

# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

26 November, 2020  
03  
20/0967

## SITE INFORMATION

RECEIVED	20 March, 2020
WARD	Preston
PLANNING AREA	
LOCATION	<b>Wembley Park Station Car Park and Train Crew Centre, Brook Avenue, Wembley, HA</b>
PROPOSAL	Comprehensive mixed-use redevelopment of the site comprising the phased demolition of the existing buildings and structures on site and the phased development comprising site preparation works, provision of five new buildings containing residential uses, replacement train crew accommodation and flexible retail floorspace, basement, private and communal amenity space, associated car parking (including the part re-provision of station car parking), cycle parking, refuse storage, plant and other associated works.
PLAN NO'S	Refer to condition 2.
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_149445">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_149445</a></p> <p><b><u>When viewing this as a Hard Copy .</u></b></p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"><li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li><li>2. Select Planning and conduct a search tying "20/0967" (i.e. Case Reference) into the search Box</li><li>3. Click on "View Documents" tab</li></ol>

## RECOMMENDATIONS

That the Committee resolve to GRANT planning permission subject to:

Referral to the Mayor of London (stage II referral)

The prior completion of a legal agreement to secure the following planning obligations:

1. Payment of legal, planning negotiation and planning monitoring costs associated with preparing and monitoring the Section 106 agreement
2. Notification of commencement 28 days prior to material start
3. Provision of 152 affordable housing units comprised of:
  - 73 units for affordable rent (at London Affordable Rent levels, in accordance with the Mayor of London's Affordable Housing Programme 2016-2021 Funding Guidance (dated November 2016) or the necessary guidance as it is updated and subject to an appropriate Affordable Rent nominations agreement with the Council, securing 100% nomination rights on first lets and 75% nomination rights on subsequent lets for the Council).
  - 79 units for Shared Ownership, (as defined under section 70(6) of the Housing & Regeneration Act 2008, subject to London Plan policy affordability stipulations that total housing costs should not exceed 40% of net annual household income, disposed on a freehold / minimum 125 year leasehold to a Registered Provider, and subject to an appropriate Shared Ownership nominations agreement with the Council, that secures reasonable local priority to the units).
4. In the event that the development does not commence within 24 months, an appropriate early stage review mechanism to secure additional on-site affordable housing, or an on-site provision of affordable housing that complies more closely with Brent's policy target affordable housing tenure split, as demonstrated achievable through financial viability assessments.
5. An appropriate late stage review mechanism against the agreed base appraisal, assessing actual residential sales values, and securing any additional deferred affordable housing obligations as per an agreed formula.
6. Submission and approval and implementation of Training and Employment plan targeting Brent residents.
7. The Train Crew Accommodation development to be carried out in accordance with the BREEAM pre-assessment to achieve a BREEAM rating of 'Excellent', and for this to be confirmed through the submission of a BREEAM post-assessment.
8. Parking permit restriction to be applied to all new residential units
9. Enhanced travel plan to be submitted and approved prior to occupation, implemented and monitored including:
  - a. Residential and workplace Travel Plans
  - b. Details of a Travel Plan Co-ordinator
  - c. An acceptable suite of measures to promote non-car based travel including a budget associated with these measures
  - d. Details of car club operators' requirements in determining the level of demand for car club usage and a commitment to providing these requirements
10. A funding of subsidised membership of the Car Club for three years for all new residents.
11. Financial contribution towards the implementation of a local Controlled Parking Zone

(£100,000)

12. Financial contribution towards improving local bus capacity, paid to TfL (£260,000)
13. Carbon offset contribution to be paid (£338,654) – or an opportunity to resubmit an improved energy statement and reduce the offset payment.
14. Financial contribution (£31,000) towards the improvement of open space including access to and between open spaces. This is envisaged to fund:
  - e. Improvement to signage and way marking between: Chalkhill Park / Chalkhill Linear Park, St David's Close Open Space and Chalkhill Open Space & associated maintenance for 10 years.
  - f. Improvement to paths and access between Chalkhill Open Space towards Quinton Street Open Space & associated maintenance for 10 years.
15. A payment to the Council prior to the commencement of development towards the provision of temporary on-street blue badge parking bays within the vicinity of the site or station during the construction period and the reversion of those spaces to their previous form (if considered necessary by the Council) following the completion of the development, with the reasonable costs to cover the processes associated with raising Transport Regulations Orders (TROs) as well as lining and signing of spaces.
16. Undertaking of mitigation works identified within the Television and Radio Reception Impact Assessment required in addressing any interference
17. Indexation of contributions in line with inflation
18. Any other planning obligation(s) considered necessary by the Head of Planning.

That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.

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

#### Conditions

##### *Compliance*

1. 3 years consent
2. Approved plans
3. Number of residential units
4. Quantum and use of commercial space
5. Accessible and adaptable dwellings and wheelchair user dwellings to be implemented
6. Cycle and refuse storage to be implemented
7. Car parking use restrictions
8. Water consumption limitation
9. Provision of communal aerial and satellite dish system for each building
10. Revoke C4 permitted development rights
11. Non-road mobile machinery power restriction
12. Development to be carried out in accordance with the mitigation measures set out in the detailed unexploded ordinance assessment
13. Substation to comply with noise, vibration and electro-magnetic radiation standards
14. Flood/drainage/SuDS details to be secured or further submissions made if necessary
15. Air Quality report recommendations to be secured or further submissions made if necessary
16. Biodiversity/Ecology mitigation and enhancement measures to be secured
17. Arboricultural recommendations to be secured
18. Fire statement strategy to be secured
19. Overheating analysis recommendations to be secured
20. Noise and vibration report to be secured

##### *Pre-commencement*

21. Phasing plan and car parking provision plan to be submitted

22. CIL chargeable developments plan to be submitted

*Post-commencement*

- 23. Revised construction logistics plan to be submitted
- 24. Revised construction environmental management plan to be submitted
- 25. Land contamination study (and remediation where necessary) to be submitted
- 26. Piling method statement to be submitted
- 27. Material samples to be submitted
- 28. Electric vehicle charging point plan to be submitted
- 29. Details of the ramp car park access to be submitted

*Pre-occupation*

- 30. Detailed landscaping plans to be submitted
- 31. Details of future district heating network connection to be submitted
- 32. Details of screening to balconies and windows to be adjusted where privacy would be compromised to be submitted
- 33. Revised delivery and servicing plan to be submitted
- 34. Car park management plan to be submitted
- 35. Refuse management plan to be submitted

*Post-occupation*

- 36. Plant noise to be restricted and sound testing submitted if necessary
- 37. Details of extraction of effluvia to be submitted where a restaurant use commences

Informatives


- 1. CIL liability
- 2. Party wall information
- 3. Building near boundary information
- 4. London Living Wage note
- 5. Fire safety advisory note
- 6. Tree species recommendations
- 7. Definitions of terms in respect of conditions
- 8. Any other informative(s) considered necessary by the Head of Planning

That the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

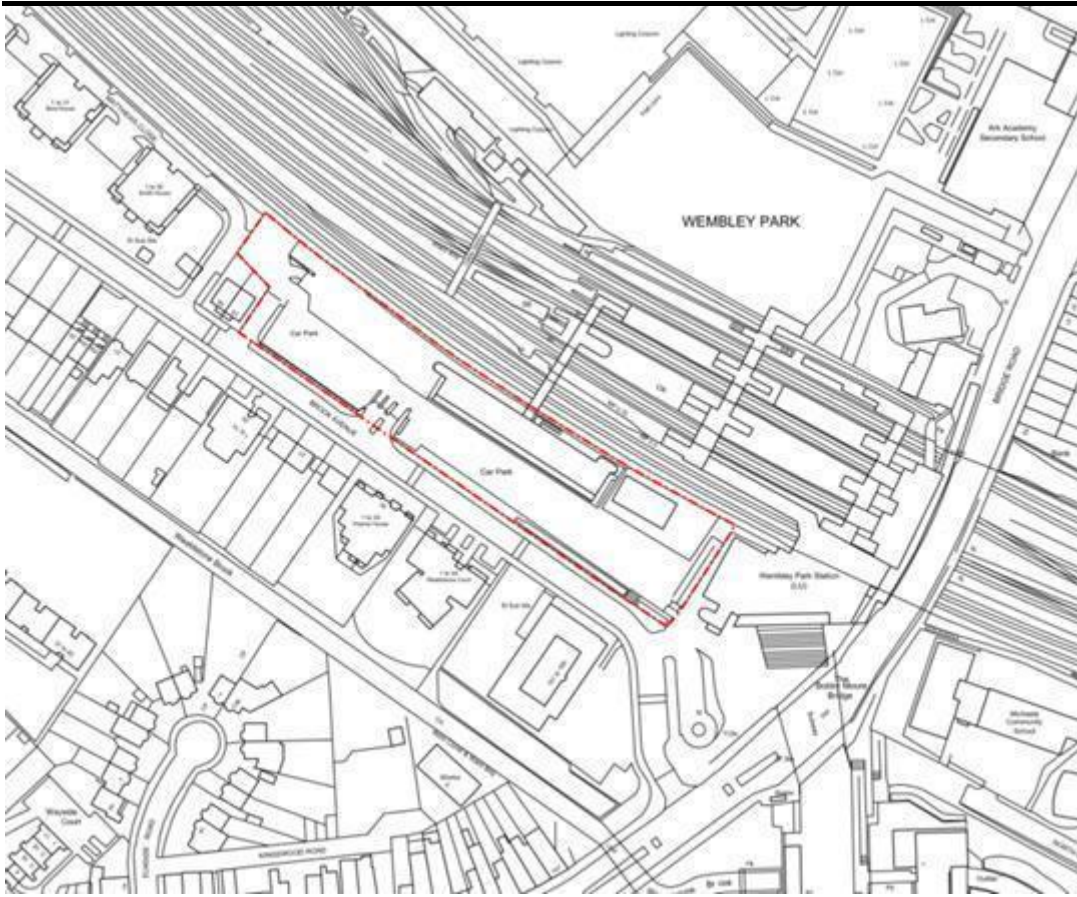
That, if by the "expiry date" of this application (subject to any amendments/extensions to the expiry date agreed by both parties) the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

That the Committee confirms that adequate provision has been made, by the imposition of conditions, for the preservation or planting of trees as required by Section 197 of the Town and Country Planning Act 1990.

## SITE MAP

	<b>Planning Committee Map</b>
<b>Brent</b>	Site address: Wembley Park Station Car Park and Train Crew Centre, Brook Avenue, Wembley, HA
	© Crown copyright and database rights 2011 Ordnance Survey 100025260

This map is  
indicative only.



## PROPOSAL IN DETAIL

The built form proposed on the site is as follows:

- 5x residential buildings connected by a podium at first floor level
- The heights of the buildings proposed are: 2 x 13 storeys, 1 x 14 storeys, 1 x 17 storeys and 1 x 21 storeys

The uses proposed on the site are as follows:

- 454 residential units
  - 1,101sqm of TfL offices/drivers' accommodation (use class Sui Generis)
- 115sqm of retail (use class E [A1 A2, A3, D1, D2 & B1 prior to September 2020])

## EXISTING

The existing site is located to the north west of the building forming Wembley Park Tube Station. The site currently forms the car park for the station and also contains a small building, Crown House, which houses facilities for London Underground Train Crew. The site is long and thin, fronting the Metropolitan and Jubilee Line railway on its North Eastern side and the residential street of Brook Avenue on its South Western side. The site borders Matthews Close to the North West and Wembley Park Station and Olympic Square to its South East. The site has a linear shape, being long but thin in its form.

## SUMMARY OF KEY ISSUES

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

1. **Representations received:** 733 neighbouring properties were notified of the development, in addition to site notices and a press notice being published. 13 objections were received. Objections raised concerns in relation to visual amenity considerations, neighbour amenity considerations, density of development, parking and traffic pressures, lack of family homes, loss of trees and insufficient greening and amenity space, lack of sustainable design, and lack of affordability. Your officers have addressed the objections raised and consider that the development proposal is acceptable.
2. **Provision of new home, in particular affordable homes:** Your officers give great weight to the viable delivery of a significant number of homes, including 73 London Affordable Rented homes and 79 Shared Ownership homes, comprising 40% of the total residential development. The provisions are in line with the development plan.
3. **The impact of a building of this height and design in this location:** The development would deliver five new buildings, providing a suitable and attractive built addition to the Wembley Park growth area in a highly sustainable location and in line with local policy allocation objectives. Whilst the development would exceed the policy expectations in respect of tall buildings as set out in the Wembley Area Action Plan (WAAP) and would incur some level of harm to the daylight enjoyed at neighbouring properties, a balance has to be struck between different planning objectives, and the provision of a significant number of new homes, with significantly more of those homes being secured as affordable units than the Council would deem viable is a significant planning benefit that carries significant weight. The height, layout, design and massing has been carefully considered and has been evaluated by the GLA and by Brent Officers who all have concluded that the proposed building is appropriate for this context.
4. **Quality of the resulting residential accommodation:** The residential accommodation proposed is of sufficiently high quality. The flats would generally have very good outlook and light. The amenity space is below our standard in quantum, but is of a good quality, being focussed on a series of connected podium gardens between blocks to which all residents would have access. The amenity

space has clearly been maximised and is a reasonable proportion for a scheme of this scale and setting. The on-site child play space provisions are only marginally below the policy expectations. The applicant is to offset shortfalls in amenity space provision through a financial contribution of £31,000 to deliver improved wayfinding infrastructure between local parks.

- 5. Affordable housing and mix of units:** Significantly more than the maximum reasonable amount of affordable housing has been provided, incorporating a policy compliant tenure split for the portion of the affordable housing that sits within the maximum reasonable provision. This results in 40% affordable housing provision, measured by habitable room, with a tenure split of 49:51 between London Affordable Rented and Shared Ownership flats. The viability has been robustly tested and it has been demonstrated that the proposal offers more than the maximum reasonable amount that can be provided on site. The requirements of affordable housing obligations are considered to have been met and an early and late stage viability review will be secured by S106. Whilst only 10% of the homes will be family homes overall, the proportion of family homes in the affordable tenures (36% in the London Affordable Rent tenure and 27% in the shared ownership tenure) exceeds policy expectations and provides family accommodation where its local need is greatest. The benefits of the scheme, particularly the number and mix of Affordable homes that are proposed, are considered to outweigh the lower proportion of family sized homes.
- 6. Neighbouring amenity:** There would be a loss of light to some windows of surrounding buildings, which is not unusual for development of this scale. The impact is considered to be acceptable given the urban context of the site and in view of the wider regenerative benefits of the scheme.
- 7. Provision of a new Train Crew Accommodation and retail offer:** The development will include the provision of office, cafeteria and accommodation space for London Underground train drivers, replacing existing provision currently in a standalone building on the car park. The train crew accommodation will be a highly sustainable construction, achieving a BREEAM 'Excellent' rating. A small retail unit is also to be provided, which will help define an edge to the Olympic Square space adjacent to the station and expand the Wembley town centre retail offer.
- 8. Highways and transportation:** To encourage sustainable travel patterns, the scheme will be subject to Travel Plan monitoring and will be 'car-free' with the exception of residential blue badge parking spaces and bespoke parking for station and transport staff. Furthermore, the existing public blue badge parking at the station will be re-provided within this development. As part of the Travel Plan measures, the applicants will fund subsidised membership of a local car club for all residents for at least 3 years. A very significant cycle storage capacity is to be included to help encourage sustainable travel patterns. A financial contribution of £100,000 towards extending a controlled parking zone into the area is to be secured alongside the removal of rights for residents within the development to apply for parking permits (aside from blue badge holders). A financial contribution (£260,000) for bus service enhancements in the area, as required by TfL, will also be secured.
- 9. Trees, landscaping, public realm and ecology:** The development will widen the existing Brook Avenue pavement by setting the building line back from the current boundary line between the car park and Brook Avenue. 986sqm of public realm is to be gained from private land as part of the proposal. The proposal includes the loss of 9 existing trees which are generally of moderate to low quality but will include the planting of 22 trees on site, including 9 trees along Brook Avenue itself, resulting in a significant uplift in trees. The proposal will provide attractive internal and external landscaping, resulting in a good level of urban greening compared to the existing situation. Suitable ecological safeguards and enhancements have been proposed, particularly in relation to the adjacent site in nature conservation, and are considered acceptable. These measures will be secured through conditions.
- 10. Environmental impact, sustainability and energy:** The measures outlined by the applicant achieve the required improvement on carbon savings within London Plan policy, mainly through the use of thermal efficiencies that are beyond the minimum Building Regulations requirements and through the use of air source heat pumps that will provide 70% of residential energy demand and 100% of commercial energy demand. A carbon offsetting contribution (£338,654) will be secured to further mitigate environmental impact.

**Flooding and Drainage:** The site has a low flood risk but will incorporate sustainable drainage techniques to reduce surface water drainage rates at the site, including the use of green roofs and geo-cellular attenuation tanks.

## MONITORING

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

### Floorspace Breakdown

Primary Use	Existing	Retained	Lost	New	Net Gain (sqm)
-------------	----------	----------	------	-----	----------------

### Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
-------------	------	------	------	------	------	------	------	------	-----	-------

## RELEVANT SITE HISTORY

No relevant history.

## CONSULTATIONS

### Neighbour Consultation

- Letters were sent to 733 nearby properties on 01/04/2020.
- Site notices were erected outside the site and the tube station on 15/04/2020.
- A press notice was printed in the local press on 16/04/2020.
- Objections were received from 12 addresses.
- An objection was also received from Quintain Ltd.

