

**Committee Report  
Planning Committee on 6 April, 2011**

**Case No.** 11/0142

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**RECEIVED:** 21 January, 2011

**WARD:** Tokyngton

**PLANNING AREA:** Wembley Consultative Forum

**LOCATION:** Dexion House, Empire Way, Wembley, HA9 0EF

**PROPOSAL:** Demolition of the existing building and erection of a building ranging in height from 9 - 18 storeys and including a basement, consisting of 19,667sqm of student accommodation (providing 661 bed spaces) with associated common-room space (Use Class: sui generis); 2,499sqm of community swimming-pool and fitness facilities (Use Class D2); 530sqm commercial units: retail / financial & professional services/ restaurants / public house / takeaway (Use Class A1, A2, A3, A4, A5); with parking, cycle spaces, rooftop plant and associated landscaping

**APPLICANT:** Peaceridge Limited

**CONTACT:** DP9

**PLAN NO'S:**  
Please refer to condition 2

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**RECOMMENDATION**

- (a) To resolve to Grant Consent, subject to the referral of the application to the Mayor of London in accordance with part 5 of the Town and Country Planning (Mayor of London) Order 2008, and subject to the completion of a satisfactory Section 106 or other legal agreement and to delegate authority to the Head of Area Planning to agree the exact terms thereof on advice from the Borough Solicitor; but
- (b) if the legal agreement has not been entered into, or the Mayor of London remains unsatisfied with the application by the agreed Planning Performance Agreement expiry date, which at the time of writing this report is 22/04/11, to delegate authority to the Head of Area Planning, or other duly authorised person, to refuse planning permission; and
- (c) if the application is refused or withdrawn for the reason in (b) above to delegate authority to the Head of Area Planning or other duly authorised person to grant permission in respect of a further application which is either identical to the current one, or in his opinion is not materially different, provided that (b) has been satisfied

**SECTION 106 DETAILS**

The application requires a Section 106 legal agreement in order to secure the following benefits:

- (a) Payment of the Councils legal and other professional costs in (i) preparing and completing the agreement and (ii) monitoring and enforcing its performance
- (b) Prior to any construction of the student units to enter into a contract for the provision of and prior to Occupation of any units to provide for not less than 23 years, one Swimming Pool,

reasonable specification to be approved by the Council but not to be unreasonably withheld and comprising not less than 2090sqm of floorspace within the Development including not less than:

- (i) A minimum 6 lane x 25 metre long swimming pool capable of meeting "Community +" requirements in accordance with the Sport England Design Guidance Note for Swimming Pools dated March 2008 (R001), excluding spectator seating, including at least:
  - (ii) One pool hoist for disabled access
  - (iii) First Aid Room
  - (iv) Provision of changing rooms for men, women and disabled people with both single gender and mixed gender changing, as shown on plan X.
  - (v) The public to have access to the Swimming which is open for a comparable number of hours per week as the current Council owned / run swimming pools (As per the Base Line in Appendix). Prices should be comparable to borough swimming prices. These will be agreed annually between the Council and the operator. Should the Council extend or limit pool hours or increase above the Base Level plus RPIX or decrease swimming prices the operator will be obliged to track these changes unless the operator can produce evidence that it will have a negative impact on swimming income. The Council may consider at its discretion to compensate the operator in order to allow them to track the changes. If evidence is provided indicating a negative impact of an obligation and the Council chooses at its discretion not to compensate the operator, the operator is relieved from the obligation to provide more or less than the Base Line.
  - (vi) The Borough's Leisure discount card is accepted for the swimming pool and an agreement to work with the Council to set up a process to enable Leisure Cards to be honoured at this site and other Council controlled facilities. If evidence is provided indicating a negative impact of an obligation and the Council chooses at its discretion not to compensate the operator, the operator is relieved from the obligation to provide the additional swimming access at a discount.
  - (vii) Refurbishment of the swimming pool at the appropriate period
- (c) Sustainability - submission and compliance with the Sustainability check-list ensuring a minimum of 50% score is achieved and BREEAM rating Excellent for the proposed retail, student accommodation and leisure uses (subject to BRE reasonable criteria), in addition to adhering to the Demolition Protocol.
- (d) Prior to any Occupation, provision for 20% onsite renewable generation or a CHP system covering the residential and pool and an overall CO2 reduction over current building regulations of 64%, either to be provided over the lifetime of the development.
- (e) The removal of the rights of students, leisure centre employees and commercial unit workers to apply for parking permits on Event Days and from any future CPZ.
- (f) Prior to any Occupation, the provision of a Public Right of Access west-east across the northern boundary of the site at all times, save for emergencies/ maintenance etc.
- (g) Prior to any Occupation, the provision of a Council approved landscaping scheme for the public realm on the west-east across the northern boundary of the site, including new trees along Empire Way.
- (h) Join and adhere to the Considerate Constructors scheme.
- (i) Prior to Occupation, submit, gain approval of and adherence to separate Travel Plans of sufficient quality to score a PASS rating using TfL's ATTrBuTE program for the student accommodation and the health & fitness centre/swimming pool;
- (j) To notify "Brent In2 Work" of all job vacancies, including those during construction of the development and the retail units for Brent Residents

(k) Prior to Material Start enter into a s278 to cover the Highways Works to Empire Way, including the cross overs, to be approved by the Council.

(l) In the event a local access road to the rear of the development is constructed and adopted and the Council serves notice on the owner within 20 years of Practical Completion, the owner shall:

- (i) offer a 1.5m strip of land running on the eastern boundary for public adoption as footway/highway
- (ii) remove any temporary security measure to the eastern rear of the site (officer note - this includes the removal of the eastern boundary treatment/ hoardings)
- (iii) provide an alternative soft landscaping scheme for the eastern end of the site

(m) Prior to Material Start provide to the Council a Tenants Relocation Strategy detailing where and how existing tenants are being relocated to.

(n) A contribution of £10,000 index-linked, due prior to any residential Occupation, for the provision of a Car Club in the local area.

(o) Prior to any Occupation provide a community waste system link from the communal area of the development to the development boundary.

(p) In the event that a district wide heating system is constructed and becomes operational in the area to undertake works to connect the development to the district wide heating system.

(q) Prior to Occupation agree and adhere to a service management plan for the student accommodation and leisure elements of the site.

(r) The accommodation can only be occupied by full time students enrolled on UK accredited and based further education courses for not less at 80% of the time.

(s) Prior to Occupation agree to shower use by the 3 retail unit's staff (to encourage cycling to work)

(t) Prior to Commencement of Development submission and approval of a Delivery & Servicing Plan

(u) Prior to Commencement of Development submission and approval of a Construction Logistics Plan

(v) widening of the Empire Way footway to the front of the site by a minimum of 0.5m which increases to 1.1m on the northern boundary of the site, in accordance with plan X and construction of a new footway to the rear of the site (between the building and the site boundary) to adoptable standards and dedication of these areas of footway as highway maintainable at public expense upon the serving of a notice by Brent Council;

(w) a financial contribution of £110,000 towards non-car access/highway safety improvements and/or parking controls in the vicinity of the site;

#### Appendix 1 (Base line)

Generally, the opening hours are:

- Monday to Friday, 6.30am to 10pm
- Saturday to Sunday 8am to 8pm

#### Current Charges

These are the full price charges there are then discounted rates for those people holding B.Active cards (40% for those with a concessionary B.Active card and 25% for those with a resident or non resident card)

- Adult swim (peak): £3.70
- Adult swim (off peak): £2.45
- Junior (16 and under) swim (peak and off peak): £1.55
- Under 5's: Free
- Over 60's: Free
- Disabled person: Free
- Juniors (16 and under) during school holidays, Monday to Friday for 5 hours each day

(i.e. 11am to 4pm): free

Peak times: Monday – Friday, 17.00 – 22.00 and Saturday and Sunday, 08.00 – 17.00.

Off peak: all other times

We currently also control the price of swimming lessons at these two pools. I can't remember if we only referred to the price of casual swimming or all swimming.

Charges are:

- Juniors: £4.40 per session
- Adults: £5.00 per session

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 Unitary Development Plan, Core Strategy and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

The Local Planning Authority supports in principle the provision of a pool that meets an identified need in the Borough, and the value of the pool's creation has been recognised resulting in the removal of the standard charge normally levied as a result of the Council's SPD on s106 Planning Obligations.

## **EXISTING**

The site is on the eastern side of Empire Way, a London distributor road, within Wembley Regeneration Area, National Stadium Policy Area and the Wembley Masterplan SPD 2009. The site has a good public transport accessibility with a PTAL rating of 4. The site currently consists of a part-4, part 9 storey office building. Two restaurants operate from within the building. The rest of the building is commercial B1 floorspace although temporary permission has been granted for some parts of the building to be used as educational establishments, (Use Class D1.)

The building dates from the 1960s and is set back from the highway. The frontage is occupied by a car park, with a few trees separating it from Empire Way.

The site lies between Malcolm/ Fulton House to the north, which was previously a 3-storey building, that has now been demolished to make way for a 7-11 storey hotel, (see reference application 08/2633,). The 9-storey Quality Hotel is located to the south. To the east of the site lie the remaining Palace of Industry Warehouses, which are likely to be redeveloped as part of the Masterplan. To the west lies Empire Way that separates the site from Raglan Court and Imperial Court which are 3-4 storey high residential blocks on the opposite side of Empire Way from the application site.

The application site is within or adjoins the sight lines relating to one protected view, namely Long Distance View 8 (Honeypot Lane, Harrow, UDP Map WEM1) as defined within UDP Policy WEM19. The proposal falls within Flood Zone 1 (Low probability of flooding). The site slopes gently down to the rear with a fall of approximately 0.5m.

## **PROPOSAL**

Demolition of the existing building and erection of a building ranging in height from 9 - 18 storeys and including a basement, consisting of 19,667sqm of student accommodation (providing 661

bed spaces) with associated common-room space (Use Class: sui generis); 2,499sqm of community swimming-pool and fitness facilities (Use Class D2); 530sqm commercial units: retail / financial & professional services/ restaurants / public house / takeaway (Use Class A1, A2, A3, A4, A5); with parking, cycle spaces, rooftop plant and associated landscaping

## **HISTORY**

The most recent application consists of:

### **24/09/10 - 10/1857 – granted on a temporary basis**

Change of use of the ground floor of Howarine House from offices (Use Class B1) to non-residential educational use (Use Class D1)

### **09/04/10 – 09/2291 – granted subject to s106**

The application proposes to demolish the existing building and to erect a new building ranging in height from 7- 15 storeys consisting of 2509sqm basement parking and plant, 129 residential flats (37- one-bed, 73- two-bed, 19- three bed,) a 5837sqm 125-bed hotel (use class C1) 1983sqm of community swimming pool and fitness facilities, (use class D2) and associated landscaping

### **06/0462 - Withdrawn**

Erection of 2 floors (9th and 10th) to central part of building and one floor (4th) to remainder of building, for use as B1 office accommodation

Other planning history is viewable on acolaid

## **POLICY CONSIDERATIONS**

### **NATIONAL**

#### ***Planning Policy Statement 1 – Creating Sustainable Communities (2005)***

This PPS replaces PPG1 – General Principle and Policy (Feb 1997) supports the reform programme and sets out the Government's vision for planning, and the key policies and principles, which should underpin the planning system. These are built around three themes: sustainable development – the purpose of the planning system; the spatial planning approach; and community involvement in planning.

#### ***Planning Policy Statement 3 – Housing (2006)***

This document's objective will be to deliver new homes at the right time in the right place and will reflect the need for flexibility in planning between urban and rural areas, and in areas experiencing high or low demand. The aim is that the planning system is used to its maximum effect to ensure the delivery of decent homes that are well designed, make the best use of land, are energy efficient, make the most of new building technologies and help to deliver sustainable development.

#### ***Planning Policy Statement 4 – Planning for Sustainable Development (2010)***

This sets out planning policies for economic development from a strategic policy and development management perspective

#### ***Planning Policy Guidance 13 – Transport (2001)***

PPG13 outlines the Government's aim of achieving reduced car dependency via transport and planning policies that are integrated at the national, strategic and local level. The guidance places an emphasis on putting people before traffic, indicating that new development should help create places that connect with each other sustainably, providing the right conditions to encourage walking, cycling and the use of public transport.

#### ***Planning Policy Guidance: Planning for Open space, sport and recreation (2006)***

This assists Local Planning Authorities deciding where to locate facilities in order to ensure that local facilities are brought forward

### ***Planning Policy Statement 25 – Development and Flood Risk (2006)***

PPS25 seeks to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas at highest risk. PPS25 looks to reduce flood risk to and from new development through location, layout and design, incorporating sustainable drainage systems (SUDS).

## **REGIONAL**

### ***The London Plan***

The London Plan, which was adopted in February 2004 and revised in 2006 and 2008, sets out an integrated social, economic and environmental framework for the future development of London. The vision of the Plan is to ensure that London becomes a prosperous city, a city for people, an accessible city, a fair city and a green city. The plan identifies six objectives to ensure that the vision is realised:

Objective 1: To accommodate London's growth within its boundaries without encroaching on open spaces

Objective 2: To make London a healthier and better city for people to live in;

Objective 3: To make London a more prosperous city with strong, and diverse long term economic growth

Objective 4: To promote social inclusion and tackle deprivation and discrimination;

Objective 5: To improve London's accessibility;

Objective 6: To make London an exemplary world city in mitigating and adapting to climate change and a more attractive, well-designed and green city.

