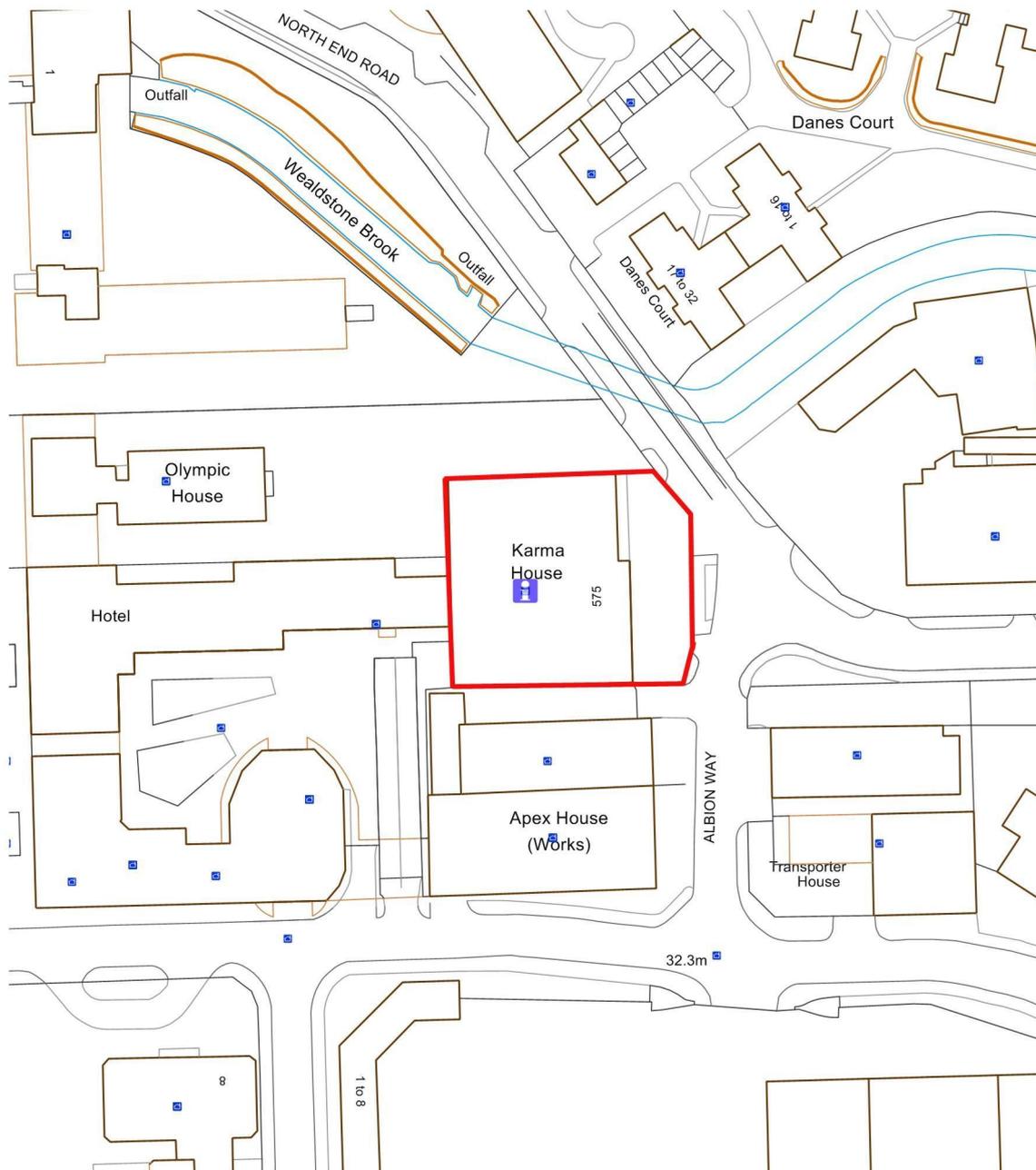




Planning Committee Map

Site address: 575 North End Road, Wembley, HA9 0UU

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This map is indicative only.

RECEIVED: 7 June, 2013

WARD: Tokyngton

PLANNING AREA: Wembley Consultative Forum

LOCATION: 575 North End Road, Wembley, HA9 0UU

PROPOSAL: Proposed demolition of existing building and construction of part 9- , part 14-, part 17 and part 19-storey building comprising 450 rooms of student accommodation and associated ancillary facilities and landscaping works.

APPLICANT: HTA Design LLP

CONTACT: HTA Architects Ltd

PLAN NO'S:
Please see condition No. 2.

RECOMMENDATION

That the planning committee resolve to grant planning permission subject to referral to the Mayor of London and subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

SECTION 106 DETAILS

The application requires a Section 106 Agreement, in order to secure the following benefits:-

- Payment of the Council's legal and other professional costs in a) preparing and completing the agreement and b) monitoring and enforcing its performance
- A detailed 'Sustainability Implementation Strategy' shall be submitted to the Local Planning Authority and approved in writing prior to the piling of foundations for the development hereby approved. This shall demonstrate:
 - How the development will achieve a minimum of BREEAM "Excellent" (submission of a design stage assessment by a BRE approved inspector);
 - How the indicated Brent Sustainability Checklist measures will be implemented within the scheme (or other such measures approved by the Council which meet a level of at least 50%).
 - How the scheme will achieve a minimum CO2 reduction of 25 % from 2010 TER (regulated) including a minimum of reduction of 20 % through on-site renewables (after "be lean" and "be clean" measures have been applied) or other such revised measures as approved by the Council which achieve the same levels of CO2 reduction;
 - That the scheme can be easily connected to a district wide heat network, should one come forward in the future.
- The applicant shall include/retain appropriate design measures in the development for those energy and water conservation, sustainable drainage, sustainable/recycled materials, pollution control, and demolition/construction commitments made within Brent's Sustainability Checklist and other submitted documentation (or agreed by further negotiation), and adopt adequate procurement mechanisms to deliver these commitments.
- On completion, independent evidence (through a BRE Post-Construction Review and completion certificates) shall be submitted on the scheme as built, to verify the achievement of at least BREEAM "Excellent".
- If the evidence of the above reviews shows that any of these sustainability measures have not been implemented within the development, then the following will accordingly be required:
 - the submission and approval in writing by the Local Planning Authority of measures to remedy the omission; or, if this is not feasible,
 - the submission and approval in writing by the Local Planning Authority of acceptable compensatory measures on site; or otherwise pay to the Council a sum equivalent to the cost

of the omitted measures to be agreed by the Local Planning Authority, to be used by the Council to secure sustainability measures on other sites in the Borough.