The objections received are summarised and responded to as follows:

Ground of objection	Officer's response
The development will result in a loss of daylight and sunlight to surrounding properties	This is addressed at paragraphs 112 to 138.
The car park serves a function for important workers	This is addressed at paragraphs 139 to 145 and 234 to 242.
The car park is always full, demonstrating a need for more space not less	This is addressed at paragraphs 139 to 145.
The development would generate traffic and footfall in the local area	The scheme has been reviewed by the Council's highways officers and there is no concern that the development would generate an unsustainable traffic and footfall.  The scheme would largely be car-free (aside from disabled parking provision) within its residential component.
There are enough high rise blocks on Brook	The design of the development has been



Avenue	considered in its local context and in view of the local policy designations on the site.
The local infrastructure will struggle to cope with this number of new flats	A number of financial contributions are being sought to address local impacts of the development. These are summarised above within the 'recommendation' section.  The developer will pay a substantial sum towards the Community Infrastructure Levy (CIL), to providing funding for the infrastructure upon which developments rely.
Air quality will suffer as a result of the development	This is addressed at paragraphs 177 to 179.  The development will also be permit restricted with disabled parking only, likely resulting in fewer car journeys to and from the site than is the case at present, to the benefit of local air quality.
The maximum height (at 21 storeys) would be more than twice the height of the tallest building on Brook Avenue	This is addressed at paragraphs 44 to 52.
There will be an obstruction to local views	This is addressed at paragraphs 51 and 59 to 61.
There will be a period of disruption and noise associated with construction	This is addressed at paragraphs 186 to 187.
The site allocation within the Wembley Area Action Plan identifies a site capacity of c.100 homes rather than the c.450 proposed	This is addressed at paragraph 4.
The development does not have regard to the quality of the local place, taking into account physical context, local character and density	This is addressed at paragraphs 28 to 54.
The site is considered inappropriate for tall buildings within the Wembley Area Action Plan	This is addressed at paragraphs 43 to 51.
The development's massing does not transition effectively between the core of Wembley and suburban Wembley	This is addressed at paragraphs 43 to 51.
The development would have a significant detrimental impact on local character	This is addressed at paragraphs 28 to 55.
The site allocation within the emerging Local Plan specifies that the "up to ten storeys will be considered acceptable on the western side of the site, stepping up slightly directly adjacent to the station"	This is addressed at paragraphs 44 to 52.
The station is a wayfinder in itself and does not require a 21 storey building to highlight its prominence	This is addressed at paragraphs 44 to 52.
High density should not necessitate tall buildings	The design of the tall buildings is considered acceptable.

	This is addressed at paragraphs 28 to 55.
The development should not rely on the potential future context of Brook Avenue to be justified in design terms	The design of the development has been considered in its local context and in view of the local policy designations on the site.
Block E sits extremely close to the arch in the rendered views from Barn Hill and will be the only building to rise above the canopy of the stadium	This is addressed at paragraphs 63 to 64.
The development will impede local views including from Barn Hill Conservation Area and more local roads such as Beechcroft Gardens and Kingswood Road.	This is addressed at paragraphs 51 and 59 to 61.
There are not enough parking facilities for residents of the block. The development will likely lead to overspill parking and will put pressure on local parking capacity.	This is addressed at paragraphs 139 to 145.
The policy requirement to identify a capacity for 10% parking has not been addressed acceptably	This is addressed at paragraph 142.
The scheme is under-delivering on family sized homes compared to policy requirements	This is addressed at paragraphs 25 to 27.
The daylight and sunlight should be judged in a low density context given the character of Brook Avenue	The local context has been acknowledged in reaching a view on daylight and sunlight impact.  This is addressed at paragraphs 112 to 138 and summarised at paragraphs 137 to 138.
The development is resulting in the loss of too many trees, detracting from visual amenity and local ecology	The proposal is for an uplift in trees.  This is addressed at paragraphs 93 to 96.
There will be a loss of privacy to adjacent homes	This is addressed at paragraphs 73 to 74.
There is insufficient landscaping and the green areas will not be available and/or visible to wider public creating an overwhelming estate	This is addressed at paragraphs 91 to 96.  The planting plans include shrub and tree planting along the public realm of Brook Avenue.
The development will increase the potential for crime	The development will have high levels of natural surveillance through its use of widespread active frontages. Other public areas within the site (such as the older children's play area) will be well overlooked by a large number of homes.
There is a concern about the impact of the development on local property prices	This is not a material planning consideration.
The improvements shown to Olympic Square should be secured through a bespoke Section 106 obligation and not through the Community Infrastructure Levy (CIL)	This is addressed at paragraph 158.
The significant frontage along Brook Avenue comprised of bike stores results in significant stretches of inactive frontage	The bike store frontages are active.  This is discussed at paragraphs 35 and 54.

The development has a shortage of play space and amenity space	This is addressed at paragraphs 79 to 90.
The road has traffic throughout the day	This is not considered to be a concern in the context of this development.
The road surface along Brook Avenue is poor quality	This is not relevant to this development.
The block is not designed with green principles, there is no use of solar PV or renewable energy sources	The building will be highly sustainable. This is addressed at paragraphs 172 to 176 and 195 to 208.
The air quality assessment does not use up to date data.	The air quality report has been reviewed by Brent's Environmental Health team and is considered to be acceptable. The air quality report is discussed at paragraphs 177 to 179.  Environmental Health officers note this comment and acknowledge the air quality assessment's use of 2017 data, despite being written in March 2020. However, at the time of writing 2019 data was not available and the 2018 data has issues with low data capture. Therefore, the use of 2017 data is acceptable and it is understood that air quality levels have since improved so the 2017 data would provide a worst case scenario.
We have too many blocks that lay empty because residents cannot afford them.	The scheme is 40% comprised of affordable housing.

### **Internal Consultation**

#### **Environmental Health**

No objections subject to planning conditions to secure certain matters, as discussed at paragraphs x below.

#### **External Consultation**

##### **Thames Water**

No objections subject to a condition being imposed relating to piling.

##### **London Underground**

No objections to the development and no conditions required / recommended.

##### **Greater London Authority (GLA)**

The GLA made the following key comments:

<b>Comment</b>	<b>Officer's response</b>
Principle of development: The proposed scheme would deliver an optimised residential-led mixed use scheme within the Wembley Opportunity Area and is strongly supported in strategic terms in line with London Plan Policies 2.13 and 3.3 and Policies SD1 and H1 and objective GG2 of	Noted

the Mayor's intend to publish London Plan.	
Affordable housing: The scheme would deliver 40% affordable housing (49% London Affordable Rent: 51% shared ownership) and would qualify for the Fast Track Route and the GLA would support the scheme.	Noted
Heritage and urban design: Broadly supported and there would be no harm caused to the setting of nearby heritage assets or the composition of the local strategic view – Barn Hill to Wembley Stadium.	Noted.
Environment: Further information is required in relation to the non-domestic Be Lean target, overheating, future-proofing for connection to district heating, PV and heat pumps. A payment to the borough's offset fund of £338,654 is required and should be secured in the Section 106 agreement.	<p>The further information requested has been provided by the applicant and it has been agreed that this is suitable for addressing at a post-planning stage.</p> <p>The payment of the offset fund will be secured in a Section 106 agreement.</p>
Transport: A contribution of £260,000 towards bus capacity enhancement is sought. Consideration should be given to updating the Active Travel Zone assessment to reflect the routes specified by TfL and an agreement covering the funding of the improvements should be negotiated with the Council. Cycle parking and management plans should be secured by planning condition.	<p>The payment of the bus capacity contribution will be secured in a Section 106 agreement.</p> <p>The applicants have considered updating the Active Travel Zone assessment as per TfL's suggestion, although consider that their suggested route for improvements is already high quality with wide footways.</p> <p>Brook Avenue has been identified as the future location of a cycle quiet way. This project is to be funded through CIL contributions and further funding is not necessary.</p> <p>Brent also consider that such improvement works, were they to require funding, would not likely be needed to make the proposal necessary in planning terms given the wider benefits of the scheme, as needs to be demonstrated for a planning obligation to be sound.</p>

Transport for London (TfL)

TfL made the following key comments:

<b>Comment</b>	<b>Officer's response</b>
The car parking and cycle parking proposals are acceptable.	Noted.

An updated Active Travel Zone assessment should be undertaken which is robust and includes the routes that were specified by TfL during the pre-application.	The applicants have considered updating the Active Travel Zone assessment as per TfL's suggestion, although consider that their suggested route for improvements is already high quality with wide footways.  Please see the above comments about the cycle quiet way
Further details on the ramp design are required to confirm its suitability for pedestrians and wheelchair users.	This is to be secured by condition.
A Stage 1 Road Safety Audit should be carried out on the proposed vehicle access points.	This is addressed in paragraph 145 below.

### **Community Involvement**

The applicant's Design and Access statement includes details of the consultations undertaken with the community prior to the submission of the application. Two public consultation events were held in advance of submission, the first on the 29<sup>th</sup> and 30<sup>th</sup> January 2020 and the second on the 25<sup>th</sup> and 26<sup>th</sup> February 2020.

These consultation events were advertised through a flyer drop to around 1,570 local residents, community groups and businesses. Door to door outreach along Brook Avenue was also undertaken in raising awareness of this. The events were also advertised in the Brent and Kilburn times prior to each of the events. A mailshot was also sent to Oyster Card users who live in the immediate area and who had opted in to receive updates from TfL.

Fifty-six people attended the first set of meetings, including a local Councillor, a local head teacher, a representative from Wembley Stadium, TfL staff working on the site, local residents from Brook Avenue as well as the wider Wembley Area. Twenty-five people attended the second set of meetings, including a local Councillor, the secretary of Barnhill Residents' Association and Local residents from Brook Avenue, Barnhill and the wider Wembley area

In addition to the main public exhibitions, 25 local stakeholders were offered one to one meetings to discuss the proposal, including local councillors, MPs, London Assembly Member, businesses and community groups. Two meetings were held, one with Wembley Stadium representatives and one with the Leader of the Council, both in January 2020.

A telephone number voicemail and e-mail address were made available for local stakeholders to ask questions about the proposals. Three emails and two calls on the proposals were recorded.

The response from local residents, community groups and local representatives who expressed a view was largely reported to have been positive. The applicant's stakeholder engagement consultants report feedback having focussed on the following aspects:

- Support for redevelopment. There was general agreement among consultees that the site was in need of redevelopment and there was support for the benefits the scheme would deliver. At the first exhibition, on average 44 per cent of consultees strongly agreed or agreed with the principles of development such as affordable housing, public realm improvements and sustainable travel. This increased to 62.5 per cent at the second consultation, who indicated their overall support for the development.
- Car parking. Some attendees expressed concern with the lack of local parking options after the car-park is redeveloped. Questions surrounding blue badge parking provision were raised and consultees welcomed the retention of the 12 existing, publically accessible blue badge spaces as part of the new development.
- Height. At the first consultation, some consultees questioned the height of Block E and whether it would impact surrounding views for existing Brook Avenue residents. Nevertheless, some stakeholders and residents did recognise that the site is appropriate for development considering consented nearby

developments, such as the Quintain Masterplan and its location adjacent to a key transport node.

- Traffic and transport. Generally, consultees felt that the area had good transport links, given the site's proximity to Wembley Park Underground Station. The majority of respondents agree that encouraging walking, cycling and public transport use will help improve air-quality and relieve congestion in the area. The introduction of an improved pedestrianised environment along Brook Avenue was welcomed.
- Types of retail in the ground floor of block E. There was interest about the types of retail that would be provided in the ground floor of block E. Attendees generally stated that they would like to see a coffee shop, convenience store, juice bar or community space. Some attendees were against the idea of having a bar within the space as they wanted to restrict the sale of alcohol on the premises.
- Landscape and greenery. The majority of those who responded strongly agree that the improved public realm and green landscaping will be a welcome addition to this part of Wembley.
- Affordable Homes. The majority of respondents agree or are neutral about the provision of affordable housing in order to address the housing shortage in Brent.
- Servicing. Majority of the attendees were glad designated servicing bays will be provided to ensure the development will not add to the congestion along Brook Avenue.

## **POLICY CONSIDERATIONS**

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the 2010 Brent Core Strategy, the 2016 Brent Development Management Policies DPD, Wembley Area Action Plan 2015 and the 2016 London Plan (Consolidated with Alterations since 2011). Key relevant policies include:

### The London Plan (2016)

- 2.13 – Opportunity areas and intensification areas
- 3.3 - Increasing Housing Supply
- 3.4 - Optimising housing potential
- 3.5 – Quality and Design of Housing Development
- 3.6 - Children and young person's play and informal recreation facilities
- 3.8 - Housing Choice
- 3.12 - Negotiating affordable housing on individual private residential and mixed use schemes
- 5.2 - Minimising Carbon Dioxide emissions
- 5.3 – Sustainable Design and Construction
- 5.9 – Overheating and Cooling
- 5.10 – Urban Greening
- 5.12 - Flood Risk Management
- 5.13 - Sustainable Drainage
- 5.15 - Water Use and Supplies
- 6.3 - Assessing effects of development on transport capacity
- 6.9 – Cycling
- 6.13 – Parking
- 6.14 – Freight
- 7.2 - An inclusive environment
- 7.4 – Local Character
- 7.5 – Public Realm
- 7.6 – Architecture
- 7.7 – Location and Design of Tall and Large Buildings
- 7.8 – Heritage Assets and Archaeology
- 7.14 – Improving Air Quality
- 7.15 – Reducing and Managing noise, improving and enhancing the acoustic environment and promoting appropriate townscapes
- 7.19 – Biodiversity and Access to Nature
- 7.21 – Trees and Woodland

### Brent Core Strategy (2010)

CP1: Spatial Development Strategy  
CP2: Population and Housing Growth  
CP5: Placemaking  
CP6: Design & Density in Place Shaping  
CP7: Wembley Growth Area  
CP19: Brent Strategic Climate Change Mitigation and Adaptation Measures  
CP21: A Balanced Housing Stock

#### Brent Development Management Policies (2016)

DMP 1: Development Management General Policy

DMP 7: Brent's Heritage Assets  
DMP 9: Waterside Development  
DMP 9 A: Managing Flood Risk  
DMP 9 B: On Site Water Management and Surface Water Attenuation  
DMP 11: Forming an Access on to a Road  
DMP 12: Parking  
DMP 13: Movement of Goods and Materials  
DMP 15: Affordable Housing  
DMP 18: Dwelling Size and Residential Outbuildings  
DMP 19: Residential Amenity Space

#### Wembley Area Action Plan (2015)

WEM 1 – Urban Form  
WEM 2 – Gateways to Wembley  
WEM 3 – Public Realm  
WEM 5 – Tall Buildings  
WEM 6 – Protection of Stadium Views  
WEM 8 – Securing Design Quality  
WEM 14 – Car Parking Strategy  
WEM 15 – Car Parking Standards  
WEM 16 – Walking and Cycling  
WEM 18 – Housing Mix  
WEM 19 – Family Housing  
WEM 24 – New Retail Development  
WEM 30 – Decentralised Energy  
WEM 32 – Urban Greening  
WEM 33 – Flood Risk  
WEM 34 – Open Space Provision  
WEM 35 – Open Space Improvements  
WEM 38 – Play Provision  
Site W 22 – Wembley Park Station Car Park

All of these documents are adopted and therefore carry significant weight in the assessment of any planning application.

In addition, the Examination in Public for the Draft New London Plan has been completed and the Panel Report has been received by the GLA. The GLA have now released a "Intend to publish" version dated December 2019. This carries substantial weight as an emerging document that will supersede the London Plan 2016 once adopted.

Relevant policies in the 'intend to publish' London Plan include:

D1 London's form, character and capacity for growth  
D2 Infrastructure requirements for sustainable densities  
D3 Optimising site capacity through the design-led approach  
D4 Delivering good design  
D5 Inclusive design  
D6 Housing quality and standards  
D7 Accessible housing  
D8 Public realm

D9 Tall buildings  
D10 Basement development  
D11 Safety, security and resilience to emergency  
D12 Fire safety  
D14 Noise  
H1 Increasing housing supply  
H4 Delivering affordable housing  
H5 Threshold approach to applications  
H6 Affordable housing tenure  
H10 Housing size mix  
S4 Play and informal recreation  
E11 Skills and opportunities for all  
HC3 Strategic and Local Views  
G1 Green infrastructure  
G5 Urban greening  
G6 Biodiversity and access to nature  
G7 Trees and woodlands  
SI 1 Improving air quality  
SI 2 Minimising greenhouse gas emissions  
SI 3 Energy infrastructure  
SI 4 Managing heat risk  
SI 5 Water infrastructure  
SI 12 Flood risk management  
SI 13 Sustainable drainage  
T1 Strategic approach to transport  
T2 Healthy Streets  
T3 Transport capacity, connectivity and safeguarding  
T4 Assessing and mitigating transport impacts  
T5 Cycling  
T6 Car parking  
T7 Deliveries, servicing and construction

The council is currently reviewing its Local Plan. Formal consultation on the draft Brent Local Plan was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between 24 October and 5 December 2019. At its meeting on 19 February 2020 Full Council approved the draft Plan for submission to the Secretary of State for examination. The examination of the draft took place between 28<sup>th</sup> September and 16<sup>th</sup> October 2020, although the Inspectorate's recommendations arising from the examination are not yet published. Therefore, having regard to the tests set out in paragraph 48 of the NPPF it is considered by Officer's that greater weight can now be applied to policies contained within the draft Brent Local Plan. Relevant policies include:

**General:**

DMP1 – Development Management General Policy

**Place:**

BP1 – Central  
BCGA1 – Wembley Growth Area  
BCSA7 – Wembley Park Station (North & South)

**Design:**

BD1 – Leading the way in good design  
BD2 – Tall buildings in Brent  
BD3 – Basement Development

**Housing:**

BH1 – Increasing Housing Supply  
BH2 – Priority Areas for Additional Housing Provision within Brent  
BH5 – Affordable Housing  
BH6 – Housing Size Mix



BH13 – Residential Amenity Space

**Economy and Town Centres:**

BE1 – Economic Growth and Employment Opportunities for All

**Heritage and Culture:**

BHC1 – Brent’s Heritage Assets

BHC2 – National Stadium Wembley

**Green Infrastructure and Natural Environment:**

BGI1 – Green and Blue Infrastructure in Brent

BGI2 – Trees and Woodland

**Sustainable Infrastructure:**

BSUI1 – Creating a Resilient and Efficient Brent

BSUI2 – Air Quality

BSUI3 – Managing Flood Risk

BSUI4 – On-site Water Management and Surface Water Attenuation

**Transport:**

BT1 – Sustainable Travel Choice

BT2 – Parking and Car Free Development

BT3 – Freight and Servicing, Provision and Protection of Freight Facilities

BT4 – Forming an Access on to a Road

The following are also relevant material considerations:

The National Planning Policy Framework (revised 2019)

Mayor of London's Affordable Housing and Viability SPG 2017

Mayor of London's Housing SPG 2016

SPD1 Brent Design Guide 2018

Basements SPD 2017

## **DETAILED CONSIDERATIONS**

### **Principle of development**

1. Policy 3.3 of the London Plan and Policy GG2 of the draft London Plan both identify the optimisation of land, including the development of brownfield sites, as a key part of the strategy for delivering additional homes in London. This is supported within policy CP2 of Brent’s Core Strategy 2010, which requires the provision of at least 22,000 additional homes to be delivered between 2007 and 2026. Furthermore, the current London Plan includes a minimum annual monitoring target for Brent at 1,525 additional homes per year between 2015 and 2025. This target is proposed to increase to 2,325 for the period 2019/20-2028/29 in Policy H1 of the draft London Plan recognising the increasing demand for delivery of new homes across London. Emerging local plan policy BH1 reflects this target.
2. Within local policy, Brent Policy CP8 sets out a target of at least 11,500 new homes being delivered in the Wembley Growth Area between 2010 and 2026, however since the Core Strategy was adopted in 2010, this target has been significantly increased to more than 15,000 homes across the same growth area within the emerging Local Plan (policy BP1). Whilst the development meets the requirements of Core Strategy policy CP2 in principle, the need for housing has increased significantly since the adoption of this policy in 2010 and these increasing targets necessitate the need for a greater delivery of homes within Brent than is anticipated in adopted policy.
3. The site relevant to this application sits within the Wembley Area Action Plan Area, the Wembley Growth Area, the Wembley Housing Zone although sits just outside of the designated Wembley town centre boundary. The site is specifically allocated by the Council for mixed but residential-led uses in both the adopted 2015 Wembley Area Action Plan (Site W22, with an indicative capacity of 100 residential units) and site allocation BCSA7 in the emerging Local Plan (with an increased indicative capacity of 400

residential units). Brent's emerging site specific allocation suggests an appropriate development of the site could involve the site being "intensified to provide a mixed-use scheme which co-locates TfL's commercial space with a significant number of new dwellings". The emerging site allocation includes two sections, a northern section which covers defunct railway sidings on the northern side of the railway and a southern section which covers the station car park on the southern side of the railway. This site comprises the southern half of the allocation.