The Plan recognises Wembley as an Opportunity Area for leisure related development and the provision of new homes and employment opportunities. It identifies an additional employment capacity of 5,500 jobs and the provision of minimum of 5000 new homes between 2001 and 2026, and specifies the "realization of the potential of Wembley as a nationally and internationally significant sports, leisure and business location, co-ordinated with town centre regeneration and new housing". The plan specifies that the Mayor will work with strategic partners to implement his Tourism Vision and to achieve 40,000 net additional hotel bedrooms by 2026.

The London Plan sets targets for the provision of new homes and the proportion of Affordable dwellings together with the accessibility of dwellings in relation to the Lifetime Homes standards and the proportion of Wheelchair or easily adaptable units.

The London Plan sets out policies relating to climate change, setting out the Mayor's energy hierarchy (using less energy, supplying energy efficiently, using renewable energy) which includes consideration of the feasibility of CHP/CCHP and a reduction in carbon dioxide emissions of 20% from on site renewable energy generation.

Mayor SPG: Accessible London: Achieving an inclusive environment

### **Sustainable Design and Construction – Supplementary Planning Guidance (2006)**

The SPG provides guidance on the way that the seven measures identified in the London Plan 2004 Policy 4B.6 (Policy 4A.3 of the 2008 amendment to the London Plan) can be implemented to meet the London Plan objectives.

The seven objectives are as follows:

- Re-use land and buildings
- Conserve energy, materials, water and other resources
- Ensure designs make the most of natural systems both within, in and around the building
- Reduce the impacts of noise, pollution, flooding and micro-climatic effects
- Ensure developments are comfortable and secure for users
- Conserve and enhance the natural environment, particularly in relation to biodiversity
- Promote sustainable waste behaviour in new and existing developments, including support for local integrated recycling schemes, CHP schemes and other treatment options

## **LOCAL**

### **Brent Core Strategy 2010**

CP2 – Population

CP3 – Commercial Regeneration

CP5- Placemaking

CP6- Design and Density in Placemaking.

CP7 – Wembley Growth area

CP15 – Infrastructure to Support Development

CP16 – Town Centres and the Sequential Approach to Development

CP17 – Protecting and Enhancing the Suburban Character of Brent

CP18 – Protection and Enhancement of open Space, Sports and Biodiversity

CP19 - Brent Strategic Climate Mitigation and Adaptation Measures

CP21 - A Balanced Housing Stock

CP23 – Protection of Existing and Provision of New Community and Cultural Facilities

### **Brent Unitary Development Plan 2004**

#### **Strategy**

The overall strategy of the UDP has 11 key objectives which are as follows:

1. Prioritising locations and land-uses to achieve sustainable development;
2. Reducing the need to travel;
3. Protecting and enhancing the environment;
4. Meeting housing needs;
5. Meeting employment needs and regenerating industry and business;
6. Regenerating areas important to London as a whole;
7. Supporting town and local centres;
8. Promoting tourism and the arts;
9. Protecting open space and promoting sport;
10. Meeting community needs; and,
11. Treating waste as a resource.

The relevant policies in this respect include Policies STR1-4 (prioritising locations and land-uses to achieve sustainable development), STR5, 6 and 10 (reducing the need to travel), STR11-17 (protecting and enhancing the environment), STR19-21 (meeting housing needs), STR25 (meeting employment need), STR27 (regeneration of Wembley as a regional sport, entertainment, leisure and shopping destination), STR32 (promoting tourism and the arts), STR35 (Protecting open space and promoting sports), STR37 and STR38 (meeting community needs).

#### **Policies**

**BE2** Local Context

**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

**BE10** High Buildings

**BE12** Sustainable design principles

**BE13** Areas of Low Townscape Quality

**BE17** Building services Equipment

**BE34** Views and Landmarks

**EP2** Noise and Vibration

**EP3** Local air quality management

**EP4** Potentially polluting development

**EP6** Contaminated land

**EP12** Flood protection

**EP15** Infrastructure

- H9** Dwelling mix
- H10** Containment of Dwellings
- H12** Residential Quality – Layout Considerations
- H13** Residential Density
- H14** Minimum Residential Density
- H22** Protection of Residential Amenity
- TRN1** Transport assessment
- 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
- TRN12** Road safety and traffic management
- TRN13** Traffic calming
- TRN14** Highway design
- TRN15** Forming an access to a road
- TRN16** The London Road Network
- TRN22** Parking Standards – non-residential developments
- TRN23** Parking Standards – Residential Developments
- TRN34** Servicing in new developments
- TRN35** Transport access for disabled people & others with mobility difficulties
- EMP4** Access to Employment Opportunities
- EMP9** Development of Local Employment Sites
- TEA1** Location of large-scale Tourist, Visitor and ACE uses
- TEA4** Public Art
- TEA6** Large-scale hotel developments
- OS7** Provision of public open space
- OS19** Location of indoor sports facilities
- CF6** School places
- WEM1** Regeneration of Wembley
- WEM2** Pedestrian Route/Promenade
- WEM4** Residential Development within the Wembley Regeneration Area
- WEM5** Relocation of existing businesses
- WEM7** Access to development – the National Stadium Policy Area
- WEM11** On-street parking controls for Wembley
- WEM16** Urban design quality – Wembley Regeneration Area
- WEM17** The public realm – Wembley Regeneration Area
- WEM18** The design of buildings along Olympic Way
- WEM19** Views of the Stadium

### **Brent Council Supplementary Planning Guidance and Documents**

- SPG3** Forming an access to a road
- SPG4** Design Statements
- SPG12** Access for disabled people
- SPG13** Layout standards for access roads
- SPG17** Design Guide for New Development
- SPG19** Sustainable design, construction and pollution control
- SPD** Section 106 Planning Obligations

### **Infrastructure and Investment Framework**

The Infrastructure and Investment Framework is the LDF's evidence base for the Core Strategy, identifying the infrastructure that is required to enable development in the growth areas. In the Wembley growth area a community swimming pool is identified on the main list of required infrastructure.



## **Destination Wembley – A framework for development (2003) Supplementary Planning Guidance**

This guidance set out the Council's key principles regarding the redevelopment of Wembley:

- A comprehensive approach which properly addresses the setting of the stadium, producing a development where all the different elements relate well together.
- An accessible part of town, which offers a choice of routes into and through the area that are easy to grasp.
- A high quality development with comfortable public streets and civic spaces lined by modern, exciting buildings.
- A rich mix of uses combining leisure, retail, entertainment and other commercial uses to create a active, interesting and attractive urban environment throughout the year.
- One of the most accessible locations in the capital because of improvements to the existing rail and underground stations and the highway infrastructure with improved links to the North Circular.
- A well integrated and connected place which links into the High Road and surrounding community, allowing people to move safely and easily through the area.
- A development which promotes sustainability through adopting best practice.
- An engaged community that benefits from the new jobs, new services and facilities for local people stemming from the physical, economic and social regeneration of the area.

### **Wembley Masterplan 2004**

The Wembley Masterplan, approved by Brent's Executive Committee on 29th March 2004, illustrates how the vision for land surrounding the Stadium and the wider area may be realised in the future. It interprets the policies contained within the Unitary Development Plan and the guidance in Wembley Development Framework, which was approved as supplementary planning guidance in September 2003.

The subject site falls within the "North-East District" for which the guidance suggests should be characterised by a linear park, and potentially accommodating approximately 164,600 to 203,600sqm of leisure/ entertainment, retail, commercial, civic, educational and residential uses. The Masterplan specifies that building heights should typically be between 6 and 10 storeys, and may rise to 10 storeys along Olympic Way but be 6-7 Storeys along Fulton Road with an emphasis on the corners.

Some design principles specified in the Masterplan also include consideration of the views to the Stadium, a strong development edge to Olympic Way and the provision of active frontages to Olympic Way.

### **Wembley Masterplan 2009**

The site lies within the North-West District of the Masterplan, one of the principal aims of this area is to improve the landscape quality on Empire Way with a "gradual and comfortable change in building scale." Empire Way has historically been considered to have a poor environment and the SPD seeks a consistent street frontage with wide footpaths and a landscaped setting. Ground-floor uses should activate the streetscene.

The Masterplan suggests that the appropriate uses within the subject site itself could include a hotel. The Masterplan also identifies that the area would be suitable for modern leisure and sports facilities. To the east of the site an indicative local access road is demarcated, which is known by the land owner as Willesden Road. To the east of this road, the land parcel is identified as a possible leisure use, with a potential pocket park to the north of this. The district is expected to provide a vertical split of uses, where the active uses occupy ground floor locations with residential properties above.

The Masterplan identifies that there is a need for more publicly accessible swimming pools in the northern part of the Borough. This is supported by the Council's Sport's Facilities Strategy. The Masterplan states that the Council requires a 25m, 6-lane pool available to the community at prices

comparable to other community pools, and the Masterplan area would be an appropriate location for such a facility.

The Masterplan also identifies the Council's aspiration for a local energy network through a community-based combined cooling, heat and power system within the Masterplan area and a linked waste disposal system. There is an expectation that sites within this area will have the capability to link up to such a system. In addition sites within the Masterplan area need to consider waste management and recycling and therefore applicants are encouraged to facilitate community vacuum systems. The SPD guides that sites within this growth area will achieve BREEAM Excellent.

The Masterplan also sets out guidelines on the indicative footprints of development in the area. Building heights on the application site are guided to be up to 14 storeys towards the eastern side of the site.

### **Other Council Publications**

#### **Wembley Vision (2002)**

#### **Wembley From Vision to Reality (2007)**

These two non-planning related documents set out the Council's Vision for Wembley, with the core principles of New Wembley, Destination Wembley, Multicultural Wembley, Quality Wembley, Quality Wembley, Exciting Wembley, Sustainable Wembley, Brent's Wembley.

### **Brent Council's Planning for Sport and Active Recreation Facilities Strategy 2008-2021**

This document has informed the Council's Infrastructure and Investment Framework. The Strategy identifies a deficit in swimming pool provision through the central and northern parts of the Borough, where walking distance time to pools are in excess of 40 minutes. The Facilities Planning Model has identified that there is a need for two 6-lane 25m pools within the Borough to stop people going outside the Borough, particularly residents in the north of the borough. The proposal has the potential to partly meet this need.

## **SUSTAINABILITY ASSESSMENT**

The applicants have submitted a TP6 "Sustainability Checklist" an Energy Statement, and a BREEAM Document.

They aim to score a Sustainability check-list of at least 50% and BREEAM rating Excellent for the proposed retail and student accommodation, (subject to BRE reasonable criteria), in addition to adhering to the Demolition Protocol. They indicate that they may have difficulties achieving Excellent for the leisure element of the proposal, but will achieve a minimum of Very good. A bespoke assessment is required, and BRE have been consulted to determine the assessment criterion.

The applicants scored their own checklist at 58% which is over the minimum level expected of such applications. Your officers have scored the proposal as 52%. The discrepancy relates to the absence of information to demonstrate that the indicated measures will be implemented in particular, the use of heat recovery for the mechanical ventilation of the leisure centre, details of landscaping including paving, green roofs, and hard surface materials, the use of specified materials within the D&A. If the application is recommended for approval, such issues can be resolved through the Section 106 process.

An Energy Statement has been submitted in accordance with the requirements of policy 4A.4 of the London Plan, demonstrating how the proposal will comply with the London Plan objectives to using less energy, supplying energy efficiently and using renewable energy as set out within Policies 4A.1 to 7. The proposal has incorporated a number of passive design measures to minimise energy consumption. A series of energy efficiency measures are also proposed which will reduce carbon emissions.

Passive design and energy efficiency measures proposed include:

- Heavyweight performance structure
- Improved fabric U-values beyond Part L
- Improved air tightness beyond Part L
- Energy efficient lighting
- Improved lighting controls
- Whole house heat recovery ventilation in residential units
- Efficient heat recovery in other systems such as leisure facilities
- low energy motors in fan coils, air handling units and whole building ventilation units
- Smart metres in student rooms
- Presence detector & daylight sensor communal lighting systems

These measures are expected to reduce carbon emissions by 15%. The GLA has requested that the Carbon saving for specifically energy efficiency be specified.

The GLA has requested the use of conditions to secure the sustainable urban drainage systems, proposed water conservation measures and green roofs. A head of term of the s106 will ensure that the development is capable of linking with the proposed centralised district-wide Masterplan energy system, (Wembley District Heating.) The applicants have provided an indicative layout demonstrating how appropriately sized pipes could link from the on-site plate heat exchanger to the off-site system. The applicants hope to link to cluster 2/3 of the Wembley District Heating demonstrated in the NW lands Wembley Energy Statement Nov 2010.

The design includes a series of renewable energy measures. A 630KW thermal / 420KW energy gas-fired CHP is proposed to supply student residential & leisure uses. The CHP will generate 3795MWh of heat. The CHP is expected to meet 80% of the site's energy demand, with back up gas boilers initially, and the Wembley District Heat Network in the longer-run. PV panels are proposed on the lift overruns, which are supported in principle by officers. The GLA have asked that this been augmented. The applicants feel that they have proposed the right balance between green roofs and amenity spaces, and renewable technologies that rely on roofspace.