- The submission and approval in writing of a revised Travel Plan and to implement this plan, the purpose of the plan being to manage the transport needs of the Development so as to minimise car usage and promote alternative modes of transport.
- Training and employment
 - To prepare and gain approval of a Employment and Training Plan prior to commencement and to implement the Plan
 - To offer an interview to any job applicant who is a resident in Brent and meets the minimum criteria for the job
 - To use reasonable endeavours to: achieve 1 in 10 of the projected construction jobs to be held by Brent residents and for every 1 in 100 construction jobs to provide paid training for a previously unemployed Brent resident or Brent school leaver for at least 6 months
 - From material start, to provide monthly verification of the number of Brent Residents employed or provided training during construction and if the above targets are not being met, to implement measures to achieve them
 - Prior to occupation, verify to the Council the number of Brent Residents employed during construction and unemployed/school leavers who received training.

And, to authorise the Head of Area Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the London Plan 2011, Local Development Framework Core Strategy 2011, Unitary Development Plan 2004 and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

This application is liable for Community Infrastructure Levy.(CIL) . The Mayor's contribution would be is £334,480.09is £1,911,314.80.

EXISTING

This site is located on the south-western corner of the junction of North End Road and Albion Way. It has an area of approximately 0.16 hectares. The local area has a mixed use character with office and commercial buildings along the southern side of North End Road and Deans Court, an inter-war residential estate, to the north. The 17 storey Victoria Hall student accommodation development that is currently being built is located on the opposite side of North End Road a short distance away. To the rear is the Shubette House site which fronts Olympic Way and where a 20 storey mixed hotel/residential development has recently been completed.

Wealdstone Brook runs to the north of the site under North End Road. Wembley Park Underground Station is approximately 200 metres from the site. The site is also with the Wembley Growth Area.

The site is currently occupied by a three storey office building with a large single storey warehouse at the rear. The existing buildings are of brick construction and relatively utilitarian in appearance. They do not have any particular architectural merit being common in style to many post-war office buildings. There are no trees or other vegetation within the site boundary and the site is of little positive interest or benefit to the streetscape of North End Road.

DEVELOPMENT SCHEDULE

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

Floorspace Breakdown

USE

Number	Primary Use	Sub Use
1	businesses and offices	
2	sui generis	

FLOORSPACE in sqm

Number	Existing	Retained	Lost	New	Net gain
1	3474		3474	0	-3474
2	0		0	12821	12821

TOTALS in sqm

Totals	Existing	Retained	Lost	New	Net gain
	3474		3474	12821	9347

PROPOSAL

As above.

HISTORY

On the 28th July 2005 Brent's planning committee resolved to grant outline planning permission for the demolition of the existing building and the erection of a building ranging in height for 8 to 17 storeys comprising a 120-bedroom hotel on the 1st - 5th floors, 108 timeshare or apartment hotel lets on 6th - 15th floors (84 studios, 24 one-bedroom), a public viewing gallery and restaurant on the 16th floor, one basement level of 40 parking spaces and associated facilities. The s106 agreement was signed and outline permission formally granted on the 17th April 2008. The application reference was 05/0626.

The Reserved Matter (Landscaping only) pursuant to the outline planning consent was granted on 7 July 2011 (application reference 11/0870).

An application to extend the timeframes for the implementation of this consent was submitted on 5 June 2013 and it was originally intended that it would be considered at the same planning committee meeting. However, further information is required and this application is likely to be reported to the Planning Committee in September.

POLICY CONSIDERATIONS**NATIONAL**

National Planning Policy Framework

REGIONAL

The Mayor of London
The London Plan 2011

The revised London Plan was adopted in July 2011 and sets out an integrated social, economic and environmental framework for the future development of London. Relevant Policies include:

- 3.9 Mixed and Balanced Communities
- 5.1 Climate Change Mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.6 Decentralised Energy in Development Proposals
- 5.7 Renewable Energy
- 5.9 Overheating and Cooling
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.15 Water Use and Supplies
- 5.21 Contaminated Land
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality

The Mayor's Transport Strategy
Supplementary Planning Guidance – Sustainable Design and Construction (May 2006)

LOCAL

Brent Local Development Framework Core Strategy 2010

- CP 1 Spatial Development Strategy
- CP2 Population and Housing Growth
- CP5 Placemaking
- CP6 Design and Density in Placemaking
- CP15 Infrastructure to Support Development
- CP18 Protection and Enhancement of Open Space, Sports and Biodiversity
- CP19 Brent Strategic Climate Mitigation and Adaptation Measures
- CP21 A Balanced Housing Stock

Brent Unitary Development Plan 2004

Policies

- BE2 Local Context & Character
 - BE3 Urban Structure: Space & Movement
 - BE4 Access for disabled people
 - BE5 Urban clarity and safety
 - BE6 Landscape design
 - BE7 Streetscene
 - BE8 Lighting and light pollution
 - BE9 Architectural Quality
 - BE12 Sustainable design principles
 - EP3 Local air quality management
 - EP6 Contaminated land
 - EP12 Flood protection
 - EP15 Infrastructure
 - TRN2 Public transport integration
 - TRN3 Environmental Impact of Traffic
 - TRN4 Measures to make transport impact acceptable
 - TRN9 Bus Priority
 - TRN10 Walkable environments
 - TRN11 The London Cycle Network
 - TRN14
 - TRN22 Parking Standards – Non-Residential Developments
 - TRN34 Servicing in new developments
 - TRN35 Transport access for disabled people & others with mobility difficulties
- Appendix TRN2 Parking and Servicing Standards

Brent Council Supplementary Planning Guidance and Documents

- SPG12 Access for disabled people
- SPG17 Design Guide for New Development
- SPG19 Sustainable design, construction and pollution control
- SPD Section 106 Planning Obligations

SUSTAINABILITY ASSESSMENT

This application is accompanied by a Sustainability Statement which demonstrates how that the proposal will be in accordance with local and London Plan policies.