4. The development proposed is in line with that anticipated in the emerging site allocation, proposing TfL drivers' accommodation and 454 residential units. In addition, a retail unit is proposed at ground floor level at the eastern end of the site, close to Olympic Square. The proposed quantum of residential units exceeds that indicated within the adopted Wembley Area Action Plan site allocation however the substantial size of the site is acknowledged and the changed context from 2011 in terms of housing pressure and projected housing numbers as set by the GLA has significantly changed the context within which the allocation brief must be seen. The revised indicative capacity of 400 within the emerging Local Plan reflects this changed context. It is acknowledged that the proposal is in excess of the indicative draft site capacity (across both north and south sites, whilst this proposes to exceed the target on the south site alone). However, it should be noted that the site capacities within policies are only indicative and the scheme would deliver a significant number of homes which would make a significant contribution towards identified housing need for both private and affordable homes. The increase in the number of new homes, above the indicative capacity within the allocation is therefore considered to be a benefit of the scheme and supported in principle subject to the consideration of the remainder of the material planning considerations. The emerging London Plan places emphasis on site capacity being optimised through a design-led approach and this is set out in full in draft policy D3. This shifts the policy focus away from a quantitative density matrix approach (as is set out in the adopted London Plan) and more towards a qualitative approach that seeks to confirm suitable development density through the achievement of a proposal that is demonstrably of a high quality and which is well designed.
5. The uses proposed on the site are as follows:
  - 454 new homes
  - 1,101sqm of TfL offices/drivers' accommodation (use class Sui Generis)
  - 115sqm of retail (use class E)
6. The proposal is largely formed of new residential units but also includes 1,101sqm of TfL Train Crew Accommodation (TCA) office and welfare accommodation which would include an ancillary cafeteria for the drivers at first floor level. Given that this floor space would be for the bespoke, exclusive use of TfL and would not form market commercial space it is considered to form Sui Generis floor space rather than B1/E(g) floor space. The existing site includes a Train Crew Accommodation within a single operational building adjacent to the car park. The proposal would seek to remove these buildings and replace them within the new building, occupying the first three floors of the proposed building closest to the station. Given the location of the site immediately adjacent to Wembley Park Station, the need for such accommodation for the exclusive use of TfL is accepted and is reflected as such in the site allocation and is therefore supported in principle. The drivers' accommodation would be for the use of Jubilee Line drivers and would be linked to a staff only footbridge which would link the drivers' accommodation with the London Underground platforms at Wembley Park.
7. Finally, a general retail unit within the E use class is proposed, forming another element of active frontage at the main corner of the proposed building closest to the station and Olympic Square. The retail unit would be small scale (115sqm) and would add to the provision of retail within Wembley Town Centre, as such it would accord with the requirements of relevant town centre retail policies, those being adopted policies CP16 and DMP2 and emerging policy BE4.
8. Overall, the development is supported in principle and is considered to be appropriately compliant with key strategic policies relating to housing and retail, both adopted and emerging.

### **Affordable housing and unit mix**

#### **Adopted affordable housing policy**

9. London Plan policy 3.12 requires boroughs to seek the maximum reasonable amount of affordable housing, taking account of a range of factors including local and regional requirements, the need to encourage rather than restrain development and viability. The policy requires boroughs to take account of

economic viability when negotiating on affordable housing, and other individual circumstances.

10. Adopted DMP policy DMP 15 confirms the Core Strategy target (policy CP2) that 50% of all new homes in the borough will be affordable. The maximum reasonable amount will be sought on sites capable of providing 10 units or more, such as this scheme. 70% of new affordable housing should be social/affordable rented housing and 30% intermediate housing at affordability levels meeting local needs. Where a reduction to affordable housing obligations is sought on economic viability grounds, developers should provide a viability appraisal to demonstrate that schemes are maximising affordable housing output.

Emerging affordable housing policy

11. The emerging London Plan (Intend to Publish Version) affordable housing policy (H4, H5 and H6) sets out the Mayor's commitment to delivering "genuinely affordable" housing and that the following split of affordable housing provision is applied to development proposals:

- A minimum of 30% low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent or London Affordable Rent)
- A minimum of 30% intermediate products
- 40% to be determined by the borough based on identified need

12. Brent's emerging local plan policy (BH5) is similar to DMP15 in the adopted plan, but sets a strategic target of 50% affordable housing while supporting the Mayor of London's Threshold Approach to applications (policy H5), with schemes delivering at least 35% (or 50% on public sector land / industrial land and that propose a policy compliant tenure split) not viability tested at application stage. Brent Policy BH5 sets a target of 70% of those affordable homes being for social rent or London Affordable Rent and the remaining 30% being for intermediate products. This split marries up with the Draft London Plan H6 policy by design, with Brent having considered that the 40% based on borough need should fall within the low cost rented homes category, bringing Brent's target split across both emerging policies as 70% for low cost rented homes (Social rent or London Affordable Rent) and 30% for intermediate products.

13. The policy requirements can be summarised as follows:

Policy context	Status	% Affordable Housing required	Tenure split		
Existing adopted policy	Adopted	Maximum reasonable proportion	70 % Affordable Rent (to 80 % Market)	30 % Intermediate	
Emerging London Plan	Greater weight	Maximum reasonable proportion	30 % Social / London Affordable Rent	30 % Intermediate	40 % determined by borough
Emerging Local Plan	Limited weight	Maximum reasonable proportion	70 % Social / London Affordable Rent	30 % Intermediate	

14. The recommendations following the examination of Brent's draft Local Plan has yet to be released by the Planning Inspectorate and as such the adopted DMP15 policy would carry considerably more weight than the emerging policy at present. The draft London Plan is at a more advanced stage than Brent's emerging Local Plan and has been subject to comments from the Planning Inspectorate. Whilst concerns have been raised about some London Plan draft policies by the inspectorate, none of those concerns relate to these policies and it can therefore be considered that this draft policy carries reasonable weight at this stage.

Initial affordable housing offer

15. The applicant's initial affordable housing offer saw 43% of the development offered as affordable housing when measured by unit numbers (50% as measured by habitable room numbers), with 34% of this housing comprised of London Affordable Rented housing and the other 66% comprised of shared ownership housing. The applicant's supporting financial viability assessment did indicate that this offer would return a deficit of £4.09m and therefore represented more than the maximum reasonable amount

of affordable housing. Nonetheless, the above offer fails to meet a key requirement of adopted and emerging affordable housing policy, namely; the offer does not target a policy compliant tenure split for 70% of the affordable housing to be low cost or affordable rented housing and for 30% of the affordable housing to be intermediate affordable housing, instead targeting close to the reverse split compared to this requirement which forms part of the adopted DMP15 policy and emerging policy BH5. This initial affordable housing offer is set out below:

	Private	London Affordable Rent	Shared Ownership	Total
Homes	261	62	133	456
%	57.2 %	13.6 %	29.2 %	

#### Revised affordable housing offer

16. Officers appointed BNP Paribas to make its own assessment of the scheme's financial viability and as part of the appraisal to identify an alternative affordable housing offer which targeted the policy compliant tenure split and which would not result in a financial deficit to the applicant. The BNP Paribas analysis identified that an affordable housing offer as set out below would likely return a small surplus (of £0.06m) and would therefore represent an offer that is the maximum reasonable amount of affordable housing if provided in line with adopted and emerging policy.

	Private	London Affordable Rent	Shared Ownership	Total
Homes	351	73	32	456
%	77.0 %	16.0 %	7.0 %	

17. This offer represents 23% affordable housing measured by unit, and a 70:30 tenure split ratio between London Affordable Rent : Shared Ownership. Compared with the applicant's original offer it would result in the delivery of 11 additional London Affordable Rented homes, for which there is a significant need in the borough.

18. Whilst this offer would satisfy the requirements of Brent's emerging affordable housing policy BH5 since it offers a suitably low cost rented product at a policy compliant tenure split, the offer falls short of the GLA's threshold approach identified within emerging London Plan policy H6, whereby applications can be 'fast-tracked' without further FVA scrutiny if proposing 35% affordable housing (as measured by habitable room) when targeting an H6 compliant tenure split (set out above). Furthermore, the site forms part of the Mayor's portfolio which has a mandate to deliver 10,000 homes on TfL land across London, and for these homes to achieve a 50% affordable provision on average. Given these factors, the applicants have opted to increase the affordable housing offer from the base revised offer identified above to the following:

	Private	London Affordable Rent	Shared Ownership	Total
Homes	302	73	79	454
%	66.5 %	16.1 %	17.4 %	

19. This offer proposed by the applicant represents 34% affordable housing measured by unit and 40% affordable housing measured by habitable room. While it represent a 48:52 tenure split ratio between London Affordable Rent : Shared Ownership measured by unit (49:51 by habitable room), it reflects the provision of the maximum reasonable amount of affordable housing (in line with adopted policy) plus 47 additional Shared Ownership homes, with the latter resulting in reduced levels of profit. Accommodating this offer required some amendments to the layout of one of the blocks which has reduced the total number of homes proposed from 456 to 454. The applicants have also modelled their revised offer in financial terms, with the modelling showing that the revised offer is projected to return a deficit of £5.29m, greater than that of the original offer.

20. The applicant's revised affordable housing offer is fully broken down by unit and habitable room below:

#### *Revised offer (units)*

Unit type	Private	London Affordable Rent units	Shared Ownership units	Total
Studio	57	0	1	58 (12.7%)
1 bedroom	114	22	26	162 (35.7%)
2 bedroom	131	25	31	187 (41.2%)
3 bedroom	0	26	21	47 (10.4%)
<b>Total</b>	<b>302 (66.5%)</b>	<b>73 (16.1%)</b>	<b>79 (17.4%)</b>	<b>454 (100%)</b>
<b>Affordable: 33.5%</b>		<b>48.0%</b>	<b>52.0%</b>	

*Revised offer (habitable rooms)*

Unit type	Private	London Affordable Rent units	Shared Ownership units	Total
Studio	57	0	1	58 (5.1%)
1 bedroom	228	44	52	324 (28.7%)
2 bedroom	393	75	93	561 (49.6%)
3 bedroom	0	104	84	188 (16.6%)
<b>Total</b>	<b>678 (60.0%)</b>	<b>223 (19.7%)</b>	<b>230 (20.3%)</b>	<b>1,131 (100%)</b>
<b>Affordable: 40.0%</b>		<b>49.2%</b>	<b>50.8%</b>	

21. Officers welcome the applicant's proposed uplift beyond the demonstrated maximum reasonable amount of affordable housing, incorporating 47 additional shared ownership units beyond that which was identified as the maximum reasonable amount of affordable housing when achieving a policy compliant tenure split. The additional homes which have been offered result in the overall tenure split of the affordable housing becoming more weighted towards shared ownership, however, the offer incorporates all of the components of the identified maximum reasonable tenure split policy compliant offer identified within the BNP Paribas modelling and can therefore be assuredly confirmed as an offer that is in excess of the maximum reasonable amount of affordable housing when targeting a policy compliant tenure split. The affordable housing offer is also compliant with the tenure split requirements set out in policy H6 of the emerging London Plan as it provides at least 30% of its affordable housing as Low Cost Rented housing (London Affordable Rent) and at least 30% of its affordable housing as intermediate (shared ownership housing).
22. Officers acknowledge that the revised proposal results in fewer affordable homes overall compared with the original proposal, however, the benefits of the uplift in London Affordable Rented homes is considered to significantly outweigh the overall reduction in affordable housing which solely relate to the shared ownership tenure, for which a lesser need is identified in policy. For clarity, the scheme has seen a 22% reduction in the number of affordable housing units being offered (from 195 to 152), but, as part of this, an 18% uplift in the number of London Affordable Rented units (from 62 to 73), which is afforded significant weight. Officers consider that the applicant's revised affordable housing offer is now compliant with all relevant affordable housing policy, contrary to the initial offer, and would be of greater benefit to Brent residents compared with the applicant's initial affordable housing offer.
23. Despite the offer being acceptable (and thus exceeding the maximum reasonable amount of affordable housing that the site can deliver), the offer falls short of the 50% target set out in policy DMP15 and a late stage review mechanism will therefore be secured in a s106 agreement to capture any uplift in affordable housing. An early stage review will also be applied to ensure that changes in market conditions can be accounted for if the development is not implemented within two years.
24. The location and distribution of the tenures across the scheme is detailed below in paragraphs 37 to 42.

#### Wider acceptability of tenure mix

25. Brent's core strategy policy CP2 and Wembley Area Action Plan policy WEM19 seeks for at least 25% of homes to be family sized (three bedrooms or more). Brent's emerging policy BH6 within the draft Local Plan carries forward this same target, but requires 1 in every 4 homes on individual sites to be family sized units. The proposal achieves a proportion of family sized accommodation (10%) although this is significantly short of the 25% target.
26. Whilst acknowledging the shortfall, it is strongly welcomed that the applicant's affordable housing offer assigns all of the scheme's family sized units to the affordable tenures where need is greatest. In demonstrating this, 100% of the scheme's family accommodation sits within the affordable tenures block

and 31% of the scheme's affordable housing is comprised of family sized homes when measured by unit (36% in the London Affordable Rented tenure and 27% in the shared ownership tenure). When measured by habitable room, 42% of the scheme's affordable housing is comprised of family sized homes with this proportion being 47% in the London Affordable Rented tenure and 37% in the shared ownership tenure.

27. In the context of market driven residential development, officers acknowledge the reality of there being a fine balance to strike between scheme viability and family home provision, with a greater percentage of three bedroom homes (which have lower £/sqft values compared with smaller units) generally resulting in less viability for affordable housing provision. On balance, the impacts associated with the lower (10%) provision of family homes are considered to be outweighed by the benefits associated with the significant proportion of affordable housing within the scheme, significantly beyond the maximum viable amount, and given the significant over-representation of the family accommodation within the affordable tenures.

## **Design**

28. Brent's DMP1 policy and SPD1 guidance set out the policy objectives and general requirements for good design in the built environment. Overall, officers consider that the proposal responds positively to this policy and guidance context and the specific elements of its design including: general layout, public realm, height and massing and architecture/materiality are discussed in the following sections.

## **Layout**

29. The development site has significant length, fronting Brook Avenue to its south west, although is relatively narrow. The proposal has sought to arrange development on the site in the form of five residential blocks with modest floorplates, each separated by expanses of space between 18 metres and 22 metres in depth. At ground floor level the five blocks are proposed to be connected together through a podium base slab.
30. The podium base slab would contain residential units fronting Brook Avenue within its southern half and the covered car parking area within the northern half. The two accesses to this car park will also be provided at ground floor level at either end of the development site. In between the residential units at ground floor level, main residential entrances will be provided at the base of each of the five blocks that rise above the podium. Cycle and refuse storage will also be provided just inside the entrances to these residential blocks with the cycle storage designed to front directly onto Brook Avenue providing additional animation and natural surveillance of the street.
31. Atop the podium base slab, at first floor level, a large podium garden would be provided for the use of all residents. The garden space would be split into four separate garden areas with different characters. These garden spaces would be connected by semi-covered walkways at the southern edge of the building with each of the residential blocks cantilevering over these walkways.
32. Above the first floor, the development separates into its five separate blocks which would each extend upward to a maximum of 13 residential storeys in the case of blocks A and B (although the 13<sup>th</sup> floor of Block A is not proposed as a residential storey and would instead contain the plant for the development's air source heat pumps), 14 storeys in the case of Block C, 17 storeys in the case of block D and 21 storeys in the case of Block E. Between blocks D and E, an additional connecting block is proposed which would sit atop part of the easternmost podium garden and extend upward from the podium by 6 storeys. This connecting block would contain additional homes and would be provided with a rooftop garden at the 7<sup>th</sup> storey level, for the use of residents in both blocks D and E.
33. Each of the 5 blocks would see a reduction in massing part way up, with Blocks A and B reducing in massing above their 6<sup>th</sup> storeys, Block C reducing in massing above its 8<sup>th</sup> storey, Block D reducing in massing above its 11<sup>th</sup> storey and Block E reducing in massing above its 15<sup>th</sup> storey. These reductions in massing enable the delivery of large rooftop amenity spaces for certain units located at the points where the massing reduces. Block A, the block with the least massing would be located toward the western end of the site, closer to the lower scale context along Brook Avenue whilst Block E with the greatest massing would be located at the eastern edge of the site, adjacent to the existing station building.
34. Unlike the other blocks, the first three levels (ground to 2<sup>nd</sup>) in Block E would contain commercial floor space. The south eastern corner of Block E would have a dual aspect frontage containing a 115sqm

retail unit within the E use class on its ground floor. Behind this retail unit in the northern part of the ground floor of Block E would be the Train Crew Accommodation (TCA) which would be rehoused from a single building in the car park (Crown House). The TCA space would include offices, changing facilities and a canteen/kitchen bespoke to London Underground operations. The TCA space would also include, from the ground floor, access to an external walkway which would enable a direct connection to Wembley Park Station for staff only. The TCA space would also occupy most of the first and second floors of Block E, although the residential core in Block E would still provide access to one unit on the first floor and one unit on the second floor within the link block from Block E itself. Above the 2<sup>nd</sup> floor, Block E would be fully residential in terms of proposed use. Block E is also the only block to contain a basement level. The basement would be modest in size and would house the commercial sprinkler tank room and the wet riser for the Block. The basement would therefore only need to be accessed for maintenance purposes.