In order to cool the development, Combined Cooling and Heat Power (CCHP) has been evaluated. The relatively small cooling demand (70kW) of the leisure centre was considered insufficient to support CCHP however. It was originally proposed that waste heat from the mechanical cooling system would be discharged via ducts ending at the raised podiums. Officers requested that waste heat should be recovered and reused. The applicants have commented in response, that the scheme could use air source heating for cooling and heating the leisure centre. This would incorporate more renewables into the scheme. Since March 2009 the UK Energy White Paper has accepted air source heat pumps as a source of renewable energy to heat in winter or cool in summer. The GLA previously rejected ASHP on site. The leisure heating will be connected to the centralised energy centre, with separate cooling to selected rooms, such as gym and fitness. The applicants still prefer the use of Air Source Heat Pumps. The GLA have asked for details on how the student accommodation may be cooled.

The applicants comment that they have considered Sustainable Urban Drainage Systems, (SUDs) and have managed the surface water runoff from hard and soft landscaped features. They have incorporated rainwater re-use features to irrigate soft landscapes and an underground tank to suppress the building discharge loads on the sewer. The Strategy has been revised during the course of the application. Thames Water as the sewage undertaker, have confirmed that they are satisfied with the revised approach.

## **CONSULTATION**

Site notice was erected on 25/01/11; and reposted on 04/03/11

Press date 10/02/11

Consultation letters were original send out on 01/02/11. The application was re-advertised on 04/03/11 and letters were sent to 298 properties.

### **Third party comments:**

No comments from third parties have been received.

The Wembley National Stadium has however indicated that they will submit an objection to the proposal. Any comments received prior to the committee will be reported in the Supplementary.

### **Internal comments**

#### Environmental Health

No objections subject to conditions to address the following issues:

Noise insulation measures to the student accommodation.

- Controls over emissions from the CHP plant in order to safeguard air quality.
- Details of an appropriate extraction system to any future A3/A4/A5 units.

Require a commitment in the s106 to join the Considerate Contractors Scheme in order to ensure that appropriate measures are taken to control dust, noise and other environmental impacts during construction.

#### Highways –

No objections subject to confirmation from Building Control and Streetcare Services that the temporary fire and refuse access arrangements are acceptable and a Section 106 Agreement to secure:- (i) Travel Plans of sufficient quality to score a PASS rating using TfL's ATTrBuTE program for the student accommodation and the health & fitness centre/swimming pool; (ii) submission and approval of a Delivery & Servicing Plan and a Construction Logistics Plan; (iii) a financial contribution of £110,000 towards non-car access/highway safety improvements and/or parking controls in the vicinity of the site; (iv) widening of the Empire Way footway to the front of the site to a minimum width of 3.5m and construction of a new footway to the rear of the site (between the building and the site boundary) to adoptable standards and dedication of these areas of footway as highway maintainable at public expense upon the serving of a notice by Brent Council; together with:-

conditions requiring:- (i) marking of the five proposed parking spaces along the front of the site to provide four dedicated disabled car parking spaces and a transit van loading space; (ii) amendments to the doors to the building (except for fire escape doors) so as not to open outwards from the building; and (ii) prohibition on the use of the car parking for private visitor parking for Wembley Stadium on Stadium event.

#### Landscape Designers –

Agreed in principle to the submitted landscape scheme however more detail is required particularly in respect of the planting schedule, materials to be used and root/planting systems to be used.

### **External Consultees\_**

#### Greater London Authority

Suggested the following changes and clarifications to ensure compliance with the London Plan:

- **Land use:** The local planning authority should be satisfied that not including housing on this site would not impact on housing targets. In addition, further detail as to how the proposed community centre would be secured is required.
- **Design:** Further work on the ground floor elevation treatment, the new pedestrian route along the southern side of the site and the proposed overhang are needed.
- **Access:** 10% of student rooms should be designed as wheelchair accessible, or easily adaptable units. The plan should include a mechanism to allow disabled users to easily access the pool.
- **Energy:** Further information on the proposed energy strategy is required, in particular on the building regulation modelling, the ability to connect to a wider district heating system and the cooling provision for the leisure space. The proposed green roofs should be secured by condition. The applicant should provide further detail on the potential to use sustainable urban

drainage systems on site, and where appropriate these should be secured by condition.

- **Transport:** The applicant must provide further information trip generation analysis, a reduction in the level of car parking and an increase in the level of cycle parking, further analysis on coach access, a revised travel plan inclusive of the operator's student accommodation strategy and finally a construction logistics plan and a delivery and servicing plan are required before the application can be deemed to be acceptable in transport terms.

The applicants have responded to these comments. We will not formally know that this response has satisfied the GLA until the application has been referred back to them for the Mayor's Stage II response.

#### Transport for London

In addition to the transport issues raised in the GLA's Stage I response TfL are maintaining a objection to the proposal on the grounds that it will increase demand for bus travel on routes through Wembley.

Thames Water- recommend informatives and a condition requiring the approval of drainage strategy.

Environment Agency- no objection or conditions. Suggest an informative.

## **REMARKS**

### **Introduction**

The proposal is for the demolition of the existing building and the erection of a building ranging in height from 9 to 18 storeys and including a basement, consisting of 19,667sqm of student accommodation (providing 661 bed spaces) with associated common-room space; 2,499sqm of community swimming-pool and fitness facilities (Use Class D2); 530sqm commercial units: retail / financial & professional services/ restaurants / public house / takeaway (Use Class A1, A2, A3, A4, A5); with parking, cycle spaces, rooftop plant and associated landscaping.

The building form has 2 distinct elements, a front building parallel to Empire Way, with a podium garden at first floor level that links to the rear block, which is stepped up to 18 storeys. Elevated amenity areas are also provided at the sixteenth and seventeenth floors, with green roofs on top of the ninth storey front block and eighteenth storey tower. A community swimming pool is at ground-level and linked to associated fitness facilities.

Access to the site is primarily from Empire Way, but there is an aspiration that the site may link to a new road proposed as part of the Wembley Masterplan to the east, which is referred to as Willesden Road in Quintain's 'North West Lands' masterplan application.

### **Application 09/2291**

A material consideration of determining this application is the fact that the Council has previously approved a major development on this site in 2010. Application 09/2291 proposed to demolish the existing building and to erect a new building ranging in height from 7- 15 storeys consisting of 2509sqm basement parking and plant, 129 residential flats (37- one-bed, 73- two-bed, 19- three bed,) a 5837sqm 125-bed hotel (use class C1) 1983sqm of community swimming pool and fitness facilities, (use class D2) and associated landscaping.

The form of the building within the current application is similar to that previously approved. However the current application building parameters differ from the previous application in the following ways:

- The first floor podium garden, (between the 2 building stacks,) has been enlarged by increasing the distance between the front and rear blocks to 21.2m, when previously it was only 18m.
- The floor to ceiling heights have been reduced to 2.7m high, when the previous approves

scheme was 3.1m high. This enables the development to add floors to the scheme and still remain largely within the previously approved building envelope. The approved development reached a maximum of 15 storeys, 49.2m above ground level. The current application proposes up to 18 storeys, but will reach up to 51.4m. This is a net increase in the buildings height of approximately 2.2m.

- The building line has been set back from the southern boundary of the site which enhances pedestrian permeability and links through to the Masterplan area. The approved scheme previously had an angled footprint towards the south side of the site, and at its closest was up to 1m from the boundary. The current application building is set 3.5m from the southern boundary.
- The building line on the eastern and western boundaries has also been set back compared to previously approved scheme. On the approved application, the building was 8.2m from the western site boundary and on the eastern elevation the building was largely 1.4m from the edge of the site at upper levels. The proposed building currently under consideration is at the front 8.8m from the western edge of the site on Empire Way. On the rear, eastern elevation the building is set 2.2m from the boundary edge. This provides a more spacious setting to the building than previously approved.
- The removal of the basement parking area will decrease the number of vehicular movements associated with the site.

Officers consider that all of the changes set out above represent improvements upon the planning application 09/2291 that was previously approved.

### **Policy issues arising from Proposed Uses**

#### ***Student accommodation***

The site lies within Wembley Opportunity Area, and according to the UDP is within Wembley Regeneration Area, the National Stadium Policy area and the north-western part of Wembley Masterplan area. Being within the Wembley Opportunity Area it therefore needs to meet housing and employment guidelines. Brent's Core Strategy seeks the provision of 11,500 homes in Wembley (22,000 in Brent) to 2026 with over half of the housing target already in consented schemes or schemes under construction. The Council is confident that it has sufficient land to comfortably accommodate the Wembley housing target as part of the Borough wide London plan target. Quintain's current application for a further 1300 homes on the NW Lands is another indication of the Council's confidence in achieving housing targets as housing markets slowly improve. The Dexion House site was not allocated as a Site Specific Allocation in the Council's DPD and the Council has no specific reliance on it to meet housing targets.

The London Plan policies 3A.5, 3A.13 and 3A.25 considers that student accommodation meets a demonstrable strategic housing need. This is reinforced by policy CP21 of Brent's Core Strategy. This seeks a balanced housing stock including specific and special housing needs such as student accommodation. It must also be remembered that Wembley is a Visitor Destination that needs a mix of attractions and a mix of communities to exploit them. The Council has welcomed student accommodation as part of this mix, supporting the vibrant destination theme and as part of a balanced community. To this end the s106 will restrict the use of the accommodation so that it can only be occupied by full time students enrolled on UK accredited and based further education courses for not less at 80% of the time. The other 20%, (outside term time,) the Council is content that the units may be rented out on short-term lets, perhaps assisting tourism within the summer vacation period.

The Council is currently undertaking a study at the moment upon the impacts of students on the local area. Unfortunately this is not yet advanced enough to consider its findings for this application. However the applicants have submitted two reports in support of the principle of student housing, a Student Accommodation Report and an assessment of their Socio-Economic impacts. These raise a number of issues. Current demand for student accommodation is for more geographically widespread locations in accessible sites compared with early centrally located schemes. It has been assumed that students at Dexion House could study at the following

universities/institutions: Imperial College London, University of Westminster, University of London, and Russell Square institutions such as Kings College, University College London, SOAS, London School of Economics and Political Science. Only the University of Westminster Harrow Campus (Northwick Hospital) has been identified to be accessible directly by bus service. The remaining sites are accessible by underground/ overground services. There are approximately 140,000 full time students studying within a 35 minute travel time of the subject site. There is a trend of increasing student numbers in recent years.

London students spend £8bn on goods and services each year, accounting for 1% of UK and 4% of London GDP. Demand for student accommodation remains robust despite the current economic climate. The applicant's consider that there is an undersupply of student accommodation. The Report finds that c223,811 (81%) of full-time London based Higher Education students are unable to access purpose-built accommodation.

Within Brent by 2012, 1,095 new student rooms will be completed as set out in the table below. Further student accommodation proposals are currently under consideration.

Victoria Hall (by Wembley Park Station) will be completed by Sept 11	435
Quintain iQ (W05) : under construction completed by 2012	660
<b>Subtotal under construction</b>	<b>1,095</b>
Quintain North West Lands, up to 880 rooms	880
Dexion House	661
<b>Subtotal applications under consideration</b>	<b>1,541</b>
<b>Total</b>	<b>2,636</b>

There is demand and investment interest for more student accommodation in Wembley. The Student Accommodation Report finds that Brent is under supplied compared to other London boroughs.

Higher education centres are vital to increase London's high skill, value added sectors. The Coalition Government is currently acknowledging the importance of participation in higher and further education and have commissioned a review into fees and university funding. The London Plan acknowledges the role of universities in contributing to the labour market. Competition from overseas institutions is increasing, but London remains a draw for international students. Post-graduate and research student numbers continue to rise. Privately operated halls are increasing in popularity particularly after the HMO regulations came into force in 2006. The five private market leaders include UNITE plc, UPP, Opal, Liberty Living and Victoria Halls. Opal is the preferred partners for the applicants, and have a proven track record in this field. Demand for student accommodation remains buoyant despite economic uncertainties in the wider market. The provision of purpose built accommodation will make the other accommodation occupied by students available to alternative occupants. The Student Accommodation Report finds that the proposed scheme will result in high-specification bespoke development that contributes to the Masterplan vision and provides a range of accommodation choices for different types of students.

The application site lies within Tokyngton ward, which in the 2001 census had 11,800 people. The wards as a whole has a lower than average educational qualification attainment and a working population with a lower than mean average "higher-level" occupation such as managerial positions. Nearly 20% of all housing is private rented, which is in line with the figure for Brent as a whole. Levels of overall Multiple Deprivation are not severe. At the time of the 2001 Census students accounted for 6% of the total population of Brent, spread across the borough. Within Tokyngton ward in 2001 there were no students living in purpose- built accommodation. This is in the process

of changing with the Victoria Halls and Quintain W05 developments near completion. Demand for student accommodation is not yet met by supply. The Socio-Economic report considers that the provision of more purpose-built accommodation will assist the Borough in creating a Wembley destination.