A BREEAM pre-assessment has been submitted which confirms that the proposal will meet the minimum standard of “Excellent” as set out within the LDF Core Strategy.

The Energy Assessment specifies that the scheme will accord with the Mayor of London’s energy hierarchy and targets for CO₂ reduction, which currently require developments to achieve CO₂ levels that are at least 25 % lower than 2010 Building Regulations Target Emission Rates (2010 TER). London Plan policy also sets a target for CO₂ reduction through on-site renewables of 20 %. Specific measures are proposed to meet these targets.

The submitted statement proposes a variety of fabric (“be lean”) measures, the incorporation of Combined Heat and Power (CHP) to provide for the hot water base heating load, and the use of a biomass boiler to achieve the target for on-site renewables. The use of biomass boiler in conjunction with a gas fired CHP engine is unusual this has been questioned by the GLA. The applicant has accordingly indicated that they will

re-evaluate the energy strategy. This will include “be lean” measures and the incorporation of CHP. However, the provision of on-site renewables may be altered. Most developments of this nature propose the use of gas fired CHP and PV (solar) panels. Further information regarding the energy strategy will be included within the Supplementary Report.

The Sustainability Statement confirms that the building will be connected to a district wide heat network should one be delivered in the future.

The applicants have also submitted a TP6 Sustainability checklist which your officers have scored at 48.5 %. While this is marginally lower than the target of 50 %, your officers consider this to be acceptable.

CONSULTATION

Letters sent: 11 June 2013 (first consultation)
 17 July 2013 (re-consultation regarding revised drawings)
 Site Notices: 18 June 2013
 Press Notice: 20 June 2013

Letters were sent to 433 adjoining and nearby owners and occupiers.

Responses were received from two properties within the Danes Court complex noting the following issues:

Comment	See Paragraph
Security: When this building is erected, we would like to be assured that there will be a 24 hour security / Concierge / cctv cameras etc	35
Parking: Reassurance was given that no car parking facilities were required for the Victoria Hall scheme other than disabled bays outside but those bays are now continuously occupied by vehicles that do not hold disabled badges and street parking in North End Road is continuously being used by students of the VH facility. Residents are concerned about where students of the proposed building and students, teachers and visitors to the new ‘Atlas House’ school will park	17-18
The planners would suggest a CPZ, but it is not fair that existing residents have to pay for parking for themselves and their visitors due to schemes that are no benefit to them	17-18
The site is situated on a blind corner and appears that no drop-off point is provided on Albion Way for the students. This will result in accidents	20, 21, 36
Residents would like to see graphical representations and photographs of the proposed building	43
The Victoria Hall accommodation together with 461 additional student rooms in this proposal will completely alter the current demographic of the road from a quiet family oriented road to a student village	37
The proposals do not contribute towards the amenity and facilities of the existing residents on the road i.e. Danes and Empire Court, yet heavily increases the residential density and hence use/impact on the surrounding area	38-40
The Victoria Hall scheme is isolated from its surroundings and has not had a positive impact on the quality of life for existing residents, yet they suffer with an open space being replaced with a towering, incompatible, obtrusive and oppressive building which heavily overlooks the communal areas and many windows of Danes and Empire Courts. It’s a shame that Brent has allowed such a loss of amenity without securing improvements or contributions to offset the loss. If it has been secured, the residents have not seen any actual improvements as a result of this	38-40
Any further proposed development via increased density should positively impact the lives of existing residents and empower them. The previous scheme (hotel, restaurant, viewing gallery) would invite and attract residents and the public and would be useful to them while another exclusive student development would not	38-40
These student developments only serve to make money for their developers at a complete loss of amenity to existing residents	38-40
Brent Council should be encouraging developments which improve, regenerate and uplift the area and contribute facilities and amenity for the actual residents of Brent and are of public benefit	38-40
Some of the existing students use the open space in Danes and Empire Courts	41
Victoria Hall, which was shortlisted as one of the ugliest new buildings in the country provides evidence of the appalling quality of submissions accepted by Brent	42

Internal consultees:**Safer Streets / Environmental Health:**

No objections subject to conditions regarding contaminated land, remediation, air quality and sound insulation.

Highways:

The comments from Highways have been summarised in the Remarks section of this report.

External consultees:**The Greater London Authority**

The scheme is due to be presented to the Mayor of London on 14 August. The Mayor's formal Stage 1 response will accordingly be discussed in the Supplementary Report. However, your officers have discussed the report that will be presented to the Mayor with GLA officers.

They have highlighted that they intend to raise the following issues:

Demand for student accommodation: A demand assessment should be submitted for consideration.

Highways: A blue badge parking space should be provided for the development and additional cycle parking should be proposed.

Energy: GLA officers have concerns regarding the technical feasibility of the proposed biomass boilers and have requested further clarification regarding the calculations of energy and CO2.

With regard to these issues, the demand assessment will be discussed within the Supplementary Report. Highways have commented that the provision of a blue badge parking space is acceptable on the highway opposite the site and TfL have confirmed that this is likely to be acceptable. Cycle parking is now proposed at a ratio of 1 space per 2 students and it now meets the Council's standards. TfL have requested that two public spaces (Sheffield stands) are provided and this has been required by condition. The applicant is reconsidering the energy strategy and may look at alternative options for the delivery of on-site renewables. Further information on these matters will be included within the Supplementary Report.