### Public Realm

35. In terms of providing a good quality external environment for residents and passers-by, active frontages have been maximised at street level. A significant extent of the ground floor frontage to Brook Avenue has been activated, including the commercial frontage at Block E, the five clearly defined entrances to the residential cores of each block, the residential units fronting Brook Avenue (including 2 metre wide front garden spaces to them) and the glazed frontages to the ground floor cycle stores. This would leave the less active parts of the frontage as the two vehicular entrances to the car park, the bin store frontages and one narrow plant room frontage servicing block E. It is considered that the active frontages have been reasonably maximised within the development, with the vehicular access and bin stores needing to be provided as street fronting elements for ease of access by both building users and refuse collection contractors but together only forming small gaps that are few and far between in an otherwise active frontage to Brook Avenue. The ground floor units front onto the street and are accessible from the street rather than from the cores. This will increase street activity and further embed a residential character. Appropriate defensible spaces, which form part of the landscaping plan, will establish a suitable soft landscaped privacy buffer between the ground floor residential windows and the public street environment.
36. The development site would include the provision of new public realm along Brook Avenue, inclusive of incidental play spaces to further encourage street activity. The development's frontage would be stepped back from the existing boundary between the public footway and the car park site on Brook Avenue resulting in a substantial increase in public realm and a widening of Brook Avenue. The widening would be by no less than 2 metres along the full extent of the frontage and as wide as 5 metres at some points along the frontage. This would result in a gain of public realm along Brook Avenue of 986sqm, and would be of benefit to the quality of the public realm and enhance active travel potential, in line the aspirations of the emerging London Plan policy T2. As part of the public realm gain, the part of the site which sits to the rear of no's 50 and 51 Brook Avenue will be landscaped so as to provide a more enclosed play space aimed at older children (12+). A new substation will also be provided here as part of the development – this will be tucked away and will not be easily visible from the street. Part of the rear play space will be shared with the access to the residents' car park and a robust schedule of measures will need to be submitted by condition to demonstrate how the play space and residents' car park access will be safely integrated. The applicants set out that servicing will be in the form unencumbered 24/7 access for UKPN (the operator) with space to park a suitable vehicle in front of the substation in the event that the transformer is replaced. Furthermore, an extensive landscaping proposal has been submitted incorporating street tree planting and numerous landscaping features.
37. The building has been designed so that the character of the frontage shifts as one travels west along Brook Avenue from Block E to Block A. Block E is to be fronted by a large triple height colonnade framing the commercial extent of the development within its first three floors. Blocks D, C and B will be fronted by double height colonnades rising up to frame the cantilevered walkways between the gardens separating these blocks at first floor level and Block A will not be provided with a colonnade feature. This will result in the character of the development transitioning from a more civic feel closer to the focal point of the development around the station to a more domestic feel closer to the periphery of the site and its proximity to the lower scale developments along the northern side of Brook Avenue.

### Distribution of tenure

38. The 73 London Affordable Rented flats within the scheme are to be located in the following parts of the development:

- 7x flats directly accessed from the street at ground floor level at the bases of Blocks A, B, C and D
  - 60x flats comprising all of the units accessed internally within Block A
  - 6x flats accessed internally within Block B at first and second floor levels, accessed from a dedicated core for the tenure
39. The 79 Shared Ownership units within the scheme are to be located in the following parts of the development:
- 56x flats accessed internally within Block B, comprising all of the units accessed internally within Block B aside from the 6x London Affordable Rented flat located across the first and second floors
  - 11x flats accessed internally within Block C, comprising all of the first and second floor flats within Block C
  - 12x flats accessed internally within Block D, comprising most of the first and second floor flats within Block D
40. The 302 private units within the scheme are to be located across the remaining parts of the development, as follows:
- 60x flats accessed internally within Block C, comprising all of the units within Block C between the third and thirteenth floors
  - 98x flats accessed internally within Block D, comprising some of the units at the first and second floors and all of the units between the third and sixteenth floors
  - 144x flats accessed internally within Block E, comprising all of the residential units within Block E
41. Each of the flats is accessed through one of the 5 main residential entrances to each building from Brook Avenue, or, in the case of the 7 street fronting London Affordable Rented (LAR) units, directly from Brook Avenue itself. However, occupants of the 6 LAR flats in Block B would enter the development via the Block A entrance, ascend to the first floor podium level and cross over a part of the landscaped podium in order to access a dedicated lift/stair core which is separate from the other core in Block B which serves the 56 shared ownership flats from the ground level. The dedicated core would provide access to the 6 LAR flats across parts of the first and second floors of Block B only. This arrangement will continue to ensure self-containment of the London Affordable Rented accommodation for management purposes and is therefore accepted. Occupants of the 6 LAR flats in Block B will not have access to the ground floor of Block B (except in an emergency), so to ensure that occupants of LAR flats in Block B still have a suitable means of disposing of refuse, a bin chute room is proposed on the first floor of Block B's dedicated LAR core. The bin chute will collate waste in an intermediate waste storage area at ground floor which will be manually moved to the road side collection point by the building management. Additionally, to enable access to the bicycle storage for residents of LAR units in Block B, a dedicated street entrance to the Block B bicycle store is proposed from Brook Avenue, whereas the other blocks' bicycle stores will only be accessible from within the core. Whilst the London Affordable Rented flats will be a self-contained element of the development, the other affordable tenure will be intermixed with the private units of the development and residents of all tenures within the scheme will have equal access to the first floor landscaped podium. The development will therefore facilitate social cohesion between the different tenures.
42. All of the blocks in the development are to be provided with very similar visual treatment and entrance areas, resulting in there being minimal visual differences between the solely affordable blocks (A and B), blocks where accommodation is mixed between private and affordable tenures (C and D) and the solely private block (E).
43. The applicants have set out a phasing sequence for the development. Blocks A and B will come forward first, resulting in most of the scheme's affordable housing being delivered before any private housing is



delivered, followed by Block E, Block C and finally Block D. A number of the conditions will be worded so as to accommodate this phasing sequence. A condition will also require a full plan of the phasing to be submitted to and approved in writing by the Local Planning Authority prior to works commencing.

#### Scale, height, massing and design of the development within its local context

44. Policy WEM5 of the adopted Wembley Area Action Plan (2015) supports the development of tall buildings (defined as being 10 storeys or greater) on the basis of its site specific tall buildings strategy. This site in the Wembley Area Action Plan is shown as a site which is inappropriate for tall buildings under WEM5 criteria, although is close to sites which are appropriate for tall buildings including the Premier Inn site on the opposite corner of Brook Avenue, the College of North West London site, the 1 Olympic Way site and the Michaela School site.
45. The emerging London Plan (which at this stage can be afforded significant weight) identifies public transport nodes as preferred areas in which to maximise additional development opportunities, as these generally present as the most sustainable locations for such growth,
46. It is clear that this policy direction has informed Brent's emerging Local Plan. Draft policy BD2 of the emerging Local Plan (which has been subject to examination and is intended to be adopted later this year, or early next year) directs tall buildings to the locations shown on the policies map in Tall Building Zones, intensification corridors, town centres and site allocations. This site sits within the tall building zone. Furthermore, the emerging site allocation within Brent's emerging Local Plan notes that development coming forward on this plot should be denser than the surrounding suburban character. The allocation states that the site is suitable for taller buildings of up to 10 storeys at the eastern end of the site allocation. This would be subject to detailed design analysis showing no unduly adverse impacts and a satisfactory relationship in terms of scale and massing.
47. Whilst the Wembley Area Action Plan (WAAP) forms part of the development plan for the area, as it is the adopted policy, the emerging changes to policy as observed within BD2 of the emerging Local Plan are to be acknowledged and stand testament to the substantial increase in housing targets that have come into relevance since the publishing of the WAAP. Furthermore, emerging London Plan policy can now be afforded substantial weight and the sustainability of this location immediately adjacent to Wembley Park Station would identify it as a preferred site for maximising development opportunities. Wembley Park Station is the only tube station in Brent to be served by more than one London Underground line and its 6a PTAL rating underlines its sustainability.
48. Whilst emerging policy would indicate that a tall building would be acceptable in principle on this site, it is acknowledged that the emerging site allocation envisages a maximum height of 10 storeys at the eastern end of the site being developed. Given that the proposal seeks consent for a development of up to 21 storeys at the eastern end of the site, in considerable excess of the expectations of the allocation, the suitability of the proposed heights of the buildings clearly presents itself as a key consideration for this development. Officers would note that this site's setting is at the edge of a town centre and growth area and within a transitional area between a high density, urban environment to the South East and a lower density suburban environment to the North West.
49. Officers acknowledge that an urban/suburban transition zone has been strongly established along Brook Avenue, formed of the Premier Inn, Wealdstone Court and Pearce House on the west side of Brook Avenue and Smith House, Best House, Yashin House and Moss House on the east side of Brook Avenue, further north of the car park site. All other development along Brook Avenue is formed of two storey semi-detached suburban dwellings in the traditional Metroland style (although some weight is given to the fact that all of these houses are within a draft development allocation in Brent's emerging plan). This development corridor has established a strong identity for the road which enables it to relate well to its surroundings.
50. The Mayor's inclusion of Brook Avenue within the Wembley housing zone has established a justification for replacement of the traditional family housing with higher density residential blocks, whilst the tall buildings designation has ensured that such densification has occurred in a way that respects the transitional, edge of centre location of the road. Officers would continue to support the development for a linear residential development that adheres to the established character of the road. Officers would find it justifiable to support additional massing at the southern end of the site, given the proximity to a transport node and the continually increasing pressure for housing as reflected in regional policy compared to that which was apparent at the point of adoption for the WAAP.

51. The buildings proposed would serve as both a place-marker for the station but also effectively transition away from the denser core of Wembley Park across Bridge Road whilst also respecting the key viewing corridor of the stadium within which it sits. The height of this apex point of the development is acknowledged as significant and that it is taller than envisioned within the draft site allocation in general design terms. Nonetheless, officers give weight to the benefits of the scheme (including 40% affordable housing provision) and other policy requirements such as the Mayor's housing SPG seeking densification of car free development around public transport hubs and consider that the proposed height of the building strikes a good balance between the competing requirements. A significant reduction in height from 30 storeys at this scheme's initial pre-app stage is also acknowledged and has resulted in a building which establishes a reasonable maximum height which balances the townscape and visual impact considerations with the benefits of the housing delivery. The applicant's submitted Townscape and Visual Impact Assessment identifies a number of local views away from Brook Avenue from where the development would be visible and demonstrates how these views would change. The development will result in a substantial change to the backdrop visible from some nearby roads (such as Elmside Road and Beechcroft Gardens), but this change would very much be reflective of the status of the site as within a growth area and a housing zone.
52. The other buildings farther west along the development reduce down from 21 to 17 storeys and then to 13 storeys in the case of the two westernmost buildings. The 13 storey Block A would be about 10 metres taller AOD than Smith House which would sit 47 metres to the north west, given the significant separation between the sites this relationship would provide an appropriate transition from the established built form. Each building includes a larger frame massing at its lower levels to provide some closer symmetry with the lower scale context across the road, these framing features are 6 and 8 storeys tall on the lowest blocks, 11 storeys tall on the penultimate block and 15 storeys tall on the highest block, helping to reinforce the transitional effect of the buildings.

### Architecture and Materiality

53. The visual design and architecture of the buildings is pleasing and brick led, helping to establish a residential character. The architecture is mainly based on the use of buff brick but utilises different brick shades to emphasise changes in volume as well as brick banding alongside window groupings to add further interest on the parts of the blocks closest to the street. The window stacks and brick bandings are arranged in a way so as to emphasise verticality. Detailed elements of the scheme such as undersides of balconies and undercrofts will be differentiated between the blocks through a range of warm yellows, browns and golden tones which would be visible from along Brook Avenue and the Wembley Park Station platforms, giving differentiation between the blocks and will be a significant element of the onlooker experience of the building within near views and would add a further degree of interest.
54. As discussed above, the language of the blocks changes at ground level as one moves from east to west, with the easternmost blocks by the station having a grander civic feel with large colonnades and the westernmost block having a simpler domestic residential frontage to reflect the more out-of-centre location. Active frontages are proposed along Brook Avenue, both from the cycle store windows and from residential windows with appropriate defensible space. The bike store treatments will be comprised of a perforated metal frontage instead of slotted windows which helps to break up the mass of predominantly brick façade at ground floor level; the perforated frontages will include subtle graphics cycle decals to clearly way-find these elements and to encourage uptake of cycling and interaction with the bike store. The development's strong active frontage at the easternmost block will help to define a strong edge for the Olympic Square station forecourt space which it adjoins.
55. Samples of the materials to be used in the development will be reviewed and approved by officers prior to any above ground works, and this would be secured by condition.

### Impact to Heritage Assets

#### Conservation Areas and Listed Buildings

56. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 respectively require the decision maker to have "special regard" to the desirability of preserving a listed building or its setting, and pay "special attention" to the desirability of preserving or enhancing the character or appearance of a conservation area. The Grade II Listed Wembley Arena (originally known as the Empire Pool) is located approximately 610 metres to the south whilst the Grade II Listed Brent Town Hall (now used as the Lycée International de Londres Winston Churchill) is located approximately 600 metres to

the north east. Wembley Hill Lodge is a detached Victorian house located 730 metres to the south west of the site and is also Grade II Listed. About 350 metres to the north of the site is the southern edge of the Barn Hill Conservation Area whilst about 500 metres to the north-west is the edge of the Lawns Court Conservation Area. Finally, about 775 metres to the south west of the site is the edge of the Wembley High Street Conservation Area.

57. The applicants have submitted a detailed Townscape and Visual Impact (TVIA) assessment. The NPPF states that where a proposed development will lead to substantial harm to designated heritage assets, permission should be refused unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm or in wholly exceptional circumstances identified in paragraph 195 of the NPPF. Where the proposal will lead to less than substantial harm, that harm should be weighed against the public benefits of the proposal.
58. Where harm is found to a designated heritage asset (even harm that is deemed to be less than substantial), the decision maker must give that harm considerable importance and weight as a result of the statutory requirements set out in Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. London Plan Policy 7.8, Policy HC1 of the Mayor's Intend to Publish London Plan, policy DMP7 of the adopted Development Management Policies and policy BHC1 of the draft Local Plan all seek to ensure that development affecting heritage assets should conserve their significance, by being sympathetic to the character and setting of those assets.
59. The submitted TVIA identifies the nearby heritage assets and considers the impact that would be had to their settings and their character and appearance. It is considered that the statutory listed buildings and their settings would not be impacted by this development and officers agree with this conclusion. It is noted that the development would be visible from within the Lawns Court and Barn Hill Conservation Areas. Views of the proposed development from within these Conservation Areas has been included within the applicant's TVIA. Views 2 – 5 within the TVIA show the proposed development from different points within Barn Hill Conservation Area. The views demonstrate that the proposal would be seen in the context of other tall buildings within the Wembley Opportunity Area although from a couple of views, the buildings forming this proposal would appear to have a slightly greater prominence than those forming the existing backdrop of tall buildings. This additional prominence would detract from the traditional character and setting of the Conservation Area from the affected viewpoints to a small extent (namely from the Barn Rise/Barn Way junction (view 3A) and the Barn Rise/Eversley Avenue junction (view 3B)) but would otherwise have a negligible impact on the setting, character and appearance of the Conservation Area. The TVIA views also included 'emerging context' versions, which shows the proposed buildings in amongst buildings which have planning consent. Within the 'emerging context' views, the proposal's prominence would appear commensurate with the neighbouring buildings, particularly the Fulton Quarter development, which this development would appear subservient to from all but one of the views within the Conservation Area (junction of Barn Rise/Eversley Avenue (view 3B)). In the context of the emerging backdrop to the Conservation Area, the harm to the character and appearance of the Conservation Area would be minor and certainly less than substantial in the context of the wider contribution of the heritage asset.
60. View 6 within the TVIA sets out the appearance of the development from along The Avenue within the Lawns Court Conservation Area. The proposed development would be perceived as part of the emerging cluster of tall and large development within the Wembley Opportunity Area. It is therefore consistent with the existing context and will blend-in well with the brick heavy townscape in the foreground. The proposed development will, however, appear nearer to the viewer and change the way the view terminates. Nonetheless, the open characteristic of the view which is created by the road and the green space to the left is unchanged. The development would certainly be a more urban backdrop for the Conservation Area compared to the present but would still appear some distance away and would not compete with the immediacy of the domestic scale built form forming the Conservation Area. In summary, as with Barn Hill, the proposal would detract from the traditional character and setting of the Conservation Area to a small extent. The harm to the character and appearance of the Conservation Area would be minor and certainly less than substantial in the context of the wider contribution of the heritage asset.
61. In summary, there would be some limited harm to the Barn Hill and Lawns Court Conservation Areas owing to the proposal's prominence from certain viewpoints within the Conservation Area, but that the development would still be perceived as distant elements commensurate with an established backdrop of tall buildings in the emerging context. The harm would be less than substantial but officers nonetheless afford this harm special importance and weight given the formal designation of the heritage assets.
62. Overall, officers consider that the less than substantial harm to the designated heritage assets would be

significantly outweighed by the benefits of the scheme discussed above.

#### Impact to locally protected views of Wembley Stadium

63. The proposal's tallest building at 21 storeys comfortably sits below the Wembley Stadium Arch as seen from Barn Hill, which is a strategically protected view within the WAAP Policy WEM6 and Brent's emerging Local Plan Policy BHC2. This building would also be subservient to the emerging Fulton Quarter development (a 25 storey development with planning permission) across Bridge Road, both in absolute terms and as seen from the key protected viewing corridor atop Barn Hill. The analysis of the impact of the view is discussed in the applicant's TVIA and forms view number 1 in the analysis.
64. The development proposal would not materially affect any other locally protected views of Wembley stadium.

#### Impact to local Archaeology

65. The site has been assessed for its below ground archaeological potential and the applicants have submitted a report to communicate the findings. The report confirms that no World Heritage Sites, Scheduled Monuments, Historic Battlefields or Historic Wrecks lie within 1km of the site. The site is also not within one of Brent's locally designated Archaeological Priority Areas.
66. The history of the site has largely been as agricultural land until the establishment of Wembley Park station. Since the station has been built the site has seen several phases of development and redevelopment responding to the growth of Wembley Park Station. It is concluded that the site has a generally low archaeological potential for all past phases of human activity.
67. Geotechnical investigations have been undertaken within the study site and it is concluded that, based on the perceived archaeological potential of the study site, the previous development within the study site and the results of the geotechnical investigations, no further archaeological mitigation measures are requested.
68. The Council's heritage officer agrees with the findings of the report and that no further archaeological mitigation measures should be required.