Student spending locally can have an important local economic impact. The average student spends approximately £6500 a year on living costs, a significant proportion of which will take place close to their accommodation. The plans for Wembley Growth Area will assist local consumption opportunities. On the basis of the average £6500/ year, the Dexion development could generate approximately £4 million of living costs spending/ year. Often graduates stay in the area that they study in beyond the duration of their course, so the local community may gain their skills and spending power, in addition to their presence boosting investor confidence in the area. In addition to spending power, students often undertake voluntary work within the local community. As an established student accommodation provider Opal manage the behaviour of their residents within the vicinity of the site.

Policy EMP9 permits the redevelopment of a site in employment use when “there is no effective demand for the premises and there is no reasonable prospect in the medium term of re-use.” The applicants have stated that the building is under-occupied at present and evidenced this. A Tenants Relocation Strategy is proposed as part of the s106 ensuring that any remaining businesses are appropriately relocated in accordance with planning policy WEM5 prior to the site development. The Masterplan area is considered an appropriate location for residential development. Indeed, Policy WEM4 states that higher density development is appropriate in the Regeneration Area. The site is considered acceptable for residential use as part of an overall mixed use scheme. The Council does not consider that the student population has reached a critical mass or that it is using land that is better suited and needed for permanent general residential accommodation.

#### *Mix of units*

The scheme proposes 661 student rooms. There are different types of rooms proposed. The applicants divide these into 250 standard rooms, 320 standard + rooms, 56 studio rooms, 3 accessible studio rooms and 31 accessible rooms. These are formatted in different layouts, for example cluster flats of up to 5 bedrooms, (13-15sqm) with a communal kitchen/ living areas (24sqm) or individual student rooms incorporating a bathroom/ kitchen area (18sqm.)

Currently 5% of the units are classified as being wheelchair accessible. The GLA has requested that 10% of the units be wheelchair accessible, or wheelchair adaptable. They have requested that a proposed Accessibility Management Plan address the need for adaptations for disabled students given the short time that many students have when resolving their accommodation needs in their first year of university. The applicants raise objections that the proposal is not for standard residential accommodation and therefore should not be bench marked against London Plan residential standards. They have discussed the scheme with the GLA access officer. The applicants have provided details of research they have undertaken on the provision of wheelchair accessible rooms. They conclude that the information shows that by providing 5% wheelchair accessible rooms, (of which they now propose 1% will be fitted from the outset,) the development provides a level of wheelchair accessible rooms in excess of the current occupation rate for student accommodation.

The applicant has committed to providing an Accessibility Management Plan as a condition of approval. The plan will outline the management strategy for the development with regards to the treatment of the accessible features within the student accommodation. This will include (but is not limited to) the following: details for the process of adapting rooms, how this is achieved and the time frame taken; details on how rooms will be advertised so potential disabled residents are aware of the features and facilities offered in this development; details of how rooms that are not spatially designed for occupation by a wheelchair user can be adapted to suit a range of users with disabilities other than those requiring the use of a wheelchair; and details of how communal areas



will be accessible to disabled people and additional adaptations that could be included to further improve access. To mitigate any concerns that the current occupation rate is a reflection of the lack of accessible rooms rather than the number of residents wanting them, the proposed Access Management Plan will outline how the rooms will be clearly marketed. The applicants have committed to undertaking meaningful consultation with experienced user groups/disabled residents in the formation of the Accessibility Management Plan. This process will be used to inform the creation of the plan and the detailed design of the development. This consultation should ensure that the level of access offered through the plan best reflects the actual needs of likely end-users. The LPA considers that this will address local planning policies that require an inclusive, accessible development.

### ***The Swimming pool and sports facilities***

The 2009 Masterplan states that Wembley requires a 25m, 6-lane pool available to the community at prices comparable to other community pools. These findings are supported by the Council's Sport's Facilities Strategy. Policy OS19 guides that a sequential approach should be used for the siting of new sports facilities. Whilst not within a designated centre, the site is highly accessible, with good PTAL4. The Masterplan states that the Wembley Growth Area would be an appropriate location for a pool facility to meet the identified deficit. This is reinforced by Policy CP7 that specifies that a new community swimming pool should be provided within Wembley Growth Area, as the need for such a facility is evidenced in the Infrastructure and Investment Framework, which is a supporting document within Brent's LDF. The provision of a pool on site is therefore policy compliant.

The proposed s106 intends to secure a pool that is of an appropriate size to meet the deficit identified in the Council's Sport's Facilities Strategy. It needs to be at least 6 lanes and 25m long, and the s106 legal agreement ensures that the pool and supporting infrastructure will be provided and made available at prices and times comparable to other Brent-run facilities. This will ensure that the facility is accessible and affordable to the community. The applicants will be required to provide a swimming pool compliant with the above dimensions and ensure that it meets "Sport England Community+" standards for at least 23 years. The s106 will require the applicants to enter into a contract for the provision of the pool prior to commencing any construction on the student accommodation. The swimming pool is supplemented by fitness facilities, including a 222sqm dance studio and at least 2 gym/ fitness rooms of 227sqm and 316sqm of ancillary front of house and changing facilities. These are considered to complement the pool and are therefore in principle supported. Overall, the proposed uses appear in accordance with the London Plan, Brent's UDP and Wembley Masterplan SPD. The applicant proposes that the pool and fitness facilities on site be managed and operated by GLL. GLL oversees the management of over 90 leisure centres including swimming pools and gyms within London and South East England. The proposal therefore brings the private sector and social enterprise together for a public scheme at no capital cost to the public sector. GLL states that their experience and business model will assist the scheme's provision of a key regeneration project with community benefits.

The Council's Sports Service supports the proposal that includes the provision of a 2,499sqm of community swimming-pool and fitness facilities. They consider that this provision would help the Borough achieve its strategic need as set out in its Planning for Sport and Active Recreation Facilities Strategy 2008-2021. Over 50% of the Borough's residents live more than 20mins walk away from a public swimming pool and in order to meet current and future demand from a growing population the Borough should be providing 2 additional swimming pools, one which serves the north of the Borough and one which serves the centre of the Borough. The provision of a six lane 25m long swimming pool with full, affordable community access on this

### **Commercial Units at ground floor: proposed use classes A1/ A2/ A3/ A4/ A5**

The office building currently on site also includes two café/ restaurant/ takeaways. One of which, is also a community facility. The applicants want the scope to re provide this business within the proposed development. The proposal incorporates 530sqm for A1/ A2/ A3/ A4/ A5 uses. This is larger than the existing commercial units floorspace on site and sequentially the site is not currently

within a designated Town Centre. However the Council has produced an SPD on the Wembley Link, (which is currently just out of the consultation period,) which seeks to expand the town centre and retail offer eastwards towards the Stadium. Whilst the application site does not lie within the SPD area, it is within the wider Wembley Growth Area.. The Brent Retail Need and Capacity Study 2006 found that there was scope, after taking account of existing commitments, for 27,000sqm gross of comparison floorspace (with an overall 3% increased market share scenario) and 5,200sqm gross of convenience floorspace (based on a static market share prediction) by 2016. Brent's Core Strategy Policies CP1 and CP16 specify that the majority of the Borough's retail growth will be within Wembley, and will form part of the Masterplan offer. The provision of up to 530sqm floorspace for A1/ A2/A3/A4/ or A5 uses would contribute towards this.

The incorporation of commercial units that could be used as use class A3 - restaurant/ use class A4 – public house/ use class A5 - takeaway units at ground floor generates the potential for noise and fume nuisance if vented at low-level. The Borough generally resists low-level extraction systems because of this potential to create a nuisance to habitable room windows above. There are many sensitive receptors in the local area. On site there are windows serving the student accommodation directly above the commercial units, adjoining the site are hotel rooms, and to the west on the other side of Empire Way are residential units within windows serving Raglan Court and Imperial Court. As details of flues have not been provided up front, officers have requested that further details be submitted. The applicants have therefore proposed a revised detail extraction system incorporating an electromagnetic precipitator/ filter which will work alongside a carbon filter, to clean the air before extracting at low-level. Officers remain concerned that this would not suffice to clean the extracted air to a sufficient level not to cause nuisance from odour or smoke or noise. The applicants have been asked to liaise directly with the Council's Environmental Health officers in order to work towards a resolution. If a satisfactory extraction methodology cannot be agreed in principle, officers consider that the proposed use classes A3, A4 or A5 would have the potential to harm local amenities and air quality and therefore cannot be supported. The proposed A1- retail or A2 – financial & professional services would not generate the same level of noise/ emissions and therefore can be supported on site with low-level extraction/ ventilation systems.

An update will be provided in the Supplementary.

## **Design, layout and landscaping**

### ***Increased height***

Development within the Wembley Regeneration/ Growth Area is expected to contribute towards a world-class environment. Policy BE10 of the Unitary Development Plan allows high buildings within the Wembley Regeneration Area. The proposal results in a building with two distinct elements running north-south parallel to Empire Way. The front block is up to 9 storeys high, and this is linked via a first floor podium garden, (above the swimming pool,) to a rear block that has 3 towers at 16, 17 and 18 storeys.

The proposed built-form is higher than indicative Wembley Masterplan 2009 guidelines, which state 4-6 storeys onto Empire Way and 11-14 to the rear as maximums. However, the Masterplan is indicative only. The previous application 09/2291 approved a 7 storey front block and an eastern building that stepped between 11, 13 and 15 storeys high. As previously stated, the applicants have devised a reduced floor-ceiling height so that each storey within the current application is reduced compared to the residential units previously proposed. This device has ensured that the proposed building's overall height has at its highest only grown by 2.2m. This is not sufficiently high to contain an additional floor. In summary the applicants have managed to increase the building capacity up 18 storeys high without significantly increasing the building's height from the level previously considered acceptable. The building previously approved reached up to 49.2m high, and the current building is up to 51.4m. This would not be sufficiently high to encompass the pool/ leisure development at ground-floor with standard residential accommodation up to 16 storeys high.

### **Overall comments**

The site has been set out to maximise the potential of the scheme. The applicants have set the building away from all boundaries, which allows an increased landscaped setting. This responds to both Empire Way and future open space to the east of the site, within the Masterplan. The site will deliver well-designed and interpretive access routes to the north and south of the building. The accommodation block that faces Empire Way has been carefully designed to minimise the impact of its height on residential developments across Empire Way. Although 9 storeys of accommodation are now sought with a height of 27.4m, this is the equivalent of 7 storeys previously, (the approved height was 26.8m.) Malcolm/ Fulton House to the north of the site was approved with parts of the development at 7 storeys. The adjoining Malcolm/ Fulton development will partly screen the site from the north. The splitting of the site into 2 blocks with podium courtyard between also reduces the impact of the front block on Empire Way, making it appear a self-contained element. Quality Hotel to the south is angled away from the site, so that it is more exposed from this aspect. The applicants have therefore been asked to propose an architectural feature on the southern elevation of the building to provide a visual focal point to break-up the visual massing of this elevation. Officers consider that this undoubtedly high quality elevation could still be more expressive with a simple intervention. This will be considered as a condition of approval.

Overall the scale, height and massing of the proposal have been developed through negotiation with officers and now co-ordinates with the aspirations of the Masterplan. The elevations have been kept simple, geometric and composed, to reduce the scale of what would otherwise be very large facades. It is considered that the proposed stepped built-form towards the eastern side of the site reduces the visual massing of the proposal compared with a 14-storey residential development of uniform height. The previous application stepped the development up at 2 storey intervals. The current scheme reduces this to a step per floor, at the 16<sup>th</sup> to 18<sup>th</sup> storeys. This is less impressive than the interventions previously approved, particularly as the storey height has been reduced. Notwithstanding this, the eastern elevation has 3 principal bays which have been defined by the application of recessed cores in a light brick. This helps the building to read as 3 sections, rather than one mass. Each of the 3 bay elements have been reduced in scale by the application of a random, modular fenestration and brick panel finish. The use of muted colour themes for each vertical element has also contributed to the reduction in overall scale. The access cores have been highlighted to emphasise the 3 separate elements of the eastern student accommodation blocks. The 3 elements are distinctly individual but have a cohesive character. The scheme previously used balconies to further articulate the building. These features are not considered desirable by the student accommodation provider, and therefore have unfortunately been omitted from the current application. Nevertheless other devices have been used to assist articulation of the visual massing of the scheme. The application of brise soleil will add further to light and shade, creating further interest in the elevation. The materials have been carefully chosen to co-ordinate and have blended a high quality brick slip cladding system to a proprietary laminated cladding system. Overall, officers consider that the interventions discussed above are sufficient to articulate the large building within its Growth Area context resulting in a high-quality structure, which is anticipated to create a future landmark of the Masterplan area.

The applicants have submitted rectified drawings/photo montages that demonstrate that the proposal's height and massing will not detrimentally affect the nearest identified view of the National Stadium. In accordance with policies BE34 and WEM19 the drawings demonstrate that the proposal will not impinge onto Long View 8- Honeypot Lane, Harrow, (see D&A Statement Appendix C.)