The Environment Agency (The EA)

No objection subject to a recommended condition.

Thames Water

Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the LPA look to approve the application, Thames Water request that a Grampian condition is imposed which specifies that development shall not commence unless a drainage strategy detailing any on-off site drainage works is submitted to and approved by the LPA in consultation with the sewerage undertaker.

Informatives are recommended regarding the installation of a non-return valve, surface water drainage, petrol/oil interceptors for any car parks, and fat trap on all catering establishments.

Wembley National Stadium Limited

Comment	See paragraph 28, 34
The application does not include a noise assessment or other evaluation of noise levels on event days. This information should be provided prior to determination and conditions that are similar to those attached to planning permission 03/3200 (the Quintain Stage 1 outline consent) should be attached	
The application does not refer to event day management	34
The proposal comprises a 19-storey building. While the Design & Access Statement shows the view from Barn Hill, the Planning Statement notes that a key views assessment and three dimensional digital model will be provided. Have these been submitted?	8, 34

REMARKS**General principle of the use**

1. This site has designations within both the adopted Site Specific Allocations and the Wembley Area Action Plan (submission version). The Site Specific Allocation designation (site W4) includes both Shubette House and Apex House, highlights these sites as a major opportunity for a mix of uses including hotel, residential, retail, office, managed affordable workspace and public space. It highlights that tall building

should have careful regard to the setting of the Stadium and the protected view from Barn Hill. The Wembley Area Action Plan designation (site W15) includes Karma and Apex House as Shubette House has now been completed. This highlights the potential for uses such as hotel, residential and commercial uses such as affordable workspace.

2. The Wembley Area Action Plan sets a maximum limit for Student Accommodation within the Wembley Growth Area at 20 % of the projected increase in population. This emerging policy looks to ensure that the provision of student accommodation does not affect the delivery of homes or result in an unbalanced population. The Area Action Plan sets out that approximately 2,636 student rooms have been either constructed or consented and that this comprises less than 10 % of the projected increase in population. As such, this consent would not result in the proportion of student rooms exceeding the 20 % level.

Layout and design

3. With regard to layout, the Area Action Plan designation highlights that a Courtyard type development as detailed within the Wembley Masterplan is favoured for the site. The initial proposals reflected this general layout. However, concerns were raised regarding the potential effect on the light and outlook for the existing homes within Danes Court. As a result the applicants revised the scheme to retain a level of openness (when viewed from Danes Court) to that within the existing (hotel) consent. The south-wing of the building does not project outside of the envelope of the existing (hotel) consent and as such, provides an equal or greater level of openness to the existing scheme, depending on where the scheme is viewed.
4. The proposed building comprises three wings of differing heights, with the lowest wing situated closest to the existing homes at Danes Court. The proposed building is taller than the hotel consent relating to this site, but lower than the taller element of the adjoining Shubette House development (which is 3.5 m higher above datum) and the nearby Victoria Hall student building (which is 6 m higher above datum).
5. Elements of the building are situated close to the footway, with recessed elements of the building at ground and upper ground floor level creating a greater sense of openness within the frontages. The proposal includes windows that are relatively close to the boundary with adjoining sites. Whilst the Council does not have standards for outlook for student accommodation, consideration is given to the privacy of any adjoining homes and the development potential of adjoining sites.
6. The proposal includes changes to the design of the junction of North End Road and Albion Way, the provision of an on-street servicing bay and the adoption of some land within the site as public highway to provide additional footway. Soft landscaping is proposed within the site frontage. Cycle and refuse storage is provided at ground level within the north-eastern side of the site, with the cycle and refuse store covered by a green roof which also provides an amenity space for students.
7. The varied use of materials is proposed to create visual interest, with a combination of solid panels, perforated panels and glass proposed. The perforations are to be designed by an artist and room ventilation will be incorporated into these. Two storey oriel windows are proposed in a number of locations to provide further interest within key facades. It is proposed that the colour palette for each wing will be complementary but will be chosen to differentiate between each wing. Anodised aluminium is suggested for the cladding panels. Your officers consider that the proposed building has the potential to be interesting as shown in the submitted images. This is highly dependent on the success of the materials that are chosen and the detailing of the fixings and junctions between materials. A condition is recommended regarding this.
8. With regard to the protected views to the Stadium, the site is situated close to the viewing cone from Barn Hill (Long/middle distance view 1 from UDP Policy WEM19 and view 1 as identified within policy WEM6 of the emerging Wembley Area Action Plan submission version). The submitted view (within the Design and Access Statement) demonstrates that the proposal does not have a detrimental impact on that view. The proposed development is set sufficiently away from the viewing cones from the other protected views to the Stadium and views from those locations are not considered to be necessary.

Landscaping

9. The proposed building covers the majority of the site. However, tree and shrub planting has been proposed within the street frontage, to the south of the building and on the roof terraces. The landscaping proposals represents a significant improvement over the hotel consent relating to the site which included very little soft landscaping. This proposal maximises the use of the use of roofs and ground level spaces within the site for both amenity purposes (for student) and the provision of soft landscaping and your officers consider that the landscaping proposals are acceptable subject to conditions regarding the further details regarding the proposals.

Mix and quality of accommodation

10. A total of 450 student rooms are proposed, of which 340 are standard “cluster” rooms (ensuite rooms sharing a kitchen/living/dining room), 65 are standard “studio” rooms, 44 (9.8 %) are wheelchair accessible studio rooms and 1 is a “staff suite”. The Studio units are typically 18.5 square metres in size while each ensuite room within a cluster is approximately 13.5 square metres in area. Wheelchair accessible rooms are typically 20 square metres. Whilst the Council does not have adopted standards relating to the quality and mix of student units, the proposed room sizes are typical of other proposals that have been approved within Wembley, as is the ratio of cluster rooms to studio rooms. Whilst the number of wheelchair accessible rooms is marginally below the London Plan standard (9.8% rather than 10 %), this is considered to be acceptable. Communal rooms and facilities are provided on the ground floor, with outside space situated at ground level and on roof terraces.

