of the Brent Local Plan (2019-2041). 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 the commencement of the development (excluding demolition) a Construction Environment Management Plan in accordance with the recommendations set out within the Preliminary Ecological Appraisal (Greengage, February 2025) shall be submitted to and approved by the Local Planning Authority outlining measures that will be taken to minimise the potential impact of the construction phase of the development on the existing ecology of the nearby off-site receptors, and to ensure works proceed in accordance with current wildlife legislation.

The development shall be carried out in accordance with the approved document.

Reason: To ensure an acceptable impact on the surrounding environment during construction.

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

18 Prior to the commencement of development (excluding demolition) hereby approved, details of how the development is designed to allow future connection to a district heating network should one become available, shall be submitted to and approved in writing by the local planning authority and the development shall be completed in accordance with the approved details.

Reason: To ensure the development is in accordance with the principles of London Plan Policy SI 2.

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

Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full. A verification report shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development, 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.

20 Prior to the commencement of the development hereby approved (excluding demolition and the laying of services and foundations), a scheme for the provision and management of a buffer zone alongside the Wembley Brook shall be submitted to, and approved in writing by the Local Planning Authority, in consultation with the Environment Agency. Thereafter, the development shall be carried out in accordance with the approved scheme. Any subsequent variations shall be agreed in writing by the Local Planning Authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens, non-native plant species and formal landscaping.

The scheme shall include:

- plans showing the extent and layout of the buffer zone, including details of the proposed wetland scrapes (size, shape, depth) and wetland planting.
- details of the proposed planting scheme including an assessment of their suitability to the light levels experienced across the site (within the buffer zone this should comprise only native species, preferably of local provenance)
- details demonstrating how the buffer zone will be protected during development and managed over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan

- details of any proposed fencing or lighting or hard engineered features such as retaining walls or pillars (including materials proposed) within the buffer zone.
- Cross sections illustrating the bank gradients, any erosion/scour protection in the river channel/riparian zone, hard-engineered features, bed substrate (gravel) depth, and flow levels (including low, average, and high flows).
- A long section along the centre line of the channel.
- Detail of in-channel features (e.g., gravel berms) to support the naturalisation of the brook (please see NB below).
- Gravel specification (must be of local, fluvial origin and a mixture of sizes). The gravel should be the smallest size for the given velocities through the site (local gravels are usually between 10-60mm) and this will need to be evidenced if gravel greater than 100mm is used.
- A Water Framework Directive (WFD) assessment for design and construction, including long term, short term, and cumulative impacts from the development. The WFD assessment should examine the risks to the hydromophology quality elements of the waterbody and examine whether these risks are adequately mitigated.

The WFD assessment should demonstrate how the proposed scheme contributes to the delivery of WFD objectives through supporting the delivery of a mitigation measure identified or designing a scheme which improves those ecological quality elements.

The WFD assessment needs to demonstrate that the proposal does not:

- Cause a deterioration in the overall water body status through deterioration in the status of any one ecological quality element.
- Compromise the ability of the water body to achieve its WFD status objectives (including preventing the delivery of an assigned Mitigation Measure).

Reason: Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected in line with paragraphs 187 and 193 of the National Planning Policy Framework (2024) and Policy BGI1 ‘Green and Blue Infrastructure In Brent’ of the Brent Local Plan (2019-2041).

21 Prior to the commencement of the development hereby approved (excluding demolition and the laying of services and foundations), a landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to, and approved in writing by, the Local Planning Authority, in consultation with the Environment Agency. The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority.

The Landscape and Ecological Management Plan shall include the following elements:

a) details of maintenance regimes for all landscaped areas including the enhanced river habitat, wetland scrapes and wetland planting
b) details of proposed remediation should newly planted vegetation fail to establish. This could include details of adjusted species mixes to suit the conditions on site. All species planted within 10m of the Wembley Brook should be native and preferably of local provenance.
c) details of treatment of buffers around water bodies for the benefit of biodiversity.
d) details of management responsibilities.
e) details of the proposed management or treatment of Japanese Knotweed throughout the lifetime of the development (this should include a continuous watching brief to confirm presence or absence.)

Reason: To ensure the protection of wildlife and supporting habitat and successful establishment of newly created habitats and to secure opportunities for enhancing the site's nature conservation value in line with paragraphs 187 and 193 of the National Planning Policy Framework (2024) and Policy BGI1 'Green and Blue Infrastructure In Brent' of the Brent Local Plan (2019-2041).

22 Prior to the commencement of works above ground floor level of the development hereby permitted, details of wind mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. These should demonstrate that the wind conditions are suitable for

intended use within the areas identified as unsuitable within the Wind Microclimate CFD Study (prepared by Windtech, ref: WE297-06F02(Rev0), dated May 1, 2025) following the implementation of the mitigation measures.

The mitigation measures shall be implemented fully in accordance with the approved details prior to first occupation or use of the building.

Reason: To ensure comfortable wind speeds, in accordance with London Plan Policy D9.

23 Details of materials for all external work, including samples which shall be made available for viewing on site, shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing above ground level. The work shall be carried out in accordance with the approved details, unless alternative details are first agreed in writing by the Local Planning Authority.

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

24 Prior to any above ground development, a detailed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

1. A statement of landscape and biodiversity design objectives and how these will be delivered over a minimum 30-year period in line with the Habitat Management and Maintenance Plan and Biodiversity Net Gain Plan as approved.

2. A masterplan showing how BNG measures integrate with Urban Greening (UGF), including retained habitats and green infrastructure (e.g. green roofs, walls, SuDS).

3. An updated Biodiversity Net Gain Assessment in line with statutory guidelines, identifying habitat areas and methods of creation.