### Empire Way front (west) elevation

The main entrance to the student accommodation and leisure centre is on the western elevation. It is recessed and oversailed from first floor upwards, allowing 4.7m height clearance, which is considered sufficient space for large vehicles. Canopies demarcate the entrances on the submitted drawings, but it is expected that signage and lights will also play a part, and details of this will be

subject to condition. The GLA mention that this could be overbearing for users, but officers consider that suitable signage and lights will maintain a pedestrian scale at the front, and prevent this area from appearing oppressive. The two commercial “retail” units at the corners of the building assist the provision of active frontage. The building reads in 3 sections with the use of 2 vertical recesses and gaps to the fenestration pattern. These methods help to break up the building’s visual massing.

The proposal will result in a predominately hard surfaced frontage between the proposed building and Empire Way. This does not accord with the design principles set out within the Wembley Masterplan. The proposal will result in the loss 3 existing birch trees. However these are to be replaced, and the principle of this reprovision is supported by the Council’s Tree Officer. The applicants have detailed 8 trees to be planted within the application site, bordering the edge of the public highway. The s106 seeks the provision of these trees if permissible by the Highway Authority, but the applicants have not demonstrated through details of services route plans that the new trees are an entirely viable proposition. Nevertheless the positioning of the trees within the application site makes the deliverability of the proposed trees more likely. A high-quality shared surface would help to improve the development’s assimilation and improve the safety of different site users such as cyclists, pedestrians and drivers. The applicants have agreed to provide more details of indicative high quality materials as a condition of approval. This is also important in order to ensure an accessible development. The area alongside the proposed trees provides the only parking on site, which is for disabled users and deliveries only.

#### Pedestrian Access & Side Elevation on northern elevation of the site

The northern elevation of the building provides glazed panels to the front retail unit and gym. Only fire escape accesses are provided on this side of the proposed building. The applicants propose that the site edge be demarked by a “Access Wall.” The applicants hope that this will provide a feature in the future, and possibly will contain special lighting effects. The treatment of such a wall and signage will form the subject of a condition. It is anticipated that in the future, when the Palace of Industries site to the east has been developed, this area of the application site will provide pedestrian access to the public wishing to move east-west across the site. This Public Right of Access west-east will be across the northern boundary of the site at all times, save for emergencies/ maintenance access route and secured as an obligation of the s106. This is considered to accord with Masterplan accessibility enhancements and provides a thoroughfare link to a future pocket park to the east. The right of way option will not be available immediately until it is possible to access lands to the east, and instead the eastern part of the site will be secured by hoardings until such time as the proposed access road, (known by the land owner as Willesden Road,) is adopted as a public highway. There will be an opportunity to open up the access route if/when the indicative road to the east of the site is developed. It is notable that the northern elevation also includes devices to safeguard future student residents’ amenities such as the use of obscure glazing. The development proposed on the adjacent Malcolm/ Fulton House scheme approved under application 08/2633 only has secondary windows within the south-facing elevation, which do not require the same level of safeguarding as habitable rooms.

Until the rear (eastern) Willesden road is developed, the northern area of the site will be shored up at the eastern end of the building. Members of the public and building users will be able to use the space to the north of the building up to the hoarding edge. There are no access routes into the building on the north elevation, but the building itself on this elevation is proposed to be predominately glazed, which will assist activating this frontage. The GLA consider that animation of this elevation is vital, and should form a condition of approval.

Towards the east of the site, there will be trees and undercover cycle stands. As this is a public realm the area is expected to include street furniture such as seating, rubbish bins, and lighting. An appropriate management strategy and location would make the presence of the proposed trees viable. There is some concerns raised about the retained pedestrian access width and proximity of tree planting to the proposed building. However, further details of the exact layout incorporating the proposed benches and soft landscaping will be conditioned.

Towards the west of the site this northern pedestrianism area is required to remain clear in order to allow access to fire tenders in the event of an emergency. The fire truck will be required to reverse along this area, to a point 21m along the building, where the nearest dry riser is sited. Alternatively the fire tender will be required to drive along the private access road to the east of the site. This is outside land under the applicant's control and is discussed in more detail in the Highway section of this report.

#### Pedestrian access & side elevation to the south of the site

A large difference between the current application and the scheme previously approved was that the previous proposal intended the area to the south of the building to be a private area. The current proposal pulls the building footprint away from the site edge, so that a wider area is provided to the south of the site. At its narrowest, the gap between the building and boundary is more than 3.5m wide. The building has emergency exits for the retail unit and swimming pool, in addition to pedestrian access to the substation, cycle and waste store areas. This provides limited opportunities to activate the frontage, but the applicants do offer glazing to the pool areas at ground floor. The GLA have requested that this area be made more private, which makes sense in terms of the proposed ground floor uses on this façade of the building. Nevertheless Officers support the principle of a public pedestrian access along this side of the site, which complies with Masterplan principles to enhance the permeability of the Growth Area.

The refuse store is sited towards the rear (eastern) side of the site. This is greater than the maximum carry distances for Council collection operatives. The applicants therefore propose a temporary holding store towards the front (south-western) corner of the site. This is in a very prominent location, and its appearance will therefore require a high-specification treatment, which will form the subject of a condition of approval. Once the rear access road is constructed and adopted, the applicants intend to rely on this to service the bin store from the east. Officers have requested alterations to the store location in order to comply with the Council's Collection Guidelines, and this is discussed further in the Highway section of this report.

The applicants have indicatively shown how a temporary bin storage area could be laid out, and further details of the layout of this constrained area may be conditioned. Until the rear access road is delivered, the temporary bin store area will be in use twice a week for collections. This is set 0.3m off the southern boundary of the site, and allows 2m clearance between the temporary store and the building. This is considered sufficient to allow safe pedestrian passage.

#### Rear Secondary Road Frontage (eastern boundary)

As set out above, the current application relocates the proposed building further into the site, resulting in the building being 2.2m from the eastern boundary. The previous application approved the ground-floor up to second floor the main building set back from the boundary approximately 3.2m to a height in excess of 8.5m. Above this the building stepped out to allow a 1.4m separation to the boundary, but balconies protruded beyond this within the confines of the site. The current application therefore has a better relationship to the eastern boundary, with a more spacious setting at all floors, particularly as balconies are no-longer proposed. The applicants have confirmed that the development is not predicated on the delivery of the rear road, (called Willesden Road by the land owners.) The applicants propose a layout that they believe will ensure that the proposal is deliverable even if the rear access road is not brought forward. Initially, until the access road is constructed and adopted, which make take years, the applicants propose that this side of the site be hoarded up.

Fire escape accesses are proposed within the east facing elevation. These serve the gym leisure facilities and student units on upper floors. The means of escape will be provided within the proposed hoardings, to be considered by condition. Once the rear road is adopted, the temporary security hoardings indicated will be removed, and the proposed building will form part of the future road frontage. The applicants have agreed, that if notice is served on them by the Council they will offer up for adoption a strip of land up to 1.5m deep along the eastern side of the site that will form

part of the future public highway footpath.

This current application also proposes the third “retail” unit within this eastern elevation. The commercial unit could be used as A1/A2/A3/A4/A5. Its sole access is onto this elevation. In the eventuality that the rear access road is not delivered, hoardings will prevent access to this area except in an emergency. The commercial unit will therefore not be occupied until such time as the access arrangements alter, which is outside of the applicant’s control. At such time as the road is delivered, (which is likely given the current outline planning application 10/3032 indicates a road in this location,) the presence of the commercial unit will be vital to activate this part of the building frontage and provide natural surveillance. The applicants have agreed that until the road is developed, the eastern boundary will have identity graphics that enhance the quality of the area on-site. There are limited opportunities for planting within the site area, as the building lies so close to the eastern extent of the applicant’s ownership. The applicants have indicated street trees but more landscaping can be developed if the site boundary is ever removed in the future and will be secured through s106.

### **Quality of Student accommodation**

#### *Daylight, sunlight and outlook,*

The applicants submitted Daylight and Sunlight Report refers to the previously approved application on site, which was on balance supported by officers. The report finds that student accommodation has a lower requirement for daylight and sunlight amenity than residential accommodation. This is due to the transitory nature of student accommodation, which correspondingly has a lesser requirement for daylight and sunlight compared with permanent residential accommodation. The current proposal removes the balconies that previously hindered the daylight and sunlight potential of many of the lower floors of the proposal. This means that the proposal will result in some improvements to the lower floors than the scheme previously approved on site. Overall the applicants find that the proposal will accordingly provide satisfactory level of accommodation for the proposed student occupants.

Student rooms occupy the space from the 1<sup>st</sup> to 18<sup>th</sup> floors of the building. Glazed openings are proposed in both the northern and southern elevations of the building. The openings are within 3.8m of the southern boundary and within 6.8m of the northern boundary. In all cases these openings serve lounge/ kitchen spaces for the students, which are considered as habitable rooms. As these windows provide secondary fenestration to the rooms, which are also served by either west or east facing windows, it is considered appropriate to condition that these glazed openings be constructed of obscure glazing. SPG17 guides that habitable windows within a main (rear) elevation should be more than 10m from the boundary, and although these are side boundaries, the heavy use of these habitable, communal areas, and lesser separation distances are such that obscure glazing is considered necessary to safeguard the amenities of future student occupants. Particularly on the northern elevation as the proposed hotel to the north has south facing windows that directly overlook this application site. Quality Hotel to the south is set some way from the proposal and at an angle within its plot. It is therefore not considered to impinge upon the residential amenities as existing.

The scheme proposes 661 student rooms. There are different types of rooms proposed. The applicants divide these into 250 standard rooms, 320 standard + rooms, 56 studio rooms, 3 accessible studio rooms and 31 accessible rooms. No supplementary planning guidelines currently govern the acceptable size of the student accommodation in Brent. The pattern of use of student units does not fit in with permanent dwellings. The student accommodation under construction at North End Road application 07/2772 included units with bathrooms at 12sqm. The current proposal at Dexion house has varied room sizes with the smallest being the standard rooms, the minimum size of which is 13sqm. The applicant has demonstrated that this can accommodate a bathroom with toilet, shower and sink in addition to space for a desk and bed.

The student units benefit from a front outlook to the west across Empire Way. The outlook across the podium roof garden has now increased to over 20m, and suitable landscaping will safeguard

the privacy/ outlook of rooms with windows directly onto this space. To the east, the windows at upper floors are 2.2m from the side boundary. This represents an improvement upon the application that was previously found to be acceptable. The site currently borders land occupied by the Palace of Industries. However, the Wembley Masterplan 2009 indicates that there is an expectation that the area immediately adjacent to the site will be occupied by a new road, and this is reflected in the outline application 10/3032 currently under consideration.

### ***Amenity space***

#### *Amenity space*

The students are provided with amenity space at the first, 16<sup>th</sup> and 17<sup>th</sup> floors. The applicants have modelled the effect of the proposed building form on the first floor amenity space in terms of overshadowing. Less than 5% of the area is in permanent shadow. As students enter the building from the west, those with rooms in the eastern accommodation blocks will be required to enter their relevant access cores across the podium garden at first floor. These thoroughfares will diminish the quality of the space, but overall this will provide a valuable external amenity space for the students. The provision of amenity areas on the 16<sup>th</sup> and 17<sup>th</sup> floors is also in principle supported by officers.

#### *Green roofs*

The application indicates green roofs for the entire western building, (apart from PV panels on the lift overrun,) and the highest residential block on the top of the eighteenth storey. The provision of green roofs is in principle supported from sustainability and drainage perspectives and such provision will be conditioned. The applicant has confirmed that there will be hatched access to the green roofs to enable maintenance.

### **Impacts on adjoining development**

#### ***Daylight/ sunlight***

The applicants have submitted a Sunlight/Daylight Report. A material consideration is the previous application on site, 09/2291. This proposed a building of similar form to that currently proposed, which therefore will have similar impacts on the surrounding built-forms. Planning permission was granted for the previous proposal on the basis that the impacts of the proposal on adjoining daylight/ sunlight received, was not sufficiently harmful to the amenities of adjoining occupiers to result in a refusal. On balance, officers supported the previous application. The Sunlight/ Daylight Report submitted in support of the previous application cannot be directly compared to the assessment of the new proposal on site, as it assume a different baseline, because at that time, the outline application for the lands to the east of the site had not been received and therefore could not be readily extrapolated by the applicants.

#### ***Commercial properties adjacent***

Commercial properties have lower daylight/ sunlight requirements than residential properties. Adjoining the site to the north, is Malcolm/ Fulton House. The original office building has been demolished, and building works on the extant permission for the proposed hotel use has yet to commence. The proposed development lies to the south of Malcolm/Fulton House, (which as a hotel will be primarily artificially lit.) The applicants have assessed the proposal against the approved neighbouring scheme, which they refer to as the Ica Architects consent 2008 proposal.

To the south is the Quality Hotel. Quality Hotel is set at an angle within its plot meaning that its sunlight and daylight is unlikely to be significantly affected by the proposal, which is to the north of it in any case.

The applicants have also considered the impact of the proposal on land to the east of the site, formerly the Palace of Arts & Industries. They refer to it within the Daylight and Sunlight Report as the Make Architects massing proposal for the site, which they state received outline consent at the end of 2010. This is not correct. There is an outline planning application currently under consideration, 10/3032. This application has yet to be determined, but follows a similar to form to

the scheme that the applicants refer to within the Daylight and Sunlight Report, (which was a pre-application building form.) The architects of the application under consideration are still Make.