#### Quality of residential accommodation

69. Policy DMP1 within Brent's Development Management Policies (2016) and within Brent's emerging Local Plan (2019) in addition to policy 3.5 of the adopted London Plan (2016) and D6 of the emerging London Plan (2019) require developments to achieve high quality standards of internal amenity and quality of accommodation. Policy DMP18 within Brent's Development Management Policies (2016), 3.5 within the adopted London Plan (2016) and D6 of the emerging London Plan require adherence with the minimum internal space standards for new homes as set out in the London Plan. Further guidance on the quality of accommodation is set out in Brent's SPD1 document (2018) and the Mayor's Housing SPG.

#### Size and Aspect

70. Overall, the quality of the proposed residential units is high when assessed against these policies with all of the units proposed meeting the space standards set out within the London Plan. The built form is largely composed of relatively thin residential blocks with modest footprints and single cores that enable a large number of the units to achieve dual aspect outlook and cross ventilation, in this case 72% of the units proposed will benefit from this. A number of the units located within the south western segment of each block will benefit from triple aspect. The units which have a single aspect are generally west or east facing, preventing the problems that can be experienced with lack of direct sunlight in the case of north facing flats or overheating in the case of south facing flats. Seven of the units are at ground floor and are accessed directly from Brook Avenue, three of these units achieve dual aspect outlook to the south and west whilst the other four only have single aspect outlook directly onto the street. This sole southern aspect is accepted in the context of just 3 units and it is noted that the ground floor location of these flats will mean that they are likely to be less prone to overheating compared to flats higher up the building. Furthermore, the applicants have set out a series of overheating measures to address likely issues, which is discussed later in this report.

#### Units per core per floor

71. Blocks A, B and C are designed to provide 5 or 6 units per floor which assists in the development's achievement of a high dual aspect percentage. Whilst having similar footprints to Blocks A, B and C, Blocks D and E, by virtue of the link block that connects the two at lower levels and these blocks' focus on smaller units, are designed to provide 7 units per floor. However, some floors in these two blocks which integrate with the link block would see the provision of 9 units per floor for 5 floors within Block D and for 4 floors within block E. The Mayor's Housing SPG generally advises against the provision of homes with more than 8 flats per floor per core as this can be less beneficial to achieving community cohesion, however in this case only a small number of homes would be accessed from cores that exceed the guidance expectations. In addition, the GLA strongly support the residential quality and have not raised this as a concern.

#### Accessibility

72. 12.8% of the homes (all of the studio 1 bedroom 1 person units) are designed to be reasonably accessible and useable (M4(1) standard within the Building Regulations), 77.1% of the homes are designed to be accessible and adaptable for people of differing needs and would accordingly see a greater level of fit out (M4(2) standard within the Building Regulations), 10.1% of the homes have been designed to be adaptable for wheelchair users and are accordingly sized so as to ensure suitable circulation space within each room for this purpose (M4(3) standard within the Building Regulations). Policy 3.8 within the adopted London Plan and Policy D7 within the emerging London Plan require 10% of new homes to meet the M4(3) fit out and the remainder to meet the M4(2) fit out. The provision of a component meeting the M4(1) standard only is contrary to policy in this regard, however this adjusted standard has only been applied to the smallest studio units all of which are in the private tenure and which comprise 12.8% of the scheme's units. It is noted that all of these units continue to meet the minimum space standards set out within the London Plan and provide a good standard of accommodation. The fit out that is associated with an M4(2) standard reduces some of the usable space within a unit and in the context of a smaller studio unit, the loss of usable space would be more impactful than with larger units, as such Brent would accept the provision of M4(1) flats for this small proportion of private market homes on balance. The GLA have considered this aspect and do not raise a concern in this respect either. The wider development would be fully step free in terms of core and podium access.

#### Privacy and Outlook

73. In terms of privacy between blocks, the proposal meets all standards set out in Brent's SPD1 (2018), the separation between blocks varies and is greatest between the taller blocks to preserve a good sense of separation where the scheme is densest. The separation between blocks is 18m between blocks A & B (or 15m when measured balcony edge to balcony edge), 20m between blocks B & C and C & D (or 17m when measured balcony edge to balcony edge) and 22.5m between blocks D & E (or 19.5m when measured balcony edge to balcony edge). All of these distances achieve the SPD1 standard for at least 18m separations between facing habitable windows across private/semi-private settings.

74. The application site is bounded by the 70 metre expanse of the railway to the north, the 20 metre expanse of Brook Avenue to the south, the 48 metre gap between block A of the development and Smith House within the neighbouring developing site to the west, as well as the low rise dwellinghouses at 50 and 51 Brook Avenue. Finally, to the east of the application site, Block E is positioned 6 metres from the edge of the Wembley Park Station building. SPD1 guidance would stipulate the achievement of an outlook of 9 metres from a window as being required to achieve a good level of outlook from a habitable room, and in most cases this is significantly exceeded for a high quality outlook. The following relationships are highlighted:

- The living room and one of the bedrooms in the south western corner unit in Block A on the 1<sup>st</sup> and 2<sup>nd</sup> floors have their west facing windows positioned 9 metres from the side wall of the three storey dwellinghouse at no. 51 Brook Avenue. There are no habitable room windows on the elevation of this house which faces Block A that would otherwise compromise the privacy of the affected flats. The 9 metre separation between the windows to these habitable rooms and the house meets the minimum guidance requirements although would not provide far ranging outlook as would be the case for most of the windows within the development. Nonetheless, the lounge to these affected flats also has a southern aspect with a wide outlook across Brook Avenue which significantly mitigates this.
- There is a 6 metre separation between the eastern façade of Block E and the Wembley Park Station building. This relationship results in a fairly constrained outlook from the ground, first and second floors of the south eastern elevation of Block E. Nonetheless, these three affected floors all serve the TCA and they do not function as residential floor space. As such, it is not considered that this outlook

would be unacceptable. The residential outlook from this aspect, which begins at third floor level, is unobstructed and extends over the roof of the station building.

- The two flats located to the north and south of the main core in Block E have balconies which would enable outlook into the bedroom of the adjacent link block unit (in the case of the unit to the north of the core) and would enable outlook into the living room of the adjacent link block unit (in the case of the unit to the south of the core) at close distances. This is an issue that would be experienced between the 3<sup>rd</sup> and 6<sup>th</sup> floors. The affected windows have been specifically positioned slightly to the west of the general window stack, so that a part of the windows to the affected bedrooms would have unobstructed outlook. This suitably minimises the impact of the outlook issue although the privacy issue would still remain with this arrangement. A condition will therefore require details of screening to be submitted, approved and implemented at the appropriate side edges of these balconies to prevent overlooking.

#### Internal daylight, sunlight and overshadowing

75. The applicants have tested the internal quality of accommodation in terms of how the flats perform against the BRE criteria for good levels of internal daylighting and sunlighting. The Average Daylight Factor (ADF) is the criteria used to assess this in the context of proposed development, as well as the No Sky Line (NSL) / Daylight Distribution (DD) test which is also used in assessing impact to existing neighbouring properties. For sunlight, the Annual & Winter Probable Sunlight Hours (APSH / WPSH) tests are applied, as are also applied when assessing impact to existing neighbouring properties. The podium garden spaces have also been assessed using the overshadowing BRE criteria.

76. The applicant's submission confirms that the following measures have been used to achieve a good quality internal environment for residents:

- Designing the massing to allow for greater daylight ingress and more dual aspect apartments;
- Amending the balcony design to minimise the impact on each apartment's main living area;
- Rearranging the flat layouts to prioritise daylight within the main living areas;
- Rearranging room layouts to ensure the potential of each window is realised, as far as reasonably possible
- Increasing window sizes in areas of lower daylight potential.

77. The report submitted to address this aspect confirms the following performance against the appropriate BRE daylight and sunlight tests:

#### *Daylight*

##### Block A

- 187 rooms (98%) out of 191 will meet the BRE ADF guideline targets, with only four bedrooms seeing ADF values that will be less than 1% as advised with the BRE guidelines.
- 161 (84%) of the 191 rooms will achieve daylight distribution to 80% of their extent whilst 172 (90%) will achieve daylight distribution to at least 50% of their extent.

##### Block B

- 185 rooms (90%) out of 205 will meet the BRE ADF guideline targets, with 18 bedrooms falling short of the 1% ADF target and 2 living rooms/kitchens falling short of the 2% ADF target.
- 122 (60%) of the 205 rooms will achieve 80% daylight distribution whilst 163 (80%) will achieve at least 50% daylight distribution.

##### Block C

- 157 rooms (85%) out of 184 will meet the BRE ADF guideline targets, with 19 bedrooms falling short of the 1% ADF target and 8 living rooms falling short of the 1.5% ADF target.
- 99 (54%) of the 184 rooms will achieve 80% daylight distribution whilst 146 (79%) will achieve at least 50% daylight distribution.

##### Block D

- 260 rooms (93%) out of 279 will meet the BRE ADF guideline targets, with 12 bedrooms falling short

of the 1% ADF target, 2 living rooms falling short of the 1.5% ADF target and 5 living rooms/kitchens falling short of the 2% ADF target.

- 188 rooms (67%) out of 279 will achieve 80% daylight distribution whilst 261 (94%) will achieve at least 50% daylight distribution.

#### Block E

- 318 rooms (96%) of 330 rooms will meet the BRE ADF guideline targets, with 10 bedrooms falling short of the 1% ADF target and 2 living rooms falling short of the 1.5% ADF target.
- 299 rooms (91%) out of 330 will achieve 80% daylight distribution whilst 316 (96%) will achieve at least 50% daylight distribution.

#### Sunlight

- Across the scheme, 637 windows (65%) of 980 windows will meet the BRE WPSH (winter sunlight) guideline targets, whilst 499 windows (51%) will meet the BRE APSH (annual sunlight) guideline targets.
- This is broadly comparable with some other nearby schemes of a similar scale, including Amex House (37% of windows meet APSH targets), Chesterfield House (50% of windows meet APSH targets).

#### Overshadowing

- All of the communal podium gardens, including the area atop the link block between Blocks D and E, have been tested for overshadowing performance. All of the communal garden spaces will achieve more than two hours of sunlight to at least 50% of their extents on the 21<sup>st</sup> March and therefore meet the BRE criteria in full. In fact, all gardens achieve the two hours of sunlight to at least 70% of their extents, significantly exceeding the standard. This also applies to the undercroft garden spaces that connect together the larger first floor podium gardens.

#### Noise and Vibration

78. A key aspect of the development's setting that could be a source of noise and vibration disturbance for residents is the railway line to the north. This aspect has been considered by the applicants and is discussed later in this report.

#### Amenity Space

79. Policy DMP19 states the following:

*"All new dwellings will be required to have external private amenity space of a sufficient size and type to satisfy its proposed residents' needs. This will normally be expected to be 20sqm per flat and 50sqm for family housing (including ground floor flats)."*

80. The policy requirement in relation to external private amenity space is for it to be "sufficiency of size". Whilst there is a normal "expectation" for 20sqm per flat and 50sqm for family housing (including ground floor flats), that is not an absolute policy requirement in all cases. This is reinforced by the supporting text to the policy which provides that:

*"10.39 New development should provide private amenity space to all dwellings, accessible from a main living room without level changes and planned within a building to take a maximum advantage of daylight and sunlight. Where sufficient private amenity space cannot be achieved to meet the full requirement of the policy, the remainder should be applied in the form of communal amenity space".*

81. These requirements are carried forward in Brent's emerging Local Plan under policy heading BH13.

82. In meeting the above requirements, it is expected that at least a part of each flat's required amenity space will be private space and as such, all units should be provided with a London Plan/Housing SPG compliant balcony/terrace. Within dense developments in a town centre setting there is an expectation that a shortfall in amenity space provision can acceptably be made up through communal garden space as much as is possible, which would be a secondary form of amenity space beyond the flats' balconies.

83. All flats will be provided with a private amenity space, in either the form of a balcony or a secluded outdoor terrace space in instances where the flat is at ground or podium level. The private terrace spaces at podium and ground level would be provided with a landscaped buffer of defensible space to ensure a suitable level of privacy for these spaces. The private terraces to the 7 ground floor flats would front Brook Avenue; whilst they would be well buffered from the street, they would not be secluded enough in their nature to be counted as private amenity space under the DMP19/BH13 standard. They are nonetheless positive additions which enhance the quality of these units. These street fronting units would nonetheless have access to the podium garden through the core of block A. All of the balcony/terrace spaces across the scheme will exceed London Plan standards for private amenity space provision. The London Plan standard requires a balcony that is at least 5sqm in size for two person dwellings with an extra 1sqm minimum for each additional occupant and that each balcony has a minimum depth of 1.5m to ensure good usability. Some of the private spaces at podium level are significantly in excess of London Plan standards, this is particularly the case for flats at higher building levels where the massing of the blocks reduces (such as the 12<sup>th</sup> storey of Block D and the 16<sup>th</sup> storey of Block E) where individual private terraces for flats range between 45sqm and 65sqm.
84. The proposal for communal courtyard spaces between the blocks forms the main part of the development's communal amenity space offer. These courtyard spaces are to be accessible to residents of all blocks. The collective usable amenity space across the courtyards measures 1,918sqm. A smaller courtyard space at 7<sup>th</sup> floor level sits atop the link block connecting blocks D and E and would provide an additional amenity space offer for residents of these two blocks. This space has an area of 200sqm.
85. In addition to the private and enclosed communal amenity spaces, the proposal will deliver new landscaped public realm. There are two components to the additional public space, one in the form of reclaimed public realm that would be provided through the stepping back of the building line from the current public/private boundary along Brook Avenue and another in the form of a more secluded space to the west of Block A which is provided as a play space for older children. This space would be accessed from alongside the western vehicular access into the residents' car parking area at ground floor level. The two newly created public realm spaces together form 986sqm of additional space. These spaces will provide a benefit to the wider community although will most directly benefit residents of this development. However, given that the new pavement along Brook Avenue will not provide amenity space with a private nature for residents it cannot be counted as part of the amenity space provision pursuant to DMP19/BH13 objectives, despite having wider value that does contribute to the quality of the scheme. The secluded play space to the west of Block A is therefore the only element of public space which has been included within the overall communal amenity space share below.
86. Overall, the amenity space provision, and associated shortfalls below DMP19/BH13 (where relevant) is as follows:

<b>Block</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>Total</b>
<b>Number of units which have a 20sqm amenity space standard</b>	61	62	73	111	144	454
<b>Number of units which have a 50sqm amenity space standard (3 bedroom ground floor/ podium fronting units)</b>	1	2	0	0	0	3
<b>Amenity space standard (DMP19/BH13)</b>	1,270	1,340	1,460	2,220	2,880	9,170
<b>SHORTFALL - PRIVATE</b>	802.8	842	972.9	1,524.7	2,036.5	6,178.9
<b>Total share of communal</b>	278.3	287.3	327.7	585.3	759.4	2,238



<b>spaces</b>						
<b>ADJUSTED SHORTFALL (incl. communal)</b>	524.5	554.7	645.2	939.4	1,277.1	3,940.9

87. Whilst the tables above break down the shortfall in amenity space provision against policy requirements across the different amenity space components by block, the summary position is that:

- 33% of the required amenity space provision is achieved through the provision of private balconies and terraces
- 57% of the required amenity space provision is achieved through the provision of private spaces + communal spaces

88. The development falls short of DMP19/BH13 standards by 43% for amenity space provision. It is considered that amenity space provision has been reasonably maximised across the development, utilising rooftops where possible, and it is therefore considered that such a shortfall should be accepted given that the wider benefits of the scheme and that the development proposal is within a site allocated for residential development and sits within a town centre setting. The benefit of providing a widened pavement and additional public realm beyond that which is currently present is also acknowledged in accepting this amount of amenity space for the scheme. Nonetheless, the shortfall against policy is acknowledged and officers have secured a contribution from the developer (amounting to £31,000) to improve wayfinding between parks in the vicinity, in the interests of making these parks more accessible to residents of this development and other developments within the area. Specifically, the financial contribution will secure:

- 89. Improvement to signage and way marking between: Chalkhill Park / Chalkhill Linear Park, St David's Close Open Space and Chalkhill Open Space & associated maintenance for 10 years.
- 90. Improvement to paths and access between Chalkhill Open Space towards Quainton Street Open Space & associated maintenance for 10 years.

- The above improvement projects draw from a need identified by the Council's Parks service. Overall, it is considered that the provision of significant amenity space through on site delivery (although acknowledged as falling short in the context of Brent's amenity space standards) alongside a financial contribution to improve access and wayfinding between nearby parks results in the proposal's amenity space provisions being acceptable. The £31,000 financial contribution is to be secured through a Section 106 obligation.

### Play Space

- Policy 3.6 of the adopted London Plan requires that on site play space is provided to service the expected child population of the development. These requirements are carried through within the emerging London Plan under policy heading S4. The applicants have set out a play space strategy which provides on-site play spaces broadly in line with GLA's child yield matrix. The child yield matrix would require 1,450sqm of on-site play space based on the residential and affordable housing mix proposed and based on the local PTAL level and outer London setting. This quantum of play space would be split between enclosed courtyard podium play within different parts of the podium garden targeting 0-4 year olds (645sqm), 5-11 year olds (500sqm), and 12+ year olds (130sqm) respectively. In addition, equipped doorstep play would be provided in places along the Brook Avenue frontage for 0-4 year olds (40sqm) and a rear of site play space to the west of Block A would also be provided and aimed at 12+ year olds (120sqm). The total requirements for play within the child yield matrix amount to 1,450sqm and the amount provided is 1,435sqm, 15sqm or 1% shy of the requirements, which is a very minimal shortfall. The play space provisions are strongly welcomed and the very minimal shortfall against guidance requirements is considered to be acceptable on balance – detailed plans of the play spaces and their individual features will be secured through landscaping conditions. In addition, there are also offsite play spaces for older children (12+) to access within GLA acceptable walking distances.

### Landscaping provision and Urban Greening

91. The applicant proposes a comprehensive landscaping strategy within the site and within the public realm, with tree planting, biodiverse roofs and soft landscaping proposed across a site which has minimal landscape value at present. As a result of the landscaping proposals, the applicant's urban greening

factor (UGF) compared to the existing is 0.3. Whilst not quite compliant with London Plan policy G5, which seeks a UGF of 0.4 for predominantly residential developments, the shortfall is considered acceptable given the quality of the greening measures and the site constraints. The GLA has confirmed that it takes the same view on this.

92. Detailed plans of the landscaping's individual features will be secured through a landscaping condition.

### Trees

93. The applicant has submitted an arboricultural assessment which identifies 9 existing trees along the street fronting edge of the site, mainly focussed at the end of the site closer to the station. All of these trees will need to be removed to accommodate the development. One of the trees to be removed is a category B tree (moderate amenity value), seven of the trees to be removed are category C trees (low amenity value) and one is a category U tree (minimal amenity value and in terminal decline).