Daylight and Sunlight report

11. Daylight and sunlight analysis was used by the applicant to inform the orientation and massing of the scheme in order to limit the potential impacts of the propose relating to daylight and sunlight of nearby existing homes. A daylight and sunlight has been submitted which evaluates the potential impacts of the proposed development on the surrounding properties and in particular, the nearby homes at Danes Court. The development has been tested using the BRE guidance, “Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice” 2nd Edition, 2011 and B 8206 – 2: 2008 “Lighting for Buildings – Part 2: Code of Practice for Daylighting”
12. The report highlights that the proposal will accord with the guidance levels in relation to daylight for the majority of the windows within nearby properties with one exception. This window is under an existing balcony and next to a return wall, which already restrict the levels of daylight. The report notes that the associated room is also served by another window which continues to meet the guidance levels for daylight. The report looks at the difference between the consented (hotel) scheme and the current proposal, and specifies that the levels of daylight between the two schemes are similar, with average reductions associated with the current proposal being 1 % at Victoria Hall and 5.3 % at Danes Court when compared with the hotel consent.
13. With regard to sunlight, the proposal accords with the guidance and standards. When compared to the consented (hotel) scheme, levels of sunlight are improved for some windows, remain the same for others and are reduces slightly for others, with all remaining within guidance levels. The report sets out that there are no gardens that will be affected by the proposal in terms of overshadowing.
14. Your officers consider that submission confirms that he proposal materially complies with the relevant guidance and standards for daylight and sunlight in terms of the impact on existing homes in the vicinity.

Highways

15. This site is located on the south-eastern corner of the priority junction of Albion Way and North End Road (two local access roads). At present, they terminate in a cul-de-sac to the northwest, but there are detailed design proposals included in the Wembley Area Action Plan to construct a new road connection between the end of North End Road and Bridge Road, to provide a new through route into the area from the west. On-street parking outside the site is prohibited all times, due to its location adjoining a road junction. There is unrestricted parking available nearby along the northern side of North End Road, though this is restricted to permit holders only between 10am and midnight on Wembley Stadium event days. These spaces are generally very well used during the day, although overnight parking is light. Public transport access to the site is very good (PTAL 5), with Wembley Park Underground station (Jubilee and Metropolitan lines) and seven bus routes within 640 metres.
16. A secure cycle store to accommodate 225 bicycles is proposed together with works to the junction and highway to provide a new on-street loading bay. No off-street car parking is proposed.
17. The Council's car parking standards would allow a maximum of 28 spaces as a part of the proposal. The omission of any car parking spaces accords with these standards and given the nature of the use and the level of public transport accessibility, the omission of parking spaces is considered to be acceptable. Highways have recommended that the scheme is “parking permit restricted” where occupants are not eligible for on-street permits in the event that a Controlled Parking Zone is implemented. Levels of cycle storage are in accordance with the Council's standards.
18. Objectors have noted the high levels of parking in the area and one objector has commented that the introduction of CPZs is unfair on existing residents who must thereafter pay for parking permits. Your

officers sympathise with this resident and acknowledge that the residents who do not have access to off-street parking and wish to park on street may need to pay for a parking permit (currently between £0 and £214 depending on vehicle emissions). However, such measures are often required to ensure that those residents can still park where new development is built. The nature of the area around Wembley Stadium is changing and a significant number of new homes and jobs are to be sought within this area to meet government targets for homes and employment but also to improve the area for existing and future residents and occupiers. Planning consent has been already been granted for numerous new shops, cafes, restaurants and bars, other businesses and community facilities. These developments will help to change the nature of this part of Wembley which was previously occupied by a number of large warehousing and light industrial buildings in varying states of repair and occupation. While most people who live within or visit the new developments will travel by public transport, the provision of Controlled Parking Zones in the surrounding areas is often a necessity if we are to minimise the potential impacts of over-spill parking on existing residents.

19. Highways have noted that the refuse storage area is in excess of 10 m from the proposed loading bay and therefore is greater than the distance specified within the Council's Waste guidance. However, the agents have confirmed that refuse collection will be undertaken by private contractors. As such, the distance to the refuse store is considered to be acceptable.
20. Loading and unloading of students' possessions at the start and end of the academic year can result in vehicles blocking the highway and as such, highways have recommended that a management plan relating to the use of the loading bay and staff assistance for students is secured through condition or section 106.
21. Changes within the public highway were initially proposed, including the provision of a new layby on the public highway and the adoption of land within the site as new public highway to allow the provision of the footway. Highways objected to the revised layout that was submitted due to the inadequate width of the footway that was proposed. In response to recommendations from Highways, the applicant has submitted a subsequent revision which includes the provision of a 2.4 m wide footway, a loading bay and a revised junction layout which prioritises the route from the northern end of North End Road to Albion Way, which is a strategic objective of the Council. This proposal includes the dedication of land along the majority of the frontage of the site as new public highway and significant improvements to footway width and highway alignment. Highways have commented that the revised layout is acceptable in principle, subject to the outcome of a safety audit.
22. The applicant has submitted a Transport Statement and draft Travel Plan which examines the projected number of trips associated with the development and the likely modal split. Highways note that the proposal is unlikely to have any significant impact on traffic flows in the area whilst the high number of bus, rail and tube services in the area mean that the development is not likely to have a significant impact on public transport services.
23. The draft Travel Plan has been assessed using TfL's ATTrBuTE software and is not of sufficient quality to score a pass mark. It is accordingly recommended that a revised travel plan is secured through condition or Section 106. Highways have also requested that Section 106 contributions are sought towards highways and sustainable transport infrastructure in the locality. However, this is now secured through the Community Infrastructure Levy.