### ***Land to the east***

The previous planning permission 09/2291 considered the impact of the proposed massing on site upon lands to the east. The applicants' addendum previously concluded that over half of the rooms within the southern façade of the development site will fail the ADF (Average Daylight Factor) level within BRE guidelines. The applicants were able to previously demonstrate a site layout for lands to the east, which created a satisfactory relationship in terms of daylight and sunlight received for both the adjacent and application site developments. This illustrated that the height and massing of the proposed building on the application site will have an impact upon the land to the east but does not prevent a form of development.

Within the current application the applicants have now modelled the proposed building indicated under outline application 10/3032. However as this is an outline application, it only considers development parameters. The parameters do show that the maximum building height would be 41m high set 10m away from the south-eastern corner of the current site. This equates to a development approximately 13 storeys high 10m from the site. The proposed building on site is set 4m in from the south-eastern corner. The buildings result in a development up to 13 storeys high, 14m from the building on site, which at this corner will be 16 storeys high. The position of rooms and associated windows within the neighbouring development are not yet known and therefore cannot be assessed. However it is known that the neighbouring site will include residential development. The orientation of this building to the south-east of the application site is such that the building form will not be parallel to that proposed on site. This means that although the indicative separation distance between window to window on the adjacent sites will be less than 20m guides by SPG17 for privacy, the orientation of the proposed building is such that no harm to privacy will arise. Furthermore the windows within the site to the east will front onto the streetscene, and therefore would not be afforded with the privacy levels normally expected within a rear elevation.

### ***Residential properties adjacent***

The applicants have considered the impact of the proposed development on nearby residential properties in terms of guidelines within BRE 209 Sunlight and Daylight received. In conclusion none of the properties are affected by more than 0.1% ADF, (Average Daylight Factor,) by the proposal. This is so small a change to daylight that the applicants consider that it will not be perceivable in real terms. Most windows retain acceptable levels of sunlight throughout the year. The only windows that are affected by the proposal experience small losses to the sunlight received in winter. In terms of overshadowing no sensitive areas are significantly affected by the proposal.

Within Raglan Court,

- 64- 72, Raglan Court –all windows will continue to meet the VSC (vertical sky component) criteria. All rooms meet BRE sunlight analysis.
- 73-81 and 82-90 Raglan Court – each have 2 windows that fail the VSC (Vertical Sky Component.) One of these on both blocks, is a doorway, and therefore does not serve a habitable room. The other in both blocks is already recessed under an overhang and therefore already experiences a low level of daylight. An assessment of ADF (Average Daylight Factor,) reveals a fall of 0.1%, which is minimal. 73-81 meets sunlight analysis. One room in 82-90 Raglan Court fails the winter sunlight levels. In absolute terms the applicants find that the proposal is within sunlight guidelines, with a similar impact to the previously approves scheme on the Dexion site.
- 91-99 Raglan Court 4 windows fail the VSC. One serves a door, one is under an existing overhang and 2 are only just beyond the recommended 20%. Of these 4 windows, 2/4



remain the same ADF, (Average Daylight Factor) but 2/4 drop by 0.1. This is not significant enough to warrant refusal. 3 windows do not meet BRE sunlight guidelines, 2 only fail on winter sunlight amounts, the other window is overhung by massing projecting above it. The result of the approved scheme on the Dexion site is virtually the same.

- 100-108 Raglan Court - a few windows do not meet the BRE VSC (Vertical Sky Component) daylight recommendations by approximately 2%. Two of the windows are more severely affected, but these are already positioned under overhangs and therefore experience less than VSC as existing, and one serves a door. Overall the applicants conclude that the loss of daylight is not significant given the low existing readings for this window. This is substantiated by the small difference in readings between the current proposal and the previously approved scheme on site, and the similarity between this reading and the one arising from when the Malcolm/ Fulton House development and Lands to the east are factored into the model. Absolute daylight is considered within the ADF for 5 windows, comparing the previously approved application with that currently proposed. The applicants extrapolate no change in 2/5 readings, and a reduction of 0.1 ADF for 3/5 readings. This is not considered significant enough to warrant refusal. There are 2 windows with an absolute drop of sunlight, one of which serves a door, the other is recessed. The applicants note that there is little difference in daylight between the previously approved scheme and that currently proposed.
- 109-129 Raglan Court – this building is closer than the others to the proposed development and numerous windows fail the VSC (Vertical Sky Component.) The applicants have assessed these windows against the stronger test of ADF (Average Daylight Factor). They state that most of these windows retain an ADF score of at least 1%, (the minimum requirement for a bedroom.) The building's existing form, with 2 projections at either end reduces the daylight received. Of the 6 rooms that score below 1% ADF, 4/6 stay the same as previously consented, and 2 fall by 0.1%ADF. This is not considered significant enough to warrant refusal. The applicant considers that the daylight retained within the property will be virtually identical to the levels previously consented. The consented scheme's sunlight on site is slightly worse than the impact of the proposed scheme's.
- 1-36 Imperial Court, windows as existing are beneath recessed balconies and experience poor existing levels of daylight. 12 rooms do not meet VSC (Vertical Sky Component), which is because of their recessed nature. The applicants have assessed the proposal and find that if overhanging features such as balconies were removed, the proposal would meet VSC. ADF was assessed for these 12 rooms compared with the previously approved application on site. In 7/12 rooms the ADF falls by a minimal amount of 0.1 ADF, and in 5/12 rooms the ADF remains the same. The majority of windows in this property meet the BRE Guidelines for sunlight. Windows under balconies, or orientated away from the site will incur small losses of sunlight beyond BRE guidelines On balance the applicants conclude that the impact is acceptable. The Appeal decision relating to the Northway Garages Student Accommodation proposal (reference 07/2772) is a material consideration. The Inspector noted that the light to some windows was already affected by the presence of overhanging balconies and therefore the reduction below BRE target values was not considered as sufficient to warrant the dismissal of the appeal. There are rooms within 1-36 Imperial Court that will be affected by the proposal and will lose more than BRE recommended guidelines for Annual Probable Sunlight hours. Overall, the report finds that the losses are small in absolute terms.

### ***Overshadowing***

The proposal will have a greater overshadowing impact upon adjoining sites than the existing building on site. However the applicants have modelled this, and find that the only sensitive space, is the front lawn in front of the Raglan Court properties, for approximately an hour in early morning. This is not considered so significant to warrant refusal, given that this is not a private amenity space.

Overall, there are existing residential properties that will be affected by the proposal but it must be considered that they are in excess of 20m from the proposed building. Further, they adjoin a Growth Area, where there is an expectation of development. The proposed building is not anticipated to impinge on the outlook from Imperial Court or Raglan Court. The proposed development on the application site will be sited closer to residential properties opposite than the existing development. Nevertheless Empire Way at this point is greater than 10m wide and the proposed building will be further than 20m from the existing residential properties. Only a few windows are affected in daylight terms by the proposal and even less will experience changes to the sunlight received.

### **Air Quality**

The applicants have submitted an Air Quality Assessment. This demonstrates that by 2012 appropriate air quality contaminant levels will not be exceeded for NO<sub>2</sub> or construction dust, and therefore air quality will not prevent the site for being redeveloped. The analysis of potential traffic impacts and the impacts of the CHP is satisfactory in terms of air quality. In light of the fact that the assessment of the impact of the CHP was conducted using the worst case scenario it is likely that the 'slight adverse' outcome could be reduced to neutral by reconfiguring some of the operational criteria. A condition for appropriate construction methodologies to safeguard the Air Quality Management Area is also recommended.

As the site is within an Air Quality Management Area (AQMA) the Council expects satisfactory ventilation and filtering of the proposed commercial units, which as proposed could operate as a restaurant/ public house/ takeaway. The applicants have proposed low-level flue outlets, which the Council's Environmental Health department has reservations over, as it has the potential to cause nuisance being directly sited below openable windows serving the student accommodation. An update will be provided in the supplementary.

### **Noise**

The applicant's Noise Assessment states that the development is considered a "Category A- C" scheme. The front block is considered category C, and rear block is A for daytime and B for night time. PPG24 states that this level of noise category should be a consideration of any planning application in these circumstances in order to ensure an adequate level of protection against noise. The report concludes that a double-glazed system should be provided for all habitable room windows within the elevations of the front, (western) block, alongside a mechanical ventilation system, which will lead to satisfactory internal noise levels that have been guided by the Council's EH officers. An addendum demonstrates the level of glazing required to achieve this.

The Council's Environmental Health officer recommends the use of conditions to ensure that any plant proposed on site does not emit sound levels that are likely to cause a nuisance to local occupiers, by limiting noise output of units/ proposing mitigation measures in relation to existing background noise levels. A condition will limit any proposed plant noise to be at least 10dB below the site background noise level to limit complaints in accordance with policies EP2, BE17 of Brent's Unitary Development Plan.

### **Land Contamination**

The applicants have submitted a Land contamination-preliminary risk assessment report. This concludes that a site investigation is required although it considers that as the potential risks from contamination are low. The Council's Environmental Health Officer concludes that the proposed development is largely hard standing at ground-floor, has a ground floor commercial use (retail units, pool and fitness centre) and the residential flats only start on the first floor. This means that potential pollution pathways between underlying contamination and site end users will be broken. Given this and the low risk from the historic desk study, officers considered that a site investigation is not necessary.

## **Parking and servicing**

The building is recessed at the front up to first floor. This reduces the visual massing of the proposal and provides additional space for vehicle movements at the front and a pedestrian footpath at the rear. The applicants have confirmed that the proposed building soffit will allow a front (western) clearance of 4.5m, which is sufficient to accommodate larger vehicles. The proposal relies on Empire Way as submitted for access.

### ***Parking – car & cycle***

Car parking allowances for the proposed uses on the site are set out in standards PS7, PS10, PS13 of the adopted UDP 2004. This allows up to one space per 16 bedrooms for the student accommodation, giving a maximum allowance of 41 spaces. One additional space would be permitted for each of the retail units, whilst about six spaces would be permitted for the fitness centre (one per five staff and one per 60 visitors), giving a total allowance of about 50 spaces. With only 5 off-street parking spaces indicated within the site, standards are complied with. Any future Controlled Parking Zone in the area (as proposed to support wider redevelopment proposals) will help to prevent potential overspill parking on nearby residential streets, with students and visitors to the site being ineligible for permits. General visitors to the retail and health and fitness facilities would be able to make use of any future public car parks provided in the wider redevelopment proposals. In terms of disabled parking, standard PS15 requires 5% of spaces to be widened and marked for Blue Badge holders. The proposed provision of five such spaces along the site frontage would therefore more than satisfy requirements, although they should be widened and marked accordingly. A condition will also be placed on any permission prohibiting the use of the frontage area for commercial 'pirate' car parking by visitors to Wembley Stadium on event days. A Student Management Plan will manage arrivals and departures. Up to 2 coaches could be accommodated on site, if required for concurrent school party swimming pool drop-offs and collections.

In terms of bicycle parking, one secure space is required for every two students, giving a requirement for 329 spaces. At least four publicly accessible spaces are required for the retail units (more if A3 uses occupy the space), with further spaces required for the health and fitness centre (dependent on staffing numbers, which are not known). The total provision of 354 spaces is broadly in line with standards. Ideally, more of the spaces would be provided within the secure storeroom for students, but the provision of 75% of the required total within the building is considered a reasonable compromise by the Council's Highway Engineers, which will be complemented by proposals to operate a bicycle hire scheme on the site. TfL consider that more cycle parking is required. However officers will ensure that any external provision is appropriately weatherproofed. Showers, lockers and changing facilities will be available to fitness centre users as a matter of course and the applicant has confirmed that these will be available to retail staff too, if required.

### ***Servicing***

In terms of servicing, standard PS17 requires the retail units to be serviced by transit sized vans, with the two units at the front of the site requiring one shared transit sized bay. All five of the revised parking spaces are at least 9m in length, which will allow them to alternately be used for disabled parking, or servicing by transit van. This will ensure small delivery vans do not obstruct the service road. There are no particular servicing requirements set out in the UDP for the health and fitness centre or the student accommodation. The proposed service road itself will then be able to accommodate any occasional deliveries by larger vehicles such as box vans and rigid lorries, which would only block the road for short periods of time.

A Delivery and Servicing Management Plan (as well as a Construction Logistics Plan) is proposed to be submitted in future to address the management of deliveries to the site (including scheduling of deliveries outside of peak hours), which is welcomed and should be secured through the S106 Agreement for the site.

With regard to the rear retail unit, this will not be used until such time as the rear service road (Wealdstone Road) is open, from which servicing will be able to take place.

Until the rear service road is provided though, there is concern over access to the student block at the rear of the site by refuse and emergency vehicles, with the refuse store being sited some 32m from the site frontage (greatly exceeding the maximum 10m wheeling distance for Eurobins). To address this, it is proposed to bring the bins down to the front of the site on refuse collection days to a temporary bin storage area. The use of the temporary holding store is less than ideal, and it would be important that this was of a high specification in order to avoid an eyesore on this prominent corner of the site. High quality details will be sought by condition.