94. The applicant's landscaping plan indicates a comprehensive plan for replacement planting, including 9 replacement trees along the Brook Avenue frontage, 5 additional trees within the older children's play area to the west of Block A and a number of additional trees within the first floor podium garden spaces for a total of 22 new trees on site (a net gain of 13).

95. Brent's tree officer has reviewed the plans and welcomes the landscaping proposals and would not object to the tree losses subject to their replacement as shown. The tree officer has recommended that the street tree planting includes Pyrus 'Chanticleer' and Hornbeam trees as these would be well suited to the location. These tree species recommendations will be communicated to the applicant through an informative.

96. Overall, given the low quality of the surveyed trees within the site, their removal will be sufficiently mitigated through the tree planting proposals within the Landscaping Plan that accompanies this application.

### **Impact on amenities of neighbouring properties (Privacy, Overshadowing and Losses of Light)**

97. The sites within the vicinity of the proposed development are largely sites of low-sensitivity in respect of visual amenity impact considerations. These low sensitivity neighbours include the railway lines and the Ark Academy site to the north east, the Wembley Park station buildings, Michaela School and the College of North West London to the east and south east and the Premier Inn site to the south west. However, some neighbours to the south west and north west would be more sensitive as they are existing residential sites. These sites include:

98. The dwellinghouses at 50 and 51 Brook Avenue

99. Smith House

- Residential flatted development and dwellinghouses along the south western side of Brook Avenue
- Rear gardens serving dwellings on Elmside Road and Wembley Park Drive
- Brent's DMP1 policy within emerging and Brent's SPD1 guidance sets out a number of criteria for judging impact on neighbouring residential properties in terms of losses of privacy and the creation of a sense of enclosure. It will be important to consider the extent to which the SPD1 guidance is complied with in relation to these properties, and for this impact to be weighed up as part of an overall judgement. The SPD1 amenity impact tests and the development's performance against them are explained below.

### Privacy

- In order to retain acceptable privacy levels to properties, the amenity impact considerations consider that all primary habitable room windows within the property should be at least 9m from the boundary with the private external amenity space of neighbouring properties or adjoining sites, except where the view on to that property would be to a part of the property which would serve as low value amenity space (e.g. the side access around a house). All secondary habitable room windows and non-habitable room windows should be obscure glazed if they cannot achieve this standard too. Furthermore, the proposed habitable room windows should achieve a full 18m of separation from the habitable room windows of other properties (apart from street facing windows). These standards are in the interests of protecting the privacy of neighbouring occupiers.

## Overshadowing & Losses of Light

100. In the interests of ensuring that the development does not appear unduly overbearing to surrounding properties, SPD1 establishes a standard for new development to sit underneath a 45-degree line drawn from a 2m height at the nearest edge nearby private amenity space or garden areas. The proposed buildings should also sit underneath a 30-degree line drawn from a 2m height from the nearest rear facing habitable room windows within neighbouring properties that face towards the proposed buildings.
101. In the event that these relationships cannot be achieved, a careful balance of this harm in the context of the other considerations should be made. A full test of daylight and sunlight impact on surrounding properties can also assist in understanding and weighing up the harm in the balance of considerations. Daylight and sunlight testing has been carried out and is discussed in the next section.
102. The tests of overshadowing and light loss as per the 45 and 30 degree line criteria will be reported building by building, as per the below.

### 51 Brook Avenue

103. This dwelling's habitable room windows face south west and north east and do not directly face the development proposal to its south east. As such, the guidance in relation to overshadowing and losses of light do not apply to these windows. The property's rear garden would be located 7 metres to the north-west of the edge of block A meaning that the 45 degree test in respect of overshadowing/light loss as well as the 9 metre test for garden privacy are of relevance. The 45 degree test would be failed relative to this property's rear garden given the scale and proximity of block A. In respect of the privacy considerations, 2 windows per floor would directly overlook the garden of no. 51 Brook Avenue at a distance of 7 metres, 2 metres short of the general expectation of distance for achieving a good level of privacy. These windows serve the second bedroom window serving the 2 bedroom flat stacked in the south-western corner of the block and the bedroom serving the 1 bedroom flat stacked centrally on the western side of the block. Officers have secured an amendment to the block layout which has seen balconies and living room windows relocated to accord with the Council's guidance for overlooking of this garden space. This revised layout results in 2 bedroom windows per floor directly overlooking the garden space which would improve the relationship as the bedrooms would likely see less use compared to the living room windows and their associated balconies. Other windows would overlook this garden too, but not directly.

### 50 Brook Avenue

104. This dwelling's habitable room windows face south west and north east and do not directly face the development proposal to its south east. As such, the guidance in relation to overshadowing and losses of light do not apply to these windows. The property's rear garden would be located 15 metres to the north-west of the edge of block A meaning that the 45 degree test in respect of overshadowing/light loss as well as the 9 metre test for garden privacy are of relevance. The 45 degree test would be failed relative to this property's rear garden given the scale and proximity of block A, although to a lesser extent than with 51 Brook Avenue given the greater separation. In respect of the privacy considerations, all windows would exceed the 9 metre criteria for achieving a good privacy relationship with the garden space given the separation.

105. A substation is to be provided at the western end of the site, adjacent to the older children's secluded play space and immediately behind the garden of no. 50 Brook Avenue. A separate elevation drawing of the substation structure has been provided confirming that the structure will have a height of 3.85m, but that, relative to the garden level at no. 50, will have a height of 2.85m. The substation structure will be located 2 metres to the rear of the eastern end of the rear garden boundary to no. 50 and 0.3 metres to the rear of the western end of the rear garden boundary to no. 50. Given these dimensions, the substation will comply with the 45 degree line when tested against the majority of the garden serving no. 50 but will breach the 45 degree line to a very minor extent in the far north western part of the garden. As a result, it is not considered that this substation structure will materially diminish the amenity currently enjoyed in this garden.

### Smith House

106. This block is the south-easternmost of the blocks forming the Matthews Close development to the north-west of the site. The south-eastern façade of Smith House would be located 48 metres from the north-west edge of Block A. There are habitable room windows on the façade facing Block A and the

guidance in relation to overshadowing and losses of light would apply to these windows since a largely private setting separates them from the development. The 30 degree test would be failed relative to the windows in the lower floors in the south eastern façade of Smith House. However, this would be at a considerable distance, as set out above. The guidance in relation to privacy would be substantially exceeded, since there is more than a 48 metre space between the buildings, significantly more than the 18 metre distance specified in SPD1.

#### Residential flatted development and dwellinghouses along the south western side of Brook Avenue

107. A number of houses and flatted developments that line the other side of Brook Avenue would face the development site from the south west. These properties are separated from the development by a wide public highway and there is a consistent front building line along this side of Brook Avenue resulting in the properties' front elevations being located about 24 to 25 metres from the proposed development.

108. The placement of the blocks results in gaps in between the blocks being positioned in the direct site lines of buildings opposite, minimising the visual obtrusion that would be incurred to these properties. For example, the outlook to dwellinghouses 26 and 27 Brook Avenue would be to the opening between blocks A and B, the outlook to Pearce House would be to the opening between blocks B and C and the outlook to Wealdstone Court would be to the opening between blocks C and D. This results in just two buildings whose main street facing outlook would be directly towards one of the blocks, these being the block of flats forming 25 Brook Avenue (which would face block A) and the dwellinghouse 28 Brook Avenue (which would face block B). Furthermore, the distance between the street facing windows of the proposed development and the existing developments would be more than 20 metres, which is typical for the area.

109. Nonetheless, given the public setting of the separation between the proposed development and these properties, it is not considered that tests of overshadowing and losses of light and privacy, as set out in SPD1 guidance, would be relevant to these properties and that the amenity of these properties would not be unduly compromised. The impact to these properties is considered in detail in the daylight and sunlight testing (as discussed below).

#### Rear gardens serving dwellings on Elmside Road and Wembley Park Drive

110. The nearest parts of rear gardens serving dwellings along Elmside Road and Wembley Park Drive are located about 80 metres to the south of the proposed development. This is a significant distance and would be compliant with the guidance relating to privacy (9 metre separation) and overshadowing/losses of light (45 degree line) as set out in SPD1, resulting in no undue impact to these properties.

#### Summary

111. The only properties to fall short of guidance expectations are 51 Brook Avenue (short on privacy and enclosure), 50 Brook Avenue (short on enclosure) and some of the south east facing windows to Smith House (short on enclosure). All other nearby properties are not sensitive premises or are premises which are separated by a significant distance or public realm and would not warrant consideration under this criteria. Some plan changes have been secured in minimising the privacy shortfalls to no. 51 Brook Avenue. Some harm will be incurred but this is considered to be minimal in the context of the wider benefits.

#### Impact on amenities of neighbouring properties (Daylight and Sunlight Testing)

112. The applicants have submitted a numerical daylight and sunlight analysis prepared by industry experts. The submission has tested the following properties in terms of how the proposed development would affect daylight and sunlight to the windows of these buildings in line with BRE criteria:

113. Wealdstone Court, Brook Avenue

114. Pearce House, Brook Avenue

- 21 – 28 Brook Avenue
- 51 Brook Avenue
- Smith House, Matthews Close
- Best House, Matthews Close

- The results of the daylight and sunlight testing of these properties is set out below:

## Wealdstone Court

- This building dates from 2012 and is located across from the development on the south western side of Brook Avenue. The building would directly face the open space in between blocks C and D of the development proposal.
115. 37 living rooms and 31 bedrooms face the development site within this block. The windows serving these rooms are inset within a projecting frame of the building and already see significant reductions in light as a result of this frame and the projecting balcony stacks which shade most of the windows along the façade. This results in most of the windows having less than a 27% Vertical Sky Component (VSC) in the existing scenario. Such baseline scenarios can result in these windows being highly sensitive to changes in BRE results even where actual environmental changes are comparatively minor. The building's performance against the No Sky Line criteria shows minor adverse results, with the tested living spaces returning results showing that the sky would be visible from these rooms to as high as 98% of the existing scenario and no lower than 60% of the existing scenario. The BRE 'pass mark' is 80% for this criterion, resulting in a minor adverse impact with some breaches of the criteria. This impact has been limited by the building's placement in between blocks rather than directly across from a block.
116. Given the poor baseline scenario for VSC testing as a result of the current shading to the windows, the applicants have undertaken radiance analysis to determine the Average Daylight Factor (ADF) to the rooms serving these windows. The radiance analysis indicates that the existing baseline lighting levels to these flats are limited and that, with the proposed development in situ, at most a 0.1% loss of ADF would be experienced compared to the existing scenario, which is unlikely to be perceptible.
117. In terms of sunlight testing, the windows facing the proposal are north east facing, not oriented within 90 degrees due south and are not relevant for sunlight testing. However, eight secondary windows serving living spaces that face away from the site do fall within the 90 degree due south criteria and are relevant for testing. All but one of these windows will satisfy the Annual Probable Sunlight Hours (APSH) criteria, with the window falling short only doing so by one percentage point versus the 'pass mark' which is 25%. As a result, the sunlight impact to this building is considered to be negligible.

## Pearce House

118. This building dates from 2013 and is located across from the development on the south western side of Brook Avenue, adjacent to Wealdstone Court. The building would directly face the open space between blocks B and C of the development proposal. 15 living spaces and 25 bedrooms face the development site within the block. The building is not framed in the same way as Wealdstone Court and sees a more sparing use of projecting balconies which results in a higher baseline VSC scenario for these windows than Wealdstone Court, averaging in excess of 30% VSC across the facade. The proposed VSC scenario results in a significant number of windows breaching VSC criteria. The NSL testing returns minor adverse impacts, showing that living spaces would experience visible sky from between 78% of the existing room area and 100% of the room area depending on the room's location in the façade. The 'pass mark' of 80% is only marginally breached in some rooms and met in others. In terms of the bedrooms, a range of between 62% and 99% is observed.
119. The applicants have included radiance analysis for this building too to supplement then VSC testing, with results showing that there will be, at most, a 0.2% loss of ADF.
120. In terms of sunlight testing, no windows within the main façade are relevant given their orientation, however five secondary windows serving living spaces are relevant for sunlight testing. One of these windows will experience a negligible impact just below the BRE criteria, resulting in a negligible sunlight impact.

## 21-28 Brook Avenue

121. Aside from 25 Brook Avenue (which constitutes a small block of flats), the remaining addresses along this part of Brook Avenue serve individual dwellinghouses. These properties will be addressed one by one, starting with no. 28, which is immediately adjacent to Pearce House.
122. 28 Brook Avenue is a two storey detached dwellinghouse located across from the development on the south western side of Brook Avenue. The building would directly face block B of the development proposal. 5 windows serving three rooms across ground and first floor face the development. The testing indicates significant reductions in relation to VSC testing although negligible reductions in terms of the

NSL testing with all three rooms retaining at least 80% of the daylight distribution to their areas. The primary living room at ground floor will retain 90% daylight distribution to its room area. Furthermore, this property has an equally prominent rear facing aspect, which receives the majority of the sunlight to this property given its orientation and which would not be affected by the proposal. In terms of sunlight, none of the windows are relevant for testing given their orientation, aside from the south west facing side element to the bay window which returns a major adverse result. However, this is only one window within the bay and it is located beneath a canopy which restrict access to sunlight.

123. 27 Brook Avenue is a two storey semi-detached dwellinghouse adjacent to no. 28. It would directly face the open space in between blocks A and B of the development. 4 windows serving two rooms across ground and first floor face the development. The testing of these windows indicates a major adverse VSC scenario for 3 windows and a moderate adverse VSC scenario for the remaining window. One of the rooms will pass NSL testing whilst the other will see a minor breach, retaining a 70% NSL figure versus the 'pass mark' of 80%. Furthermore, this property has an equally prominent rear facing aspect, which receives the majority of the sunlight to this property given its orientation and which would not be affected by the proposal. In terms of sunlight, none of the windows are relevant for testing given their orientation, aside from the south west facing side element to the bay window which returns a major adverse result. However, this is only one window within the bay and it is located beneath a canopy which restricts access to sunlight
124. 26 Brook Avenue forms the other half of the semi-detached pair shared with no. 27 and would directly face the open space in between blocks A and B of the development. 6 windows serving four rooms across ground and first floor face the development. The testing of these windows indicates a major adverse VSC scenario and a moderate NSL impact scenario. Three of the rooms will pass NSL testing whilst the other on the ground floor would see a minor breach, retaining a 70% NSL figure versus the 'pass mark' of 80%. Furthermore, this property has an equally prominent rear facing aspect, which receives the majority of the sunlight to this property given its orientation and which would not be affected by the proposal. In terms of sunlight, none of the windows are relevant for testing given their orientation, aside from the south west facing side element to the bay window which returns a major adverse result. However, this is only one window within the bay and it is located beneath a canopy which restricts access to sunlight
125. 25 Brook Avenue is a three storey block of flats adjacent to no. 26 and would directly face block A of the development. 9 windows serving 9 rooms across ground, first and second floors face the development. The testing of these windows indicates a major adverse VSC scenario to all windows. It is noted that 8 of the 9 affected windows serve bedrooms, which the BRE acknowledges can be considered less sensitive rooms compared to living rooms, kitchens and dining rooms. The NSL testing sees five of the rooms passing the BRE criteria with the remaining four (all bedrooms) not passing but retaining a view of the sky across c. 45% to 65% of their room area. None of the affected windows are oriented within 90 degrees due south and sunlight testing is not warranted for this property.
126. 24 Brook Avenue is a two storey detached dwellinghouse and would directly face the vehicular access at the edge of the development site, between block A and 51 Brook Avenue. 5 windows serving 2 rooms are relevant for testing. The VSC testing to three of these windows falls short of BRE standards although will retain VSC values of over 21% (versus the 27% 'pass mark'). Importantly, each of the two rooms benefits from one window which does pass the VSC testing (in excess of 27%) and therefore will still retain a source of light which meets BRE criteria. The two rooms will pass NSL testing, with each room retaining visible sky from about 97% of the room area. None of the affected windows are oriented within 90 degrees due south and sunlight testing is not warranted for this property.
127. 23 Brook Avenue is a detached bungalow dwellinghouse and would not directly face the development site, instead directly facing 51 Brook Avenue to the west of the development site. 1 window serving a ground floor room is relevant for testing. The window falls short of BRE standards for VSC testing but will retain more than 20% VSC overall, which is considered to be commensurate with an urban environment. The room the window serves will meet the NSL criteria, retaining a view of the sky to about 93% of the affected room. None of the affected windows are oriented within 90 degrees due south and sunlight testing is not warranted for this property.
128. 22 Brook Avenue is a detached bungalow dwellinghouse and would not directly face the development site. 2 windows serving 2 ground floor rooms are relevant for testing. One of these windows will meet BRE criteria whilst the other would marginally fail, seeing slightly less than 0.8 times its former value, which is considered negligible when compared against a compliant scenario. Both rooms would meet BRE guidelines in respect of NSL, retaining daylight distribution across 90% of their room areas. None of

the affected windows are oriented within 90 degrees due south and sunlight testing is not warranted for this property.

129. 21 Brook Avenue is a detached two storey dwellinghouse and would not directly face the development site. 11 windows serving 5 rooms across ground, first and second floor are relevant for testing. Ten of these windows would be fully compliant with VSC testing although one of these windows would see a VSC value that is about 0.76 times its normal value, which falls slightly short of the 0.8 'pass mark'. Importantly, the living room this window serves is served by 3 mitigating windows that all fully comply with VSC and achieve a VSC value in excess of 27%. As such, the living room as a whole will meet the BRE guidelines for NSL and retain over 98% daylight distribution to the room area. The remaining four rooms will also fully comply with the BRE guidelines for NSL. 2 windows are within the orientation where a sunlight test is relevant. Both of these windows full comply with the APSPH criteria in this respect.

#### 51 Brook Avenue

130. 51 Brook Avenue is a three storey semi-detached dwellinghouse and sits immediately adjacent to the site's western edge. The dwelling's eastern flank wall would directly face the site and contains 2 secondary windows. 4 dual aspect rooms served collectively by 10 windows are relevant for testing, these windows are positioned across the front, rear and flank elevations. The 2 side windows which face block A will see non-compliant VSC testing, however these windows are secondary side windows. The remaining 8 windows will meet VSC testing criteria. All 10 windows will meet NSL testing criteria, retaining at least 96% daylight distribution across their room areas. Two of the windows are relevant for sunlight testing and both of these windows retain APSPH and WPSH values in excess of the BRE guidelines.