Archaeology

24. This application is supported by a desk based archaeological assessment which concludes that the potential for archaeological features has been significantly impacted by the previous development of the site, including the construction and demolition of the 1920s restaurant and the existing 1970s building. The report specifies that the combined impacts of known previous activity indicated that the potential for archaeology from all periods to remain in situ within the site is considered to be low, and no further archaeological intervention is proposed. Your officers concur with the findings of this report.

Flood Risk Assessment

25. The applicant has submitted a Flood Risk Assessment (FRA) as parts of the site fall within Flood Risk Zone 2 (moderate risk). The FRA confirms that whilst the north-eastern corner of the site is at risk for a 1:100 year flood (zone 2), the development itself is not at a medium or high (level 2 or 3) risk of flooding. It confirms that greenfield runoff rates will be achieved and proposes the use of permeable paving and green roofs. The Environment Agency have considered the proposal and have commented that the proposal is in compliance with the National Planning Policy Framework providing the measures identified in the Flood Risk Assessment are secured by condition.

Television reception

26. An assessment of the potential impact of the proposal on television reception was submitted with this application, modelling both digital terrestrial television (Freeview) and satellite. The assessment reported that no adverse impacts have been identified by the modelling and that no mitigation measures are required.

Air Quality

27. An Air Quality Assessment has been submitted for this application as the site is within an Air Quality Management Area. Safer streets have recommended that conditions are attached to ensure that the proposal does not impact on air quality with the area.

Noise

28. The proposed student accommodation is close to a very busy area which also experiences noise associated with Wembley Stadium events. Your officers therefore recommend that a condition to ensure that acceptable internal noise levels are achieved within the accommodation.

Contamination

29. A Phase I Contaminated Land Desk Study has been submitted. This concludes that a site investigation is required given the history of the site. Conditions regarding the approval of a Site Investigation, Remediation Report, Validation report and associated certificates are recommended by Safer Streets.

Wind environment

30. An assessment of wind environment has been submitted which confirms that the proposed development is not expected to have any significant impact on pedestrian level wind conditions within the area and that conditions in and around the site will be safe for all users.

Thames Water Comments

31. Thames Water has recommended that a Grampian condition is attached requiring details of on off site drainage works. Such a condition is recommended. However, this has been tied to the piling of foundations due to the tight timeframes for the delivery of this development that have been set out by the developer.

32. Informatives have been recommended. These have been incorporated, save for the ones regarding the petrol / oil interceptor (due to the lack of any car parking/washing/repair facilities) and fat traps (as there are no catering establishments).

Response to comments and objections

33. Some of the comments have been discussed previously within this report. This section of the report will consider and discuss those comments that haven't been addressed already.

34. Wembley National Stadium limited has commented that the proposal does not refer to event day management. Vehicle access to the site is for servicing/delivery vehicles only and students will generally travel to and from the site using public transport. As such, event day travel arrangements can be covered through the Travel Plan. The management plan for the loading bay can also look to discourage students dropping off goods during key times on Stadium Event days. The site is not situated on one of the main routes to the Stadium and therefore is unlikely to experience high volumes of people on the adjoining footpath. As such, the proposed layouts and suggested conditions are considered sufficient to address event day conditions in Wembley. The points raised by the Stadium regarding noise and the protected views to the Stadium have been discussed previously.

35. Security / concierge / cctv: It is considered likely that staff will be on site at all times given the nature of the building and the staff facilities and the communal facilities for the student have been sited in locations which will allow good levels of natural surveillance of the adjoining street. However, your officers do not consider it appropriate to attach a condition requiring 24 hour security or a concierge. Whilst CCTV can help to reduce crime in some instances, good levels of natural surveillance are considered to be far more effective in achieving this.

36. Drop-off point: The proposal does include a drop-off / loading bay as discussed previously within this report. Highways consider that the location of this to be acceptable in principle, but have requested a safety audit to be undertaken.

37. Demographic in the area, skewed towards student housing rather than permanent homes: This matter is

covered by the emerging Area Action Plan policy which looks to ensure that no more than 20 % of the new residents are students. In the short term it is possible that the proportion of students who reside within this area are above this level if the student housing schemes come forward before the development of the other sites in the locality. However, this policy looks to ensure that an appropriate balance is achieved in the medium to long term.

38. Developments should improve the access to amenities for existing residents: This scheme includes improvements to the road layout and an increase in the width of the footway adjacent to the site. In addition to this, significant contributions will be payable under the Community Infrastructure Levy towards social and physical infrastructure, a proportion of which must be spent locally. As such, whilst the developers will naturally hope to make a profit from the development, it will contribute significantly to the amenities for existing and future residents and occupiers.
39. The Victoria Hall scheme included financial contributions under Section 106 of approximately £76,000 toward sports facilities, £52,000 towards local transport infrastructure (within the Wembley Regeneration Area) and £141,000 towards open space. The transport infrastructure contribution has been spent on a highways project to improve the environment for residents and occupiers within Wembley but not on North End Road. The sports and open space contributions have been received but have not been spent yet.
40. The need to provide facilities for existing and future residents is a key thread of the 2009 Wembley Masterplan, the LDF Core Strategy 2010 and the Wembley Area Action Plan (proposed submission version). Rather than providing facilities on all sites, these plans project out the likely requirements for social and physical infrastructure and locations where these may be suitable.
41. Students from the Victoria Hall scheme use the gardens of Danes and Empire Court: The current proposal includes reasonable levels of external amenity space within the site at ground level and within terraces. As such, this should help to ensure that students do not try to use other privately owned spaces in the area.
42. The design and appearance of the Victoria Hall scheme, designed by the internationally renowned architect Piers Gough of CZWG, has attracted discussion since it was first proposed. It was approved on appeal by the Planning Inspectorate in 2008. It was nominated for the "Carbuncle Cup" in 2012, a competition run by architectural newspaper BD which comprises development that are nominated by the public. It did not make the shortlist, which included developments such as "The Orbit" tower designed by Anish Kapoor and Cecil Balmond for the 2012 Olympics and the Shard End Library in Birmingham, designed by IDP Partnership. The cup was "won" by Grimshaw Architects Cutty Sark Visitor facilities in Greenwich. Opinion is often divided regarding the design of buildings that differ from the standard forms and materials. However, the design merits of the Victoria Hall scheme are not relevant to this application which must be considered on its own merits.
43. Images of this proposal have been incorporated into the Design and Access Statement.