This means that the “permanent solution” for the refuse store once the Willesden Road, (east) of the site is eventually adopted as a public highway is more important. The annotation on the revised plan states that this is within 10m of the proposed access road. This is not the case, the residential store is 22m from the site edge at this point. Officers have suggested that this could be addressed by swapping the location of the bin stores and the cycle store. In the short term this would increase the distance between the temporary holding point and internal bin store, but in the long-term the location will comply with standards if revised. The applicants have commented that they will privately collect waste from the site. However the Council may in any case have a statutory duty to collect from the site, regardless of the private arrangements. Clarification from the Streetcare department is being sought and an update will be provided in the supplementary. Revised drawings do clearly demonstrate how the commercial and student refuse and recycling stores could be separated. It is noted that provision is to be made to link the site with any ENVAC system that is developed in the wider area in the future to overcome any need for refuse vehicles to visit the building, which is supported by officers.

For emergency access, it is intended that fire appliances reverse along the pedestrian route on the northern side of the building to gain closer access to a dry riser at the side of the site until such time as the rear service road is available. Given the long reversing distance, officers have been liaising with Building Control to ensure that a Fire Strategy that this will satisfy Building Regulations. The applicants will either arrange emergency access over private land to the east of the site, or a fire-engineered solution to utilise the northern and eastern risers.

The other vehicles requiring access to the site are coaches, with the proposed swimming pool being intended to be used by school parties, some of which are expected to arrive by bus and coach. The frontage service road and accesses onto Empire Way have therefore been designed to accommodate coaches, which is supported, with the road proposed to operate in a one-way direction southwards. Standard kerb radii are indicated that do not stray beyond the site boundaries and sight lines at the access are fine.

Access to the student accommodation will be available from both Empire Way and the rear service road via a first floor courtyard area, which is fine. A condition will require that all external doors for the building except fire-escapes open inwards. With regard to pedestrian access, it is noted that the footway of Empire Way is to be widened by about 500mm to provide a 3.5m width. This is supported by officers and the additional width should be offered for adoption as public highway under a joint S38/S278 Agreement that also covers the crossover works to the site. In addition, this will cover works to the north-western corner of the site, identified by an MVA study. This will allow a land-take of up to 1.1m for a small section of the site, to ease pedestrian highway access to a reconfigured Fulton Road junction in the future, as part of the required highway upgrades to support new development within the Masterplan area.

### ***Transport Impact***

Aside from the parking and layout issues, the Transport Assessment has considered the likely impact of the proposal on the local transport network, using the results of the traffic counts carried out in September 2009 for the previous application to give background flows. Trip data from two student halls of residence and eleven retail stores across London as held on the TRAVL database was then examined to provide an estimate of trip generation for this site, including vehicular trips. This exercise was not undertaken for the health and fitness centre though. Nevertheless, the

proposed provision of just five off-street disabled parking spaces within the site means that in reality, very little vehicular traffic is to be expected to actually enter and leave the site throughout the day and on this basis, the proposal is likely to result in a reduction in traffic flows to and from the site compared with the existing offices (and the approved residential/hotel scheme) and will certainly not be sufficient to have any significant impact on traffic conditions in Empire Way. It is likely that car-borne visitors to the site (particularly the health and fitness facilities) would make use of any nearby public car parks that are provided within any redevelopment of the wider area in the future though and this needs to be borne in mind. As before, the Transport Assessment then uses the above results to conclude that trips by other modes of transport would also fall and therefore these do not need to be assessed. This argument was considered flawed by the Council's Highway & Transport Delivery Unit and TfL.

Further analysis has therefore been undertaken and presented in a Technical Note dated 1<sup>st</sup> March. This has examined data obtained in the London Travel Report 2007 on trip rates and modal split by students in London. This showed 22% travelling by car, but as this site will have no off-street parking for students, those trips have been reassigned to other modes in proportion to modal share. The resultant estimated modal split is therefore 22% rail/tube, 37% bus, 38% walk, 3% bicycle and 1% taxi. This produces estimated daily two-way trips for each mode totalling 353 rail/tube trips, 594 bus trips, 610 walking trips, 48 bicycle trips and 16 taxi trips each way. The technical note then very crudely assumes that one third of these trips will be made in the morning peak period (7-10am) with trips spread evenly over that three-hour period (despite the availability of data on the TRAVL database that breaks trips down by half-hourly periods) and thus draws an unsubstantiated conclusion that the impact will be acceptable. However, no assessment has been made of the evening peak period (which the TRAVL database suggests is far busier) or of the other retail and health and fitness uses on the site, the latter of which could be particularly significant for the evening peak period. With no information provided on where students would be travelling to for their studies either, the assessment of the impact on non-car modes of transport is still considered by the Highway & Transport Delivery Unit to be incomplete.

The views of TfL (as the operator of most local public transport services) are critical in this respect though and in this regard they have accepted that there is sufficient capacity on nearby London Underground services to accommodate predicted movements. However, they have asked for more information on the impact on bus routes to assess the level of any mitigation that might be required. The applicants have later substantiated their technical note with further information and data regarding the possible universities that future students will attend, but TfL have continued to indicate that they still consider that this does not conclusively determine the impact of the scheme on the bus network. They therefore continue to request a contribution, which the applicants do not consider is justified as they have extrapolated as much information as possible from the highway data.

No update has been provided on the road accident history in the vicinity of the site, so previous conclusions remain unaltered (i.e. no particular accident problem is noted in the area that would be likely to be significantly worsened by this proposal).

### ***Student Management Plan/Travel Plan***

In order to help to minimise the traffic impact of the development, a framework Travel Plan has been prepared for the student accommodation, supplemented by a student management plan to deal specifically with traffic movements at the start and finish of term when students are moving into and out of the building. No plan has been put together for the fitness centre though, as would be required under the thresholds set out in TfL's Guidance for Workplace Travel Plans and it is suggested that a requirement for this to be submitted and approved prior to occupation of the centre be secured through the S106 Agreement for the site.

The proposed student Travel Plan sets out a number of measures to be overseen by a Travel Plan Co-ordinator and Steering Group to ensure that the student accommodation generates no vehicular traffic on a day-to-day basis, which are largely focused around providing information on

travel options and ensuring broadband facilities are installed. Given the absence of parking for the student accommodation, the targets will be based around making sure vehicular trips remain low, rather than achieving a modal shift, with the targets to be set following baseline surveys undertaken within the first year of occupation. Monitoring will be undertaken on a biennial basis using multi-modal travel surveys.

To help manage the process of moving students into and out of the building en masse at the beginning and end of the college terms, a Student Management Plan has been prepared to supplement the Travel Plan. This aims to provide information on the moving arrangements to assist the process, with pre-booked arrival slots being used to minimise the number of students arriving at any one time. Staff will also be employed to help with the process, unloading belongings into a secure storage area, after which the vehicle can be moved to off-site parking before goods are then moved up to the room. Whilst this will certainly help, there is no doubt that the process will be fraught, particularly at the start of a college year and whilst mention is made of spreading arrivals over a four-day period (avoiding Wembley Stadium event days), consideration also needs to be given to making the most of the opportunities offered by the weekend (esp. Sundays), when there is less traffic congestion in the area generally and parking restrictions are more relaxed. In the longer term, the future availability of the rear service road will also help during moving in periods.

Unfortunately though, the assessment of the submitted Travel Plan (and Student Management Plan) using TfL's ATTrBuTE program has scored a FAIL, largely due to the lack of baseline modal split information and targets (despite such information having been presented in the Transport Assessment), as well as lack of detail about the funding of the Travel Plan and inclusion of any proposed Action Plan. As such, further work is required to bring the document up to scratch and for the time being it is recommended that the S106 Agreement requires the resubmission and approval of a revised plan of sufficient quality to score a PASS under the ATTrBuTE assessment (or any future replacement thereof).

Finally, to help support the Travel Plan aims with regard to improving off-site transport infrastructure around this largely car-free development (particularly in terms of mitigating the likely – impact on local bus services and parking in the area), a financial contribution would ordinarily be sought towards non-car access/highway safety improvements and/or parking controls in the area. To this end, a sum of about £110,000 is considered appropriate in this case. A sum of £10,000 has been agreed towards the provision of a car club. However, the provision of a public swimming pool within the building has been considered acceptable in lieu of any S106 standard charge payments towards other off-site infrastructure

### ***Flood Risk***

The site is within Flood Zone 1 and is less than 1 hectare in size; therefore no detailed flood risk statement is required under PPS25. The applicants need to demonstrate compliance with the Environment Agency's Standing Advice including the consideration of Sustainable Urban Drainage Systems. Thames Water originally raised objections to the proposal on the sewerage network capacity, but on the submission of further details have amended their comments, to allow a condition based on the agreed revised details that demonstrate no increase from the existing outflow on site.

### **Conclusion**

In conclusion the revised application brings forward a valuable piece of community infrastructure to the Masterplan area and wider Borough. The swimming pool and fitness facilities accessible to the public at reasonable rates meet a shortfall within Brent. The applicants have worked closely with officers in order to achieve a building that whilst large, will become an exemplar development in terms of facade treatment and building form. The proposed student accommodation is considered to be of a high standard and will meet with planning policies for the reasons set out above.

**RECOMMENDATION:** Grant Consent subject to Legal agreement

- (1) The proposed development is in general accordance with policies contained in the:-  
Planning Policy Statement 1 – Creating Sustainable Communities (2005)  
Planning Policy Statement 3 – Housing (2006)  
Planning Policy Statement 4 – Planning for Sustainable Development (2010)  
Planning Policy Guidance 13 – Transport (2001)  
Planning Policy Guidance: Planning for Open space, sport and recreation (2006)  
Planning Policy Statement 25 – Development and Flood Risk (2006)  
The London Plan, 2004 as consolidated with amendments  
Mayor SPG: Accessible London: Achieving an inclusive environment  
Brent Core Strategy 2010  
Brent Unitary Development Plan 2004  
SPG3 Forming an access to a road  
SPG4 Design Statements  
SPG12 Access for disabled people  
SPG13 Layout standards for access roads  
SPG17 Design Guide for New Development  
SPG19 Sustainable design, construction and pollution control  
SPD Section 106 Planning Obligations

**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):

XXXXXX

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

- (3) The development and associated drainage works shall be undertaken strictly in accordance with the approved drainage strategy detailing on and/ or off site drainage works, reference J564\_doc\_03\_P1 received 14/03/11 prior to the occupation of the building unless otherwise agreed in writing by the Local Planning Authority in conjunction with the sewerage undertaker

Reason: The development may lead to sewerage flooding, to ensure that efficient capacity is made available to cope with the new development, in order to avoid adverse environmental impact upon the community

- (4) The windows in the northern and southern flank walls of the student accommodation shall be glazed with obscure glass and thereafter maintained unless the prior written consent of the Local Planning Authority is obtained.

Reason: To safeguard the amenities of future occupiers and in the interests of good neighbourliness.

- (5) No goods, equipment, waste products, pallets or materials shall be stored or deposited in any open area within the site (in particular the routes used by emergency vehicles) including the front forecourt and the northern access route, which shall be maintained free from obstruction and not used for storage purposes (whether temporary or permanent) unless prior written approval has been obtained from the Local Planning Authority. All loading and unloading of goods and materials shall, where practicable, be carried out entirely within the curtilage of the property.

Reason: To ensure that materials or vehicles awaiting or being loaded or unloaded are parked in designated areas and do not interfere with the free passage of vehicles or pedestrians within the site and along the public highway and in the interests of the visual amenities of the area.

- (6) The proposed mechanical ventilation systems shall include heat recovery mechanisms unless otherwise agreed in writing by the Local Planning Authority

Reason: In order to ensure sustainability measures are maximised

- (7) The building hereby approved shall not be occupied until the 5 parking spaces are marked out for use as only disabled parking or servicing vehicles. Thereafter they shall be maintained as approved unless otherwise approved in writing by the Local Planning Authority.

Reason: In order to ensure an accessible development, with appropriate servicing provision on site.

- (8) Notwithstanding the submitted drawings, details of materials and colours for all external work with samples, (including choice of cladding, windows, doors, walls, roof, mortar and bonding detailing, brise soleil and fins) shall be submitted to and approved in writing by the Local Planning Authority prior to any work commencing unless agreed otherwise in writing by the Local Planning Authority, and those details, once approved, shall be fully implemented.