#### Smith House

131. Smith House is an 8 storey block of flats to the north west of the application site. The building's south eastern flank wall would directly face the site. 83 windows serving 44 rooms have been assessed for daylight criteria within this building. 5 of the 83 windows will fall short of VSC criteria, these windows serving either less sensitive bedrooms or living rooms that benefit from multiple mitigating windows that fully comply with BRE criteria for VSC. The remaining windows will remain BRE compliant in terms of VSC criteria. Just one room of the 44 rooms tested would experience a resultant NSL value less than 0.8 times that of the existing value, with the breach of the 0.8 benchmark being marginal. All remaining rooms would remain fully compliant with BRE criteria for NSL. 75 windows are relevant for sunlight testing, 2 of these 75 windows would see an alteration below the BRE criteria for annual probable sunlight hours, both serving less sensitive bedrooms. It is noted that these two affected windows already have an APSPH level below 25% in the existing scenario. The 73 remaining windows would meet or exceed BRE expectations for sunlight impact.

#### Best House

132. Best House is an 8 storey block of flats to the north west of the application site, of very similar design to Smith House it is located farther from the application site than Smith House. The building's south eastern flank wall would directly face Smith House, and beyond Smith House, the development site itself. All of the windows and rooms serving Best House will meet or exceed BRE guidelines for VSC and NSL considerations, as well as BRE expectations for sunlight impact.

#### Overshadowing to neighbour outdoor amenity spaces

133. The applicant's daylight and sunlight analysis includes a section that has considered nearby outdoor amenity spaces which would be overshadowed by the proposed development and the extent to which these spaces would lose direct sunlight. Four amenity spaces have been identified as those which would be affected by the development in this respect, these being: The outdoor recreation area at Ark Academy Wembley to the north, the outdoor amenity space serving the Matthews Close development between Smith House and the development site, the rear garden serving no. 50 Brook Avenue and the rear garden serving no. 51 Brook Avenue.

134. The BRE test for overshadowing is passed if at least 50% of the area of the amenity space affected retains at least 2 hours of direct sunlight exposure on the 21<sup>st</sup> March. A secondary test has been carried out to compare performance against this target with the summer solstice target (21<sup>st</sup> June), which would reflect a comparative summer time level of sunlight when the amenity spaces are most likely to be used.

135. The Ark Academy Wembley recreation space and the outdoor amenity space serving the Matthews Close development meet the 21<sup>st</sup> March BRE test for overshadowing and are considered to retain a good level of sunlight throughout the year. Conversely, the gardens to 50 and 51 Brook Avenue will fall short of the BRE target, although the garden at no. 50 will meet this standard on the 21<sup>st</sup> June test.
136. Overall, just two residential gardens will experience a non BRE-compliant scenario for sunlight as a result of the development. One of these gardens will experience good levels of sunlight exposure during the summer period.

### Summary

137. The daylight and sunlight analysis indicates a notable impact to buildings lining the South West side of Brook Avenue in terms of losses to the Vertical Sky Component. This impact somewhat reflects the very open and undeveloped nature of the car park site at present, however these properties do return a reasonable performance in terms of the No Sky Line testing given the separation between the sites and the gaps between the proposed blocks. The properties perform strongly against sunlight criteria with all the sensitive settings being to the south and west and none to the north. Given the urban setting, town centre location, growth area designation and the local site allocation anticipating a significant increase in density, it is considered that the impact of this development in daylight and sunlight terms should be accepted.

138. Overall, it is considered that the daylight and sunlight impact of the development will be acceptable when weighed against the benefits the development would bring to the area. Officers acknowledge that the BRE guidance for daylight and sunlight identifies appropriate visual amenity baselines in suburban locations and that the guidance needs to be considered with a greater degree of flexibility in this growth area location on the edge of a major town centre. Furthermore, it is noted that the NPPF, at paragraph 123, states that “when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)”. The fact that both sides of Brook Avenue form a site allocation for re-development within Wembley’s growth area is acknowledged, and this has reasonably increased the degree of the flexibility that should be applied to the guidance in this respect and would result in it being less likely for the impact identified above to be a long term impact.

### Transport and Highways

#### Car Parking

139. The proposals involve the loss of the public car park and rebuilding of the TCA, along with a re-provision of their 40 car parking spaces (2 of which are disabled bays), the re-provision of the existing 12 public disabled bays and the provision of 14 residential disabled bays.
140. The loss of the public car park is supported as the provision of it currently provides an incentive to drive. Transport policies within the emerging local plan encourage sustainable modes of transport, especially in locations with good public transport links and this proposal would accord with that aspiration. A survey of car park users indicated that 65% were going to catch a train from Wembley Park Station and that over 50% of users travelled to the site from within Brent, with many residing within walking distance. Driving to the station from beyond the Borough is not welcomed, whilst it is considered that the loss of the car park would result in Brent’s own residents undertaking of the whole of their journey by public transport (although this would be subject to effective car parking controls within the vicinity of the station).
141. The re-provision of 12 public disabled bays is considered necessary though, to ensure that those that do need to drive to the station are still able to do so. It should also be noted that these 12 spaces would still be located in the area closest to Wembley Park Station.
142. The provision of 14 disabled residential bays accords with the minimum requirement for 3% of housing units to be provided with a disabled car parking space from the outset and is therefore acceptable. Should disabled car parking at a level above this (up to 10% if demand requires) be required, it is noted that space would exist along Brook Avenue for on-street parking bays. Furthermore, it should also be stipulated that only blue badge holders can occupy disabled spaces.



143. As the site is in an area of excellent PTAL, the provision of only disabled parking for the residential element of the development is in principle acceptable, as it accords with maximum car parking allowances. However, consideration needs to be given to the potential for any overspill car parking that could take place and it is recommended that a contribution for a CPZ of £100,000 be made through a Section 106 legal agreement to implement a CPZ within the vicinity of the site. A legal agreement obligation will ensure that none of the residents of the proposed development (except blue badge holders) will be eligible to apply for parking permits in either the existing Wembley Stadium event day CPZ or any future year-round CPZs that are introduced in future is also required.

144. The third component of the car park is in the form of the re-provision of the existing 40 car parking spaces which are specifically allocated for use in connection with the TCA facility and transport operations. Compared to the existing provision, the disabled car parking for the TCA is proposed to reduce from 3 spaces down to 2 spaces and the standard car parking spaces would increase from 37 to 38 spaces. Whilst there are concerns about the retention of this level car parking, it is understood that the parking requirement is bespoke to London Underground operations. The applicants have set out that the number of spaces for the TCA corresponds with the number of staff/drivers who would need to travel to/from the station prior to 7am or after 11pm (outside of normal train operation times) and therefore would not be able to benefit from arriving at the station by using its train services.

145. TfL consider that the ramped access points to the car park should be subject to a Stage 1 Road Safety Audit. Brent's highways officers do not consider this to be necessary as the ramped accesses comply with design guidance, however a greater level of detail of the ramps, in particular the detailed design of the segregated ramp for pedestrian and wheelchair users shall be the subject of a planning condition.

#### Cycle Parking

146. The minimum long-stay cycle parking requirement in accordance with the emerging London Plan is 769 spaces. The proposals include the provision of 778 spaces located in 7 separate stores and in terms of quantity, this is acceptable.

147. The Transport Assessment indicates that the cycle parking would be provided by a mix of wall-mounted stands (5 in total), two-tier stands and 3-tier stands. The cycle storage has been reviewed by TfL's transport planning officers and is considered to offer an acceptable standard of usability.

148. With regards to the long-stay cycle parking for employees, 16 spaces are proposed to be located outside the main entrance. The cycle storage has been reviewed by TfL's transport planning officers and is considered to offer an acceptable standard of usability.

149. For short-stay bicycle parking, 21 'Sheffield' stands (42 spaces) are proposed along the site frontage, in accordance with London Plan standards for the flats (12 spaces) and offices.

#### Refuse

150. The proposals provide Eurobins (each with a capacity of 1,100l) at a level of 41 for the recyclable waste and 41 for residual waste, plus 44 wheeled bins for organic waste. This would be in excess of the required standards. The store is laid out with Eurobins stationed one behind the other, although the applicant has confirmed that the facilities team on site will move the full bins to the rear and empty bins to the front as and when required. A management plan for the operation of the bin stores will be secured by condition.

151. All residential refuse stores have direct access to the frontage which allows refuse vehicles to wait on the street within 10m of the stores except for Block A. Block A's waste storage access is approximately 10.5m from the kerbside, 0.5m above the maximum drag distance in Brent's guidance. This is considered to be a minimal departure from the guidance and is therefore acceptable.

#### Delivery and Servicing

152. Originally, two 2.5m wide on-street loading bays were proposed. These bays did occupy a significant area of footway though and Brook Avenue is wide enough to accommodate kerbside parking, which would be less obstructive to the footway. Given the feasibility of this alternative solution, the loading bays have been removed from the proposal.

153. An outline Delivery and Servicing Plan has also been included within the appendix of the Transport

Assessment. The submitted plan is considered to be acceptable although it will need to be updated to incorporate the omission of the loading bays from the plans. A condition will apply to this end.

### Active Travel Zone

154. The Transport Assessment includes an Active Travel Zone assessment, which is part of TfL's Healthy Streets Assessment. It assesses the quality of pedestrian and cycle links from the development site to points of interest, such as schools, shops and health centres.
155. The assessment suggests a number of improvements, all of which have been considered by Brent's highways officers.
156. Highway officers have confirmed that there are no necessary highway improvement schemes within the vicinity that do not already have funding allocations and as such, a contribution towards local highway improvements cannot reasonably be sought in this instance.
157. It is acknowledged in the Transport Assessment that Brook Avenue is on the route of a new cycle quiet way as part of the strategic cycle network. This is a public realm and active travel project which has been devised in advance of the planning application submission and has been identified within through the infrastructure delivery plan for funding through CIL. As this scheme incorporates new public realm, it is not considered necessary for it to contribute towards these works. Nonetheless, the scheme will not prejudice the delivery of this project.
158. The Design and Access Statement sets out indicative improvements to the Olympic Square space to the south east of the development site, including a more inviting public space and changes to the adopted highway layout. These improvements do not formally form part of the proposal and sit outside of the application site area. Officers conclude that it is not necessary for this scheme to contribute towards the improvement of Olympic Square through a bespoke contribution and that this could instead be delivered through CIL payments, should the Council consider that this is an appropriate project for CIL to be spent on. Nonetheless, given that the level of amenity space in the scheme falls short of the requirements set out in adopted policy DMP19 and emerging policy BH13, officers have required this scheme to contribute towards the improvement of nearby open spaces, as detailed in the discussion of the quality of accommodation above.

### Travel Plan

159. A Framework Residential Travel Plan has been submitted. The Framework Travel Plan should include all uses on the site and as the Redeveloped TCA would be a significant trip generator, this should be included too. The submission of a workplace travel plan to cover this aspect will be required as a Section 106 obligation and this has been agreed in principle by the applicant.
160. With regards to the submitted Residential Travel Plan, a Travel Plan Co-ordinator needs to be identified as soon as possible and in the meantime an interim Travel Plan Co-ordinator would need to be identified. A full Travel Plan is intended to be submitted prior to determination which will include this information these needs to be included within the Section 106 agreement.
161. The measures proposed are minimum requirements according to the London Plan and are not sufficient measures for a successful Travel Plan. As well as providing information and these minimum requirements, Travel Plans should include incentives to use sustainable transport and this comes at a cost which needs to be acknowledged.
162. The full Travel Plan submitted through the S106 will need to include a good suite of measures to promote non-car based travel and the S106 obligation will require this, as well as a direct requirement for membership of a local car club to be paid for on behalf of all residents.
163. One of the measures proposed is the provision of a Car Club space located in an inset parking bay. It should be noted that Brook Avenue currently has Car Club bays for the adjoining Matthews Close development, which are currently unoccupied following the withdrawal of the operator. It is not clear from what has been submitted whether discussions with Car Club operators have taken place to determine the level of demand, but the existing bays would be a preferable location to serve both sites and these should be used in preference to a further inset bay. Further information regarding the outcome of discussions with Car Club operators is therefore required and should be clarified within the full Travel Plan.

164. Another measure is the creation of a bicycle user group. This in principle is welcomed, but it only works if the group has access to a budget which they can use to implement changes the group identifies. The Full Travel plan will need to include details of a budget for the bicycle user group.

165. The baseline targets should be based on the Transport Assessment trip generation figures, which although this Travel Plan does include, it is caveated that the targets would change based on the results of the first actual survey. This should only be done in exceptional circumstances and the full Travel Plan will require that the trip generation figures continue to be used.

### Transport Impact

166. A survey of the existing public car park (94 spaces) was undertaken on a weekday in February 2020 and showed 45 cars arriving during the AM and 23 cars leaving during the PM peak, with around 200 cars entering and leaving using the car park during the day.

167. The proposed residential trip generation for the main transport methods following the occupation of the scheme is as follows:

168. Tube: 92 outgoing trips and 14 incoming trips in the AM peak + 26 outgoing trips and 49 incoming trips in the PM peak. 494 outgoing and 494 incoming trips across a day.

- Bus: 35 outgoing trips and 5 incoming trips in the AM peak + 10 outgoing trips and 19 incoming trips in the PM peak. 189 outgoing and 189 incoming trips across a day.
- Car : 5 outgoing trips (3 as driver, 2 as passenger) and 1 incoming trip (as driver) in the AM peak + 2 outgoing trips (1 as driver, 1 as passenger) and 4 incoming trips (3 as driver, 1 as passenger) in the PM peak. 37 outgoing and 37 incoming trips across a day (26 as driver, 11 as passenger).
- Cycle: 79 outgoing and 79 incoming trips across a day.
- On foot: 105 outgoing and 105 incoming trips across a day.
- Aside from the bus services which are acknowledged as being at capacity within Wembley, there are no concerns with the capacity of the existing transport infrastructure in accommodating these new trips. Transport for London has requested a financial contribution to enhance local bus capacity and this will be secured within the S106 agreement.

### Construction Logistics Plan

169. The applicants have submitted a Construction logistics plan and the proposals include loading from the carriageway which would require the footway to be suspended. Temporary barriers are proposed to be put in place on the carriageway when a construction vehicle is on site with them being removed when the construction vehicle leaves. This in principle is acceptable, however, a long stretch of Brook Avenue (approximately 130m) will be taken up and limited detail of the management of general traffic along Brooke Avenue has been submitted. It is expected that this would reduce the ability for 2 cars to pass each other and so would require some form of traffic management through the use of signals to control this, whilst the long stretch would lead to long periods of waiting and this should be minimised.

170. Revised construction logistics to address these matters will be required by condition.

171. The construction logistics plan indicates that the existing staff car parking will remain throughout the duration of the works, however, no information has been submitted on what will happen to the public disabled car parking during the construction period and this should be considered as the priority for retention. The applicants have set out that they will not be able to accommodate public disabled car parking within their development site during construction and officers will therefore require a suitable temporary solution for providing public disabled parking for the station during the construction period. This is discussed further under the 'Equalities' subheading below.

### Sustainability

#### Carbon Savings

172. The applicant has included an Energy and Sustainability Statement. Policy 5.2 of the adopted London Plan and draft policy SI 2 of the Intend to publish London Plan require major developments to achieve carbon savings beyond the requirements of Building Regulations. These are referred to as 'be lean'

(fabric efficiency), 'be clean' (clean source of energy supply) and 'be green' measures (use of renewable energy technologies). A zero carbon development is ideal, however the policies allow for a minimum of 35% improvement beyond minimum Building Regulations requirements with the remaining regulated carbon emissions being financially offset instead. At least 15 points of the 35 point minimum saving must be from 'be lean' for this development, which incorporates both domestic and non-domestic elements.

173. The proposed regulated development with 'Be Lean', 'Be Clean' and 'Be Green' measures incorporated is confirmed to emit 188.14 regulated tonnes of Carbon Dioxide per annum, which is down from a baseline emission of 439.31 tonnes per annum. This equates to a 57% reduction on the minimum building regulations (2013) as required within the London Plan, although does not achieve the zero carbon goal and as such requires an offset payment. The offset payment shall cover a 30 year period of emissions, with the payment being equivalent to £60 per tonne per annum. This payment will be secured through a legal agreement to any forthcoming consent. With the modelling provided, a payment of £338,652 would be secured for this purpose.

174. The details of the carbon savings measures are as follows:

Be Lean (total savings from 'be lean': 69.8 tonnes / 15.9%)

- High insulation standards
- Envelope air tightness
- Well planned floor layouts to minimise the need for artificial lighting
- High efficacy lighting
- Natural ventilation and passive design measures through openable windows and night-time cooling
- Mechanical ventilation to remove heat from the building during summer

Be Clean (total savings from 'be clean': 0 tonnes / 0%)

- No measures

Be Green (total savings from 'be green': 181.37 tonnes / 41.3%)

- Use of air source heat pumps to provide 70% of the residential energy demand and 100% of the commercial energy demand

175. The GLA has reviewed the carbon savings energy strategy. The approach to energy is generally supported, however the GLA considered that further information should be provided in relation to the non-domestic Be Lean target, overheating, future-proofing for connection to district heating, PV and heat pumps. The GLA have since agreed that these aspects would be picked up prior to completion of Stage 3 detailed design works since they are addressed at a more detailed design stage.

BREEAM

176. Brent's adopted CP19 policy and draft BSUI1 policy require all major non-residential development (i.e. non-residential floor space in excess of 1,000sqm) to achieve a BREEAM standard of 'Excellent'. The proposal contains 3,033sqm of non-residential floor space, 2,921sqm of which is comprised of the TCA and 115sqm of which is comprised of a retail unit. The applicants have confirmed that the TCA (96.3% of the non-residential floor space) has been designed to achieve a score of 70.8% (BREEAM 'Excellent'), in line with the policy requirement. The S106 agreement will include a requirement for a BREEAM post assessment to be submitted in securing this achievement. The applicants have set out that the retail unit (3.7% of the non-residential floor space) has not been designed to target a BREEAM 'Excellent' rating, given that the requirements would be disproportionately costly and cumbersome in the context of the small size of the unit. Given the fractional size of the retail unit in comparison to the overall non-residential floor space which will achieve BREEAM 'Excellent', and when considered alongside other sustainability benefits secured through the scheme (including a significant improvement on the minimum carbon savings requirement of 35% in the above section), this justification can be accepted and it is considered that the proposal remains acceptable.

Environmental Health

Air Quality

177. An air quality assessment considering the impacts of the proposed redevelopment of the site on air

quality has been submitted. The development sits within one of London's air quality management areas and the requirements of adopted London Plan policy 7.14 are relevant, requiring major developments to be at least 'air quality neutral' in such areas.

178. The submitted report has considered the impacts that would be incurred during the construction phase and during the operational phase.

