

Agenda Item 07

Supplementary Information Planning Committee on 11 May, 2016

Case No. 14/4931

Location	Land Surrounding Wembley Stadium Station, South Way, Wembley
Description	<p>A hybrid planning application, for the redevelopment of the site to provide seven mixed use buildings up to 19 storeys in height accommodating:</p> <ul style="list-style-type: none">• outline planning permission for up to a total of 75,000sqm to 85,000sqm mixed floor space including up to 67,000sqm of C3 residential accommodation (approximately 725 units); 8,000sqm to 14,000sqm for additional C3 residential accommodation, C1 hotel and/or sui generis student accommodation (an additional approximate 125 residential units; or 200-250 bed hotel; or approximate 500 student units; or approximate 35 residential units and 200 bed hotel); 1,500sqm to 3,000sqm for Classes B1/A1/A2/A3/A4/D1/D2; together with associated open space and landscaping; car parking, cycle storage, pedestrian, cycle and vehicle access; associated highway works; improvements to rear access to Neeld Parade; and associated infrastructure• full planning permission for a basement beneath Plots SW03 - SW05 to accommodate 158 car parking spaces and 9 motor cycle spaces; Building 3A within Plot SW03 to accommodate 188 residential units and 150 cycle spaces; and associated infrastructure, landscaping, open space, vehicular access and servicing

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Network Rail and Chiltern Railways

Section 106 contributions were requested by Network Rail and Chiltern Railways. They have specified that they expect the proposals set out within the South West Lands application (reference 14/4931) and the Masterplan application (reference 15/5550) to result in a significant increase in demand at the station and have requested contributions towards station improvements, including two platform shelters, two customer information screens and covers for the stairs to the platforms totalling either £674,000 or £1.054 million depending on whether 2 or 4 station platforms are provided.

The applicant has responded, setting out information presented in the Transport Assessments for the respective applications. They highlight that the Masterplan Proposals result in a net reduction in the number of trips when compared to the extant consent, with reductions in 48 to 59 trips (per train) expected. The applicant specifies that they didn't compare the trips within the current South West Lands proposals with those in the extant consent for that site as the South West Lands proposals only expected to result in an increase of less than 10 trips per train per hour during peak hours.

Officers consider that the Section 106 contributions sought by Chiltern Railways and Network Rail are not required to make the development acceptable in planning terms and therefore would fail the tests set out within paragraph 204 of the National Planning Policy Framework and Paragraph 122 of the Community Infrastructure Regulations 2010, as amended.

It should be noted that a condition was attached to the extant consent relating to the South West Lands site which secured the provision of station facilities. This condition has been recommended to be attached to the South West Land consent, if approved (reference 14/4931)

Letters received from the applicant

The applicant has submitted a number of letters which set out rebuttals to the matters raised by or on behalf of WNSL / The FA. These letters do not provide new information, and the original submission documents, together with Appendix K, continue to be the relevant documents supporting this proposal. As such, the letters have not been discussed in detail within this Supplementary Report.

Additional letter received from Nathaniel Lichfield & Partners (NLP) on behalf of WNSL / The FA

NLP have specified that a significant amount of new information was submitted to Brent Council by the applicant on 9 May, only 48 hours before committee, including specialist responses on noise, transport and

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planning issues. They specify that WNSL as well as Brent Council need further time to review the detail submitted that appears to relate to the impact on the operation and safety of Wembley Stadium.

Information has been submitted to the Council. This information has been submitted by the applicant as a rebuttal to the letters submitted by WNSL and their consultants. It does not provide new information. The Council’s consideration of the proposal is based on the information originally submitted to support the information together with Appendix K which was submitted subsequently, with further consultation carried out. The submission of the rebuttal letters is not considered to trigger the requirement for additional consultation.

Heritage

The townscape assessment discusses two conservation areas (Wembley High Street and Barn Hill) and the Grade II Listed Wembley Arena. The assessment evaluates the potential impact on these heritage assets with regard to views to the assets and the setting of those assets. It does not identify any adverse impacts on those assets. Officers consider the assessment to be robust, and agree that the proposed development will not have an adverse impact on any heritage assets. The proposal is considered to accord with the relevant paragraphs within the NPPF and NPPG with regard to the effect on heritage assets.