4. Details of ecology enhancement measures as set out within the Preliminary Ecological Appraisal (Greengage, 2025) including those features highlighted on Page 29, and additionally bird nesting features to accommodate for:

- 3 x sand martin and 1 x kingfisher boxes/features, and
- 20 x invertebrate nesting features using site-won Taplow Gravel at roof and ground level

5. Soft landscaping details including:

- Planting plans showing retained and proposed vegetation with species and sizes. This shall include for a minimum of 14 trees.
- At least 60% native species by number and diversity, with planting to support pollinators, seasonal interest, and structural variety.
- Water features and green infrastructure elements (e.g. green/biosolar roofs, rain gardens, biodiverse lawns, herb planters, etc).

6. Hard landscaping details including:

- Existing/proposed levels and ground modelling.
- Materials, boundary treatments, and permeable surfaces.
- Tree pit designs, SuDS, street furniture and services layouts.
- Bicycle parking facilities.
- Roadways, pathways and play equipment .

All landscaping shall be completed prior to first occupation, and thereafter maintained in accordance with the approved management plan.

Reason: To secure high-quality landscaping and biodiversity enhancements, in accordance with the Brent Local Plan.Kingfisher,

25 Within six months of commencement of works above ground level, a privacy screening strategy shall be submitted to and approved in writing by the Local Planning Authority. This shall include a review of all balconies across the scheme, and details of suitable privacy screening on the relevant balconies to ensure the private balconies within the development are not unduly overlooked.

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

Reason: To protect the privacy of future occupiers.

26 Prior to first occupation or use of the development hereby approved, an Amenity and Play Space Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall set out how the communal amenity spaces within the building shall be made available to residents of the development, together with arrangements for organised activities, hours of access, booking facilities and measures that will be employed to ensure that users of the space do not cause noise nuisance to residents within the development. The plan shall include a statement of expected activities and how these would provide for all ages and backgrounds within the building.

The development shall thereafter not be occupied unless the external amenity spaces have been completed in full accordance with the approved drawings and details and the management plan implemented in full.

Reason: To ensure the communal amenity space is fit for purpose and provides appropriate facilities for residents.

27 Prior to the occupation of the development, the post-construction tab of the GLA's Whole Life-Cycle Carbon Assessment template shall be completed in line with the GLA's Whole Life-Cycle Carbon Assessment Guidance. Together with any supporting information, it should be submitted to, and approved by the LPA in writing.

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

28 Prior to the occupation of the development, a postconstruction monitoring report shall be completed in line with the GLA's Circular Economy Statement Guidance. The report shall be submitted to and approved by the LPA in writing.

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

29 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.

INFORMATIVES

1 - The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Brent Council. Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

2 - 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.

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

4 - 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.

5 - The applicant is advised of the following by Thames Water:

Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Development Services will be required. Should you require further information please refer to our website. https://www.thameswater.co.uk/help/home-improvements/how-to-connect-to-a-sewer/sewer-connection-design

Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc may be required before the Company can give its consent. Applications should be made at https://wholesale.thameswater.co.uk/Wholesale-services/Business-customers/Trade-effluent or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.

6 - Network Rail advise the applicant of the following:

(1)
The developer is to submit directly to Network Rail asset protection, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction

(Design and Management) Regulations. Network Rail would need to be re-assured the works on site follow safe methods of working and have also taken into consideration any potential impact on Network Rail land and the existing operational railway infrastructure. Builder to ensure that no dust or debris is allowed to contaminate Network Rail land as the outside party would be liable for any clean-up costs. Review and agreement of the RAMS will be undertaken between Network Rail and the applicant/developer.

(2)
All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports. With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following. Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by Network Rail prior to implementation.

Please see links to guidance for tower crane and mobile cranes adjacent to the railway to be flagged up to the developer/applicant.

https://www.cpa.uk.net/downloads/80/CPA-CIG-Mobile-Cranes-Alongside-Railways-181201.pdf

https://www.cpa.uk.net/safety-and-technical-publica..ons/tower-crane-guidance

(3)
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.

- All buildings and structures on site including all foundations / fencing foundations must be constructed wholly within the applicant's land ownership footprint.
- Any future maintenance must be conducted solely within the applicant's land ownership.
- 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.

(4)
The land is former railway land subject to a conveyance between BRB and Ari L.D. Norman dated 20th March 1989, which contains a covenant restricting the landowner from executing any works on the property without first submitting plans and obtaining approval from NR. The applicant will need to contact Asset Protection and PropertyRequestsNWC@networkrail.co.uk to request consent.

(5)
If vibro-compaction machinery / piling machinery or piling and ground treatment works are to be undertaken as part of the development, details of the use of such machinery and a method statement must be submitted to the Network Rail Asset Protection Engineer for agreement.

(6)
As the proposal includes works which could impact the existing operational railway and in order to facilitate the above, a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits, review and agreement of proposal documents and any buried services searches. The BAPA will be in addition to any planning consent.

All new enquiries will need to be submitted via the Asset Protection and Optimisation -Customer Portal

7 - Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.

8 - The submission/approval of the Fire Safety Statement does not replace the need for building regulation

approval in relation to fire safety, nor does it convey or imply any approval under those regulations.

9 - The applicant is informed that, in relation to the discharge of conditions regarding the remediation of contaminated land, 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.

10 - Once the Post-Construction Monitoring report is approved by the LPA, the Applicant should provide the approved post-construction monitoring report and any supporting information to the GLA at circulareconomystatements@london.gov.uk

11 - The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work
- building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
- dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed
- diverting or impounding the flow of water or changing the level of water in a main river
- quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
- any activity within 16 metres of a sea defence structure
- activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural hay stacks, straw stacks or manure clamps in these places)

For further guidance please visit Flood risk activities: environmental permits - GOV.UK or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Any person wishing to inspect the above papers should contact James Mascall, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2209