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

- (9) All areas shown on the plans shall be suitably landscaped and a scheme is to be submitted to and approved in writing by the Local Planning Authority prior to commencement of any demolition/construction work on the site. Such landscape works shall be completed prior to occupation of building(s) and commencement of the use, unless otherwise agreed in writing by the Local Planning Authority

Such details shall include but not be limited to:

- (a) Existing contours and levels and any alteration of the ground levels, such as grading, cut and fill, earth mounding and ground modelling.
- (b) Full details of hard-surfacing materials for all areas of hard surface within the site including paths, ramps, steps, parking areas, indications of the surfacing delineation of different users within the natural stone paving shared surface area fronting Empire Way, and consideration of sustainable urban drainage systems (SUDs)



- (c) The location of, details of materials, sizes and finishes of, all proposed street furniture, and external storage facilities,
- (d) treatment of roof terraces including (notwithstanding the details on the submitted drawings,) methods of screening and the screen heights/ planting outside the windows facing the podium garden
- (e) All planting including location, species, size, density and number with a soft landscaping planting schedule and layout plan. This shall include details of proposed break-out systems for all tree pit roots,
- (f) Any sustainable construction methods which are to be used.
- (g) A detailed (min 5 year) landscape management plan showing requirements for the ongoing maintenance of hard and soft landscape.
- (j) Details of the planting of all elevated roof gardens and green roofs on site, their substrate depths and their associated maintenance schedule

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

Reason: To ensure a satisfactory standard of appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the locality in the interests of the amenities of the occupants of the development

- (10) a) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the provision of 8 *Betula papyrifera* "semi-mature" trees along the frontage with Empire Way unless otherwise agreed in writing by the Local Planning Authority
- b) The trees shall be planted in accordance with a planting methodology to be submitted to and approved in writing by the Local Planning Authority. This shall include:
  - details of the tree pit design
  - internal dimensions of all proposed planting pits demonstrating rootable soil volume
  - soil type e.g Amsterdam/ Cornell
  - irrigation/ drainage systems
  - use of a specific tree pit system to be used, e.g. Silvacell
  - use of permeable resin bound macadam surfacing around the trees at surface-level

Thereafter the trees shall be planted in accordance with the details so approved prior to occupation of building(s) and commencement of the use. Any planting that is part of the approved scheme that within a period of *five* years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced in the same positions with others of a similar size and species, unless the Local Planning Authority first gives written consent to any variation.

Reason: In the interests of safeguarding local amenity and the character of the streetscene and safeguarding important landscape features

- (11) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials, finish, height, length and type of boundary treatments to be erected or

retained. The boundary treatments shall be completed before occupation of the buildings, and commencement of the use, or in accordance with a programme agreed in writing with the Local Planning Authority.

The details shall include, but not be limited to:

- (a) Details of the eastern temporary boundary treatment including the use of graphics and consideration of fire-escape strategy
- (b) Details of any southern boundary and temporary bin storage area
- (c) Details of the northern feature wall including any proposed signage and lighting of the boundary if proposed, and where lighting of the boundary is proposed, details of the lux levels and hours of luminance, surface finishes, materials
- (d) Details of any proposed boundary onto Empire Way

Any existing boundary treatment shall not be uprooted or removed except where in accordance with the approved plan and shall be protected from building operations during the course of development.

Reason: To safeguard the character of the area and the reasonable residential amenities of local residents.

- (12) No works shall commence on the development hereby approved (excluding demolition) unless details of any external lighting and signage including the lux level, lighting contour map, dimensions and sections where relevant shall be submitted to and approved in writing by the Local Planning Authority, and the approved details shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of safety and to safeguard the visual amenities of the area

- (13) No works shall commence on the development hereby approved (excluding demolition) unless the applicant submits a Student Accommodation Plan, that shall consider accessibility and identify 1% of the student rooms that will be constructed as accessible accommodation, and 5% of the overall rooms that will be adaptable to wheelchair users. The development shall thereafter be implemented in accordance with the details so approved and thereafter maintained in accordance with these details

Reason: to ensure an accessible development

- (14) No works shall commence on the development hereby approved (excluding demolition) unless the applicant submits further details of the architectural feature on the southern elevation of the proposed front block of the development, at a scale of at least 1:50 indicating materials and treatment of the elevation details. These details shall be submitted and approved in writing by the Local Planning Authority prior to development commencing. The development shall be completed in accordance with the approved details

Reason: In order to ensure appropriate detailing in order to safeguard local amenity

- (15) The parking spaces on site shall not be used for Wembley Stadium event parking or any other parking for those who do not occupy or patronise the development.

Reason: In order to ensure a satisfactory development that makes appropriate parking provision.

- (16) No works shall commence on the development hereby approved (excluding

demolition) unless details of the provision of a minimum of 249 secure cycle parking spaces inside the building and 52 weatherproof surface-level cycle parking stands providing 104 surface level spaces, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include detailed drawings of a scale of at least 1:100 showing the configuration and layout of the spaces and the external appearance of the surface level cycle spaces. Thereafter the development shall not be occupied until the cycle parking spaces have been laid out in full accordance with the details as approved and these facilities shall be retained.

Reason: To ensure satisfactory facilities for cyclists.

- (17) No works shall commence on the development hereby approved (excluding demolition) unless details of any CCTV cameras to be used on site are submitted to and approved in writing by the Local Planning Authority, and the approved details shall be implemented in full. These details shall include the make, model, design and position of any external CCTV cameras

Reason: In the interests of safety, amenity and convenience.

- (18) No development shall commence until the applicant submits details and the location of site compound during construction to be approved in writing by the Local Planning Authority and thereafter the compound shall be constructed strictly in accordance with the approved details

Reason: in order to ensure that the compound does not detrimentally impact on local residential amenities or the highway network

- (19) No works shall commence on the development hereby approved (excluding demolition) unless a scheme providing for the insulation of the proposed building against the transmission of external noise (and vibration) has been submitted to and approved in writing by the Local Planning Authority and those details shall be in accordance with the levels specified within the documents so approved. Any works which form part of the scheme shall be completed in accordance with the approved scheme before any of the permitted units are occupied. The design levels for noise relating to Stadium music events should take account of a design noise level of 63dB(A) or the maximum possible levels unless the submitted details demonstrate to the satisfaction of the Local Planning Authority that a lower design level is acceptable. The approved strategy shall include consideration of glazing and ventilation strategies to ensure that "good" resting and sleeping conditions in accordance with BS8233:1999 are achieved.

Reason: To ensure satisfactory noise levels for the proposed student accommodation

- (20) No development shall commence until the applicant submits details to demonstrate that the CHP system will not result in any significant adverse air quality conditions locally. These operational criterion details shall be submitted to, and agreed in writing by the Local Planning Authority before development commences and thereafter the strategy shall be implemented in accordance with the details so approved.

Reason: In order to ensure air quality for future occupiers

- (21) a) No works shall commence on the development hereby approved (excluding demolition) unless details of any new plant machinery and equipment (including air conditioning, extraction equipment for the commercial units, CHP plant, and

ventilation systems) associated with the proposed development and the expected noise levels to be generated, shall be submitted to and agreed in writing by the Local Planning Authority and thereafter shall be installed in accordance with the approved details and maintained in accordance with the relevant manufacturer's guidance  
b) The noise level from this plant together with any associated ducting, shall be maintained at a level 10 dB (A) or greater below the measured background-noise level at the nearest noise-sensitive premises. The method of assessment should be carried out in accordance with BS4142:1997 "Rating industrial noise affecting mixed residential and industrial areas".

c) Should the predicted noise levels exceed those specified in this condition, a scheme of insulation works to mitigate the noise shall be submitted to and approved in writing by the Local Planning Authority and shall then be fully implemented.

Reason: In order to ensure adequate insulation and noise mitigation measures and to safeguard the amenities of adjoining occupiers and future occupiers

- (22) No works shall commence on the development hereby approved (excluding demolition) unless details of the methodology to safeguard student accommodation at first floor, to ensure satisfactory electromagnetic frequencies are achieved in relation to the proposed electricity substation is submitted to and approved in writing by the Local Planning Authority. Thereafter the safeguarding measures outlined shall be implemented in accordance with the approved details

Reason: To safeguard the health and amenities of future site users/ occupiers

- (23) Detailed implementation measures identified in Appendix A of the ICE Demolition Protocol (2008) shall be completed and submitted to and approved in writing by the Local Planning Authority prior to any work commencing (including demolition) unless agreed otherwise by the Local Planning Authority, and the approved details shall be fully implemented. Details for approval will include, but will not be limited to, a pre-demolition audit with D-BOQ (Demolition Bill of Quantities) and DRI (Demolition Recovery Index) and design assessment with NB-BOQ (New Build Bill of Quantities) and NBRI (New Build Recovery Index).

Reason: In order to ensure sustainability measures are maximised

- (24) No works shall commence on the development hereby approved (excluding demolition) unless details of the mechanism to ensure that the majority of glazing on the northern and southern elevations at ground floor is not obscured by internal or external screening mechanisms, is submitted to and approved in writing by the Local Planning Authority. Thereafter the measures outlined shall be implemented in accordance with the approved details

Reason: To ensure an active frontage and safe development

- (25) No works shall commence on the development hereby approved (excluding demolition) unless details of an internal cycle hire scheme, is submitted to and approved in writing by the Local Planning Authority. Thereafter the measures outlined shall be implemented in accordance with the approved details

Reason: To ensure a sustainable development and encourage cycle use

## **INFORMATIVES:**

- (1) The applicant must employ measures to mitigate against the impacts of dust and fine particles generated by the building works in the site. Unless otherwise agreed in writing by the Local Planning Authority this must include:
- damping down during demolition and construction, particularly in dry weather conditions,
  - minimising the drop height of materials by using chutes to discharge material
  - damping down the skips/ spoil tips as material is discharged,
  - sheeting of lorry loads during haulage and employing particulate traps on HGVs
  - ensuring that any crushing and screening machinery is located well within the site boundary to minimise the impact of dust generation,
  - utilising screening on site to prevent wind entrainment of dust generated and minimise dust nuisance to residents in the area,
  - the use of demolition equipment that minimises the creation of dust.

Reason: To minimise dust arising from the operation

## **REFERENCE DOCUMENTS:**

Please refer to Policy section

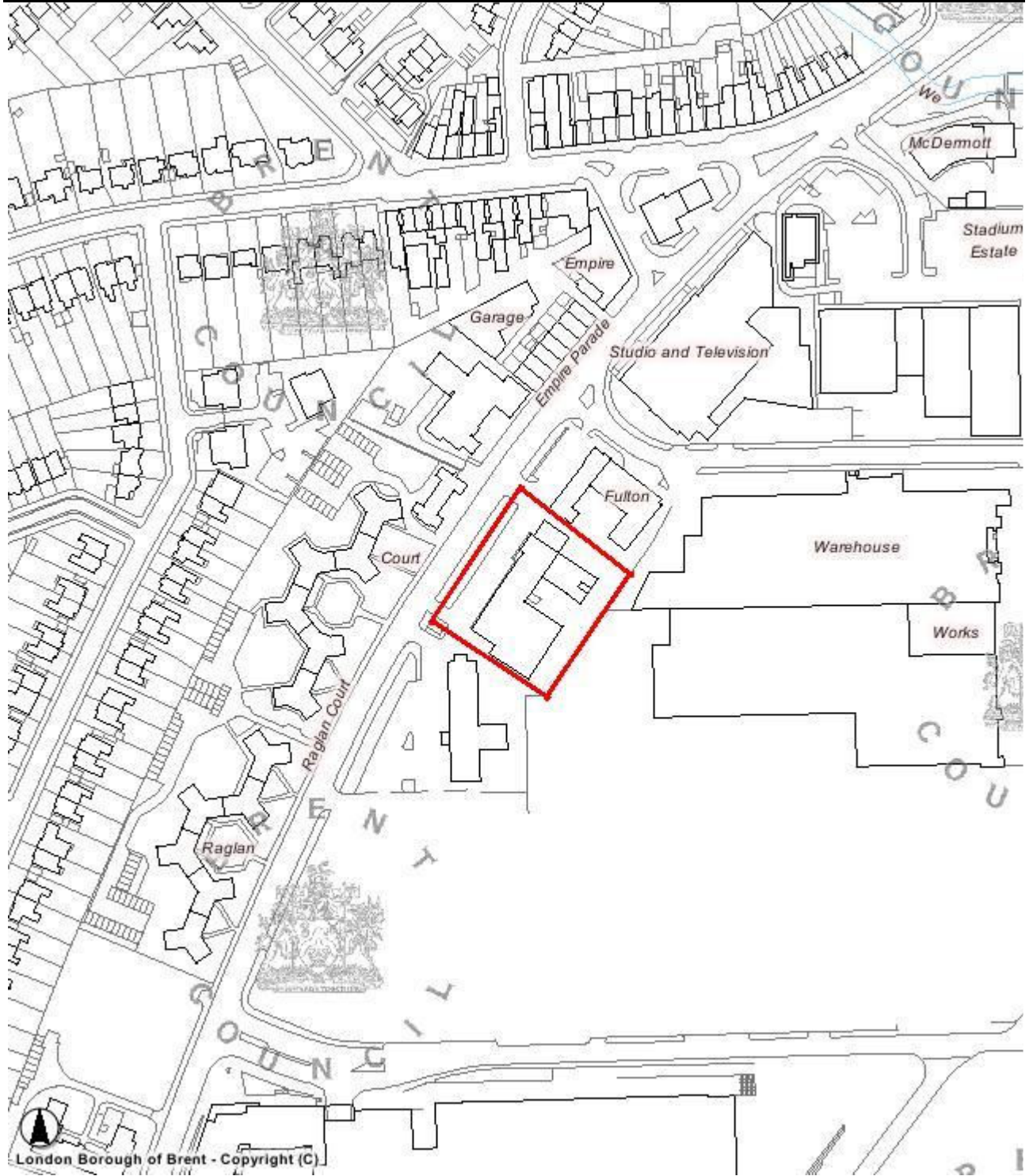
Any person wishing to inspect the above papers should contact Amy Wright, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5222



## Planning Committee Map

Site address: Dexion House, Empire Way, Wembley, HA9 0EF

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