Summary

44. The proposed provision of 450 rooms of student accommodation is considered to maintain an appropriately balanced community in the medium to long term as it does not exceed the minimum set out within the emerging Wembley Area Action Plan. The layout and design of the building has been informed by the views from the nearby Danes Court homes, looking to ensure that on balance, a similar level of openness are achieved when viewed from those properties. Whilst the proposed building is taller than that the consented scheme on this site, it is lower than the nearby Shubette House and Victoria Hall buildings and does not have an adverse impact on any protected views to the Stadium. The scheme has been designed to ensure that the proposed building meets the BRE guidance relating to daylight and sunlight with regard to its impact on the windows of the nearby Danes Court building. Only one window falls below BRE Guidance levels for daylight and that room is served by another window that achieves the BRE levels. In terms of design and appearance, the proposed building has the potential to look interesting provided a high quality of materials and detailing is secured through condition.
45. The scheme is considered acceptable in highways terms with no significant impact projected on the public highway or public transport infrastructure. It is recommended that a variety of Transportation measures are secured through condition and the Section 106 agreement, including a revised Travel Plan, a parking permit restriction, a management plan for the loading bay and works to the highway under a Section 38/278 agreement. Those works include the realignment of the adjoining junction, the provision of an on-street loading bay and the provision of additional land within the site as adopted highway. These

works will be beneficial to the wider community as well as being necessary for the scheme.

46. Conditions are also recommended regarding flood risk, contamination, noise, air quality and waste water infrastructure.

Your officers accordingly recommend that the Council resolve to grant planning permission subject to conditions and a Section 106 legal agreement, and subject to referral to the Mayor of London.

REASONS FOR CONDITIONS

RECOMMENDATION: Grant Consent subject to Legal agreement

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

National Planning Policy Framework
London Plan 2011
LDF Core Strategy 2010
Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance

CONDITIONS/REASONS:

(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):

AL-001
AL-002
AL-003
AL-004
AL-020
AL-021
AL-022
AL-023
AL-024
AL-025
AL-026
AL-028
AL-045
AL-050
AL-051
AL-060
AL-061
AL-062
AL-063
AL-064
AL-065
AL-066
AL-067
AL-068

"Design and Access Statement" dated 2 August 2013

"Transport Statement" dated 7 August 2013 reference CS/066094/D_001A

"Wind Environment" dated 7 August 2013

"Daylight and Sunlight Report" dated 5 July 2013 reference 34128/IM/kem

"Phase 1 Contaminated Land Desk Study" dated 24 June 2013 reference CS/066094/Phase 1

"Sustainability Statement" dated 2 August 13 reference PP-02687330
"Flood Risk Assessment" dated 26 July 2013
"Air Quality Assessment" dated 7 June 2013 reference 01
"Television Reception Impact Assessment" dated 6 June 2013
"Archaeological Desk Based Assessment" dated 6 June 2013
"Planning Statement" dated June 2013

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

- (3) The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 26 July 2013 produced by Capita Symonds and the following mitigation measures detailed within the FRA:
1. Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.
 2. Finished floor levels are set no lower than 31.71 m above Ordnance Datum (AOD).
- The mitigation measures detailed within the "Flood Risk Assessment" by Capita Symonds date 26/07/2013, hereby approved, shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing, by the local planning authority.

Reason: To ensure safe access and egress from and to the site and to reduce the risk of flooding to the proposed development and future occupants.

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

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

- (5) All existing crossovers rendered redundant by this proposal shall be reinstated to footway at the applicant's own expense and to the satisfaction of the Council's Director of Transportation prior to first occupation of the new development.

Reason: In the interests of traffic and pedestrian safety.

- (6) The development hereby approved shall not be occupied until such time as Certificates of Substantial Completion have been issued for the alterations to the existing adopted highway under an Agreement pursuant to Sections 278 of the Highways Act 1980 and the construction of the new areas to be constructed as new footway to an adoptable standard, and those elements of new footway within the site have been offered to the Local Authority for adoption as public highway pursuant to Section 38 of the Highways Act 1980, unless otherwise agreed in writing by the Local Planning Authority. The works and land to be offered for adoption shall be in accordance with drawing AL-050 (or other such plan as is approved in writing by the Local Planning Authority pursuant to this condition), including the works to the junction and footway, including the realignment of the junction, provision of the loading bay and new footway. The works shall be at the developers own expense and the land shall be offered for adoption at no cost to the Council.

Reason: To ensure a satisfactory development in the interest of highway flow and safety and amenity.

- (7) Details of materials for all external surfaces of the building and all other external works (including samples where necessary) and the detailing of the key fixings and junctions between different materials shall be submitted to and approved by the Local Planning Authority prior to works commencing on the superstructure and the works shall be carried out in full accordance with the approved details.

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

- (8) All areas shown on the approved plans shall be suitably landscaped in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority in prior to the piling of foundations on the site and the approved details shall be implemented in full. Such landscaping work shall be completed prior to first occupation of the development hereby approved and thereafter maintained.