Equalities

Policy 7.2 of the London Plan sets out the need to ensure that the principles of accessible and inclusive design are incorporated into developments. It specifies that Design and Access Statements should explain how, following engagement with the relevant user groups, the principles of inclusive design have been integrated into the development. The Mayor’s SPG, Accessible London, provides guidance on how that policy should be interpreted within development proposals to achieve an inclusive and accessible environment. The Design and Access statement submitted with this development sets out how such principles will be incorporated within the proposed development, including the principles by which buildings and spaces will be designed to maximise their inclusivity. Brent officers consider that the submission demonstrates that the proposal complies with the Mayor’s policies and guidance.

Material compliance with the development plan and the assessment of likely significant environmental effects

The submission looks to demonstrate compliance with the above policies Brent and Mayoral policy and guidance, the National Planning Policy Framework and National Planning Policy Guidance. It is accompanied by an Environmental Statement to assess the likely significant environmental effects of the development in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

The submission is considered to demonstrate compliance in relation to the residual effects (effects associated with the individual topics considered within the Environmental Statement) together with the cumulative effects of the development, including both the combined effects of individual tops and the interaction of the development with other major development within the area.

The majority of residual effects are beneficial or negligible. Some adverse effects are anticipated during construction. However, mitigation is proposed to address those effects. Mitigation is not proposed in relation to the potential cumulative impact on public transport (buses, Underground/Overground and National Rail services). However, the level of effect is Minor and officers consider that it is not necessary to secure mitigation in this instance. Mitigation is proposed for other cumulative adverse impacts, and the majority of cumulative impacts are negligible or beneficial.

As discussed in the main report, officers have evaluated the material planning considerations in relation to the proposed development and consider that submission demonstrates compliance with the Brent and Mayoral policy and guidance together with the National Planning Policy Framework and National Planning Policy Guidance subject to the conditions and section 106 obligations set out in the reports. Officers consider that such compliance with achieved in relation to the individual considerations and in relation to the development as a whole. Officers also consider that the application is accompanied by a robust assessment of the likely significant environmental effects and that it demonstrates that adverse effects will be appropriately mitigated where necessary.

Amendments to various condition

A number of conditions set out in the draft decision notice include “unless otherwise agreed in writing by the Local Planning Authority”. It is recommended that these conditions are amended in the following way: This text is omitted from conditions 5, 14 and 30

Condition 7 – rooms of student	Replace with “unless an alternative number of rooms is submitted to and approved in writing by the Local Planning Authority, such amount not to exceed the proportion of student accommodation
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accommodation	set out within Policy WEM 23 of the Wembley Area Action Plan 2015 or the maximum floorspace set out within the description of development.
Condition 16 Railway facilities	Replace with “unless alternative facilities or an alternative location are submitted to and approved in writing by the Local Planning Authority in consultation with the relevant Railway Undertaker”

Amendment to condition 8

A minor amendment to condition 8 is recommended. This condition currently requires rooms to be occupied by Students for a minimum period of 39 weeks and could be interpreted as requiring the students to remain in their rooms throughout this period. It is recommended that the condition is amended to refer to the rooms “not being occupied for a period of more than 13 weeks in any year other than by Students”.

Amendment to condition 9

Condition 9 refers to the Station / Railways facilities required by condition 12. This should refer to condition 16 and condition 9 should accordingly be amended.

Amendment to recommendation

Officers request the recommendation is amended

From: “To resolve to grant planning permission, subject to...”

To: “To delegate authority to the Head of Planning or other duly authorised person to grant permission, subject to...”

Other minor matter

The Technical Guidance to the NPPF has been referred to on page 201, but this has been cancelled.

Recommendation: To delegate authority to the Head of Planning or other duly authorised person to grant permission, subject to the Stage 2 referral to the Mayor of London and subject to the completion of a satisfactory Section 106 or other legal agreement and to delegate authority to the Head of Planning or other duly authorised person to agree the exact terms thereof on advice from the Chief Legal Officer, and subject to the conditions set out in the Draft Decision Notice, and amendments to conditions 5, 7, 8, 9, 14, 16 and 30 as discussed above.