The submitted scheme shall include details of:

- a) the planting scheme for the site, which shall include species, size and density of plants, sub-surface treatments (or planters / green roof substrate profiles where applicable), details of the extent and type of native planting, any new habitats created on site and the treatment of site boundaries and buffers around water bodies;
- b) walls, fencing and any other means of enclosure, including materials, designs and heights;
- c) treatment of areas of hardstanding and other areas of hard landscaping or furniture, including materials;
- d) details of levels and contours within and adjoining the site;
- e) a landscaping maintenance strategy, including details of management responsibilities;

Any trees and shrubs planted in accordance with the landscaping scheme and any plants which have been identified for retention within the development which, within 5 years of planting, are removed, dying, seriously damaged or become diseased, shall be replaced to the satisfaction of the Local Planning Authority, by trees and shrubs of similar species and size to those originally planted.

Reason: To ensure a satisfactory standard of appearance and to ensure that the proposed development enhances the visual amenity of the locality.

- (9) Detailed drawings which show the layout and cycle stands for the cycle storage areas together with the provision of two publicly accessible Sheffield stands within the site frontage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on the superstructure and the development shall be carried out in full accordance with the approved details and thereafter permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory development that makes adequate provision of cycle storage.

- (10) Unless otherwise agreed in writing by the Local Planning Authority, the piling of foundations for this development shall not commence unless a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed unless otherwise agreed in writing by the Local Planning Authority.

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

- (11) Details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority prior the commencement of works on the superstructure unless otherwise agreed in writing with the Local Planning Authority. This shall include details of the lighting fixtures, luminance levels through the site and luminance levels at sensitive receptors within and adjoining the site. The approved details shall be implemented in full prior to first occupation of the development.

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

- (12) Following the demolition of the buildings and prior to the commencement of building works, a site investigation shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011. A report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on the superstructure, that

includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination, and an appraisal of remediation options should any contamination be found that presents an unacceptable risk to future site users.

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

- (13) Any remediation measures required by the Local Planning Authority pursuant to condition No. 12 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 permitted 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

- (14) The Combined Heat and Power and Biomass units installed shall meet or improve upon the emissions standards and technical details described in the Air Quality Assessment. Prior to the commencement of the use, details of tests undertaken on the installed unit to demonstrate that the emissions standards have been met shall be submitted to and approved in writing by the Local Planning Authority. This shall include proposed mitigation measures if the submission demonstrates that the emissions standards have not been met and the approved measures shall thereafter be implemented in full. The units shall be maintained thereafter in such a way as to ensure that these standards continue to be met.

Reason: To protect local air quality, in accordance with Brent Policies EP3 and EP4

- (15) All residential premises shall be designed in accordance with BS8233:1999 'Sound insulation and noise reduction for buildings-Code of Practice' to attain the following internal noise levels, taking into account likely noise levels from Wembley Stadium events:

Time	Area	Maximum noise level
Daytime noise 07:00-23:00	Living rooms	35 dB LAeq (16hr)
Night time noise 23:00-07:00	Bedrooms	30 dB LAeq (8hr) 45 dB LMax

Details demonstrating that the above noise levels will be met shall be submitted to and approved in writing prior to the construction of works on the superstructure and the approved details shall be implemented in full. A test shall be carried out prior to the discharge of this condition to show that the required internal noise levels have been met and the results submitted to the Local Planning Authority for approval.

Reason: To ensure a satisfactory standard of accommodation for future residents.

- (16) Prior to the commencement of the development a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority detailing measures that will be taken to control dust, noise and other environmental impacts of the development and the approved details shall thereafter be implemented.

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

- (17) Details of any air-conditioning, ventilation and flue extraction systems including particulars of noise levels and any associated noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority prior to installation of any such systems. The approved details shall thereafter be fully implemented.

Reason: To safeguard the amenities of the existing or future residents.

- (18) A Student Management Plan detailing measures to manage the use of the on-street servicing bay hereby approved during key periods including the periods when students will load and unload possessions at the start and end of the college year, the pre-booking of arrival times and staff resourcing to assist this and having regard to Stadium Event day conditions, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use and the approved details shall be implemented in full.

Reason: In the interest of highway and pedestrian safety and flow, and parking saturation in the locality.

- (19) Details demonstrating that the developer or constructor has joined the Considerate Constructors Scheme shall be submitted to the Local Planning Authority prior to commencement of works and the developer or constructor shall thereafter adhere to the requirements of the Scheme for the period of construction.

Reason: In the interest of the amenities of the adjoining and nearby owners and occupiers.

- (20) A Construction Logistics Plan, setting out how deliveries to the land during the construction of the Development will be managed so as to optimise traffic operations and minimise disruption as also minimise the environmental impact of freight activity, shall be submitted to and approved in writing prior to the commencement of the development and the approved plan shall thereafter be implemented.

Reason: In the interest of highway flow and safety.

- (21) Prior to first occupation of the development confirmation that a minimum of 44 Wheelchair Accessible rooms of student accommodation have been delivered within the development shall be submitted in writing to the Local Planning Authority.

Reason: To ensure a development that is sufficiently accessible.

INFORMATIVES:

- (1) Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.
- (2) With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason: to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- (3) The Environment Agency advise that developers should ensure that any proposed piling methods do not pose a pollution risk to controlled waters. Piling to facilitate building foundations or the installation of ground source heat pumps has the potential to create a pathway between contaminated shallow soils and deeper geological formations and aquifers. Deep piling can also result in physical disturbance of aquifers.
- (4) The Environment Agency advise that if piling is proposed, a Piling Risk Assessment will be required to demonstrate that the chosen piling method does not increase the risk of near-surface pollutants migrating into deeper geological formations and aquifers. A Hydrogeological Risk Assessment of physical disturbance to the aquifer should also be undertaken and if unacceptable risks are identified, appropriate mitigation measures must be provided.
- (5) The Environment Agency recommend that developers follow the risk management framework provided in their guidance for 'Piling into Contaminated Sites' and also refer to the document: 'Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention.

REFERENCE DOCUMENTS:

Any person wishing to inspect the above papers should contact David Glover, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5344