179. Under best practice guidance, the proposed development will constitute a medium risk for construction dust and dust generation is likely to be the main impact associated with construction. A series of mitigation measures are proposed which would form part of the construction management plan for the development. The mitigation will be achieved through the measures set out in the Air Quality & Dust Management Plan (AQDMP), which will be implemented through the Construction Environmental Management Plan, discussed within the construction management section below. The air quality report includes an air quality neutral assessment which concludes that the building emissions from the proposed development are within the benchmarked emissions, fully meeting air quality neutral requirements. The methodology set out in the air quality report will be secured by condition and is supported by Brent's Environmental Health officers.

### Noise and Vibration Impact

180. The site sits adjacent to railway land to the north, specifically Wembley Park Station served by two London Underground lines and the Chiltern Railway. Flats with northern aspect will have views across the railway although the balconies to these flats will be provided on the eastern and western elevations so as to soften the relationship between the railway and the residential units.

181. The railway will be a significant local source of noise and it will be necessary for the applicants to undertake a noise and vibration study to ascertain the noise impact on the new residents, and, based on the findings, to potentially propose a programme of mitigation.

182. The applicants have submitted a noise and vibration assessment and it has been confirmed that noise and vibration levels will be within acceptable standards. With respect to the external amenity spaces, the worst-case scenario locations for noise are at the lower levels of the southern elevation, where noise levels at the balconies will be up to 5 dB over the ideal criteria outlined specified through British Standards, ProPG guidance and World Health Organisation guidelines. The majority of the balconies at the east and west elevations, and also the balconies at the upper levels of the southern facade are predicted to be within the acceptable 50 – 55 dB criteria. Internally, the noise survey results have informed the glazing specifications for the flats to ensure internal environments with comfortable noise levels.

183. Detailed vibration measurements have been undertaken at the proposed development site. The vibration measurements have been analysed on an empirical basis to yield likely levels of tactile vibration and re-radiated noise within the proposed blocks. The assessment indicates that levels of tactile vibration are comfortably below the maximum criteria, and that re-radiated noise levels can be controlled to suitable levels with the use of pile barrier/trench, or via whole-building isolation.

184. A condition will require that the recommendations set out in the noise and vibration report are adhered to in full.

185. A new substation is proposed to the west of Block A at the western edge of the site. As the substation will be located within 10m of the residential properties at 50 and 51 Brook Avenue, officers in Environmental Health have advised that a condition is required to ensure compliant with relevant standards for electromagnetic radiation (EMF) and noise/vibration and this has been applied.

### Construction Management

186. The development is within an Air Quality Management Area and located very close to residential premises. Demolition and construction therefore has the potential to contribute to background air pollution levels and cause nuisance to neighbours. The applicant has submitted a construction management plan and this does advise of dust and noise controls as well as the piling being CFA piles. The details set out in the construction management plan are largely agreed, however a condition governing the need for non-road mobile machinery to meet reasonable emission limits has been recommended to be applied to the decision.

187. Furthermore, details relating to certain aspects are considered scant or missing and a condition will require that a revised management plan is submitted to provide appropriate detail of the construction methodology in respect of this.

#### Contaminated Land

188. The site has a history of non-residential and car parking uses, as such it is possible that the soil below the site is contaminated. A desk based assessment of land contamination at the site has been submitted with the application and has been reviewed by environmental health officers. Conditions are recommended requiring an investigation of land contamination to be carried out following demolition of the buildings on site. The findings will need to be submitted to the Council through a condition. Based on the findings, a remediation strategy may be necessary and a condition will require that the means of remediation are demonstrated.

#### Odour

189. The proposed development will have a flexible commercial unit on the ground floor. The suite of uses that would be approved include restaurant use and a condition requiring details of the extraction of the odours associated with cooking to be submitted will be applied, to ensure that the means of extraction will not interfere with residential amenities. This condition will only be triggered in the event that the commercial unit comes forward with a restaurant use.

#### Lighting

190. Any new lighting at the proposed site should be installed considering existing homes and buildings. The new development must not give rise to light or other nuisance to nearby residents. A condition will require that, should external lighting be installed, details of the lighting, including a measure of lux levels, is submitted and approved by the Council.

#### Microclimate

191. A microclimate assessment has been submitted by the applicant.

192. Initial wind tunnel testing was undertaken with the known large landscaping surrounding the site in place, devoid of any proposed landscaping to present a worse-case scenario.

193. Wind conditions at the ground floor level in the context of the existing surrounding buildings and cumulative buildings would generally be suitable for the intended use, however, there would be instances of strong winds and winder conditions than would be suitable for the intended use at the car park access ramp and at podium, terrace and balcony locations.

194. A wind mitigation workshop was carried out to assess the effectiveness of the proposed landscaping scheme and develop wind mitigation options to improve wind conditions and to eliminate any occurrence of strong winds exceeding 15m/s for more than two hours at the Proposed Development.

195. With the proposed landscaping and mitigation options in place and secured by a suitably worded planning conditions, conditions at ground floor level would be suitable for the intended use during the windiest season, and conditions at ground, podium, terrace and balcony levels would be suitable for the intended use during the summer season in the context of both the existing and cumulative surrounding buildings, provided seating provisions are located in the areas suitable for sitting use.

196. In the context of existing and cumulative surrounding buildings, there will be no instances of strong winds exceeding 15m/s for more than 0.025% of the time with the inclusion of proposed landscaping scheme and mitigation measures.

197. The wind mitigation measures are formed of shrub planting and porous balustrade installation to act as appropriate wind buffers in the key locations identified through modelling. The full schedule of measures is identified on page 23 of the report.

198. A condition will secure that the recommendations contained within this report are delivered.

#### Flooding and Drainage

199. The site falls within flood zone 1 of the Environment Agency's flood designations (the lowest flood

risk). Nonetheless, given the scale of the proposal the applicant has submitted a report addressing flood risks of the development. The GLA are satisfied that the flood risk management approach complies with London Plan Policy 5.12 and Policy SI12 of the Mayor's intend to publish London Plan.

200. In terms of measures to reduce surface water drainage rates at the site, green roofs and geo-cellular attenuation tanks with flow control devices are proposed. This approach generally satisfies the requirements of London Plan Policy 5.13 and Policy SI13 of the Mayor's intend to publish London Plan. The sustainability statement indicates that the proposed dwellings would have a maximum indoor water consumption of 105 l/person/day in line with the optional standard in Part G of the Building Regulations, and compliant with Policy 5.15 of the London Plan and Policy SI5 of the Mayor's intend to publish London Plan. A condition will require that the measures in this report are adhered to.

201. Thames Water have reviewed the proposal and note that the development is close to subsurface Thames Water assets, including strategic sewers. A condition requiring a piling method statement to be submitted and approved in consultation with Thames Water prior to piling is to therefore be secured.

### **Ecology and Biodiversity**

202. The site immediately adjoins a wildlife corridor to the north (alongside the railway, although not where it adjoins the Wembley Park Station platforms on the eastern side of the site). Brent Policy DMP8 and London Plan policy 7.19 require that developments pay due regard to the ecological value of such protected spaces.

203. A biodiversity net gains report, a preliminary ecological assessment and a BREEAM ecology assessment have all been submitted in addressing this policy requirement.

204. The existing site has very low biodiversity value, with poor amenity grassland and moderate quality street trees offering the only current contribution towards biodiversity on site. Accordingly, the site is considered to be of low ecological value, supporting no notable and/or protected habitats aside from that of nesting birds.

205. The proposed scheme will incorporate new street trees, amenity grassland, green roofs, shrubs, lowland meadows and hedgerow to contribute to the overall increase in biodiversity units. Proposed habitat creation within the scheme includes 0.06 ha of amenity grassland, 0.0045ha of wildflower meadow, 0.07ha of introduced shrub and herbaceous planting and 0.115ha of green roof. There will also be 22 new trees planted on site and 0.18km of native hedgerow. The proposals stand to result in a net gain of 1.36 area based biodiversity units compared with pre-development value. This is equivalent to a total net increase of 1360% in ecological value. Additionally, there will be 0.76 linear based biodiversity units post development.

206. In terms of specific mitigation and enhancement measures, mitigation measures to avoid impacting nesting birds have been recommended. Furthermore, habitats which likely support commuting and foraging bats, such as the railway lines to the immediate north, are considered to be within the likely zone of influence of the development and also form part of the designated wildlife corridor. Mitigation measures to ensure the value of these habitats remain are recommended. The key mitigation recommendations are as follows:

207. Removal of Vegetation outside of the nesting bird season (taken to run from March to August, inclusive) unless active nests are confirmed absent by an ecologist prior to removal;

208. Measures to limit additional light disturbance so to maintain the foraging value of habitats in the zone of influence of the development;

- Removal of Buddleia from site and actions taken in order to prevent its spread.

- The key enhancement recommendations are as follows:

- Tree, shrub, herbaceous and hedgerow planting of value to wildlife;

209. Provision of areas of wildflower meadow integrated into the proposed areas of amenity grassland;

- Use of biodiverse green roofs on areas of flat roofs;
- Provision of habitat for invertebrate species;

- Provision of integrated bird boxes.
- Providing these recommendations be adhered to, the proposals stand to be compliant with legislation and current planning policy. A condition will require that the recommendations of the ecological reports are adhered to in full.

### **Fire Safety**

- Fire Safety is formally considered at Building Regulations stage, however the applicants have clarified a fire safety strategy within their planning submission as follows.

**210.** Each building will be provided with an automatic water fire suppression system (AWFSS) and all cores will have dry risers with the cores in blocks D and E having wet risers above a height of 50 metres.

211. Each building will be provide with fire detection and alarm systems and a mechanical smoke extraction system at parts of corridors which are more than 15 metres from the stairwells.

212. Wall and ceiling linings will meet relevant British Standard recommendations in terms of limiting internal fire spread. All of the elements of the structure of the building will be 120 minutes fire resistant. Compartment floor construction will be used, ensuring that penetrations to floors will be adequately fire stopped.

213. External fire spread is unlikely to be an issue given the location and siting of the blocks, aside from some limited facades on the south east elevation of Block E. Materials for external walls are to be of suitable European fire classification to limit spread.

214. Each core serving the residential levels is to be provided with a firefighting shaft, firefighting lift and rising fire mains. The firefighting shaft is to be enclosed by construction offering a minimum of 120 minutes of fire resistance.

215. The car park is to be ventilated via assisted natural ventilation, impulse fans are included to supplement the lack of cross ventilation.

216. Fire service access to the commercial units should be within 45 metres to the most remote point.

217. Based on the above proposals, it is envisaged that the proposed project will meet the relevant Building Regulations with regard to Fire Safety.

218. In addition to the fire strategy, the applicants have submitted a ventilation and extraction report which sets out the different means of ventilation across the development.

219. The GLA has confirmed within their Stage 1 response that the fire strategy submitted meets the requirements of Policy D12 'Fire Safety' within the intend to publish London Plan (2019).

### **Unexploded Ordinance**

**220.** The applicants have submitted an unexploded ordinance survey to consider the likelihood of unexploded ordinance being present below the site surface. This could have significant implications for the scheme, particularly at construction stage.

221. Based on unexploded ordinance databases, the site was considered to have a medium risk for potential unexploded ordinance dating from World War II as Brent sustained an overall high density of bombing during this time. As a result, further research was undertaken to clarify if any unexploded ordinance would pose a risk in the context of future ground works. No bomb strikes were recorded within 50m of the site on the London ARP bomb census map but it is acknowledged that it is possible bombs fell in the area after the main Blitz period, given the high density of bombing recorded over the region. A detailed assessment into this relying on more detailed sources from the era is recommended.

222. This more detailed report has been submitted with the application and sets out a number of mitigation measures to be undertaken prior to and during construction. The details of this report will be required to be implemented through a planning condition to ensure the risks of unexploded ordinance is minimised.



## **Basement Impact**

- 223.** A localised basement is proposed at the site below Block E, which would be 4.6m deep and set back by 5m from the nearest neighbouring property. It is considered that the proposed basement will not adversely affect groundwater flow or surface water flow and flooding and can be constructed such that it would generate negligible risk to neighbouring properties.
224. The basement is modest in size given the scale of the development and the proposal is not considered to contravene any requirements of Brent's Basement Supplementary Planning Document (2017).

## **Overheating**

- 225.** The applicants have submitted an overheating assessment which indicates that the proposed development would meet all relevant requirements in achieving a good thermal comfort performance for prospective residents, as well as in the TCA and the retail unit.
226. The overheating performance has been achieved through passive design measures such as energy efficient lighting and appliances, improved building fabric, glazing with improved solar factors, external overhangs through balconies to shade lower flats, internal shading to bedroom and kitchen areas as well as a combination of natural and mechanical ventilation aspects.

## **Television and Radio Reception Impact**

- 227.** The National Planning Policy Framework (NPPF) (2019) states, at para 114, part b that "[Local Planning Authorities] should ensure that they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communications services".
228. The applicants have submitted a Television and Radio Reception Impact assessment to consider the potential impacts that the development could have on local TV and radio signals. Three different signals have been assessed as follows:
229. Digital Terrestrial Television (DTT) – Freeview signals may be disrupted within 50 metres to the North West of the site. This would include a small number of properties along Brook Avenue given their proximity to their development. The assessment has set out a mitigation solution as either antenna betterment or antenna relocation to a new position where the view to the Crystal Palace transmitter is less obscured by the new development. Once any interference has been verified, a television signal engineers would be able to implement the optimal solution if it is required.
230. Digital Satellite Television – Freesat & Sky signals may be disrupted within 141 metres to the North West of the site. Satellite dishes are present in this area, including on the rooftops of 51 and 52 Brook Avenue. The assessment has set out a mitigation solution as satellite dish repositioning to a clear line-of-sight path to restore optimal reception. Once any interference has been verified, it is advised that a registered Confederation of Aerial Industries (CAI) antenna installer undertakes any required work.
231. FM Radio signals are unlikely to be adversely impacted due to the existing good coverage in the survey area and the technology used to encode and decode radio signals.
232. Overall, some minor short-term interference to local television signals (particularly at 51 and 52 Brook Avenue) may occur as a result of this development. A Section 106 obligation will require that the applicant undertakes all mitigation required in addressing any interference.

## **Utilities**

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

## **Equalities**

- 234.** In line with the Public Sector Equality Duty, the Council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. A report to fully consider the impact in this respect has been submitted by the applicant and this has been reviewed by officers. In making this recommendation, regard has been given to the Public

Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

235. An aspect of the scheme which has the potential to have a detrimental impact on equality of opportunity is the loss of the standard (i.e. non-blue badge) parking from the car park. The impact of the loss of the car park may affect some users of the station more so than others, particularly those who are not necessarily Blue Badge holders but may have other mobility difficulties which mean they are car reliant, for example the elderly or those who are pregnant.
236. As outlined above, twelve disabled parking spaces are proposed to be retained for the use of the station at the eastern end of the site, as required by Transport for London. This reflects the existing disabled parking provision on site at present. These spaces provide step-free access to the Station for users.
237. TfL have made the decision to close the car park (with the exception of the blue badge spaces) to allow the development of this site in line with the Mayor's objective to promote sustainable transport and deliver housing including affordable housing. The provision of the car park is not currently required by any planning condition or obligation and the closure of the car park would not require planning permission. Nevertheless, the proposal involves the development of land that is currently used as a station car park so the potential impacts resulting from the car park's loss on particular groups who may be more car-reliant has been examined, as well as the impacts on parking displacement more generally.
238. The closure of the car park may displace station parking onto surrounding streets. However, in addition to the Wembley Event Day Controlled Parking Zone (CPZ) that currently operates within the area, an all year round Controlled Parking Zone (CPZ) is proposed to be introduced to the local area as a result of this development and wider development within the Wembley Growth area. The CPZ would limit on-street parking to residents' permit holders only, so would protect residents from displaced parking during CPZ hours, particularly by station commuters.
239. It is considered necessary to examine the potential impacts on certain characteristics, including older people, pregnant women or those who feel more vulnerable (particularly late at night) due to their gender or sexual orientation. However, it has been outlined that the Station would still be served by five bus routes as at present (which directly connect the station to Brent Cross, Ealing, Golders Green, Harrow, Kilburn, Wembley Central and Willesden) and there is a taxi drop-off facility immediately outside the Station at the eastern end of Brook Avenue, which provide accessible, alternative means of getting to and from the Station. While there is some reduction in the levels of access for these groups, the loss of the car park (except for blue badge parking) is not considered to result in an unacceptable level of impact on any protected characteristics and would result in a level of access that is commensurate with many other stations.
240. As such, retention of the car park for the station is not considered essential (aside from disabled parking) as it simply encourages Underground users to drive to the station rather than walk, cycle or using the bus. The proposals also accord with both Brent Local Plan policy BT1, and London Plan draft policy T1, which set out overarching objectives to prioritise sustainable modes of travel, with the Mayor's strategic target of 80% of all trips in London to be made by foot, cycle or public transport by 2041. Transport for London have also confirmed that the proposed loss of the car park is acceptable in principle, on the basis that the twelve disabled bays are retained for users of the Station.
241. In terms of disabled use, the re-provision of the blue badges within the car park for users of the Station is considered to mitigate impact. However, additional blue badge spaces may need to be provided on-street during construction. For practical and safety reasons, the applicant has advised that there is not scope to provide disabled parking on site. There is potentially scope to provide temporary blue badge spaces nearby on-street (i.e. on the adopted highway).. The precise location of temporary blue badge spaces would need to be determined closer to the implementation of the scheme, however, options include Wembley Park Drive and Brook Avenue. The provision of temporary on-street parking bays would require a Transport Regulations Order together with change to road markings and signage, the costs of which would be secured through a Section 106 contribution. Furthermore, the condition requiring the submission of a revised Construction Logistics Plan will specifically require the applicants to evaluate the options and feasibility of phasing the areas of adopted highway required for construction logistics (loading etc.) to enable the provision on-street temporary blue badge spaces along Brook Avenue, opposite the application site itself. It is possible that it may not be feasible to re-provide all of the blue badge spaces that are currently available during on a temporary basis throughout the construction period. However, the measures set out above are considered to represent an appropriate strategy to

ensure that the potential impacts are mitigated as much as possible.

242. In summary, there will be some impact to people with protected characteristics, but this impact would be commensurate with the planning policy emphasis on the prioritisation of sustainable transport and the Council's response to the climate emergency, and would be acceptable, on balance. Planning obligations are in place to seek limitation of the impact to equality of opportunity during the construction phase of the development.

## **Conclusion**

243. Following the above discussion, officers consider that taking the development plan as a whole, the proposal is considered to accord with the development plan, and having regard to all material planning considerations, should be approved subject to a Stage II referral to the Mayor, suitable planning conditions and completion of a Section 106 Agreement.

244. The development would provide a suitable and attractive built addition to the Wembley Park growth area in a highly sustainable location and in line with local policy allocation objectives. Whilst the development would exceed the policy expectations in respect of tall buildings as set out in the Wembley Area Action Plan (WAAP) and would incur some level of harm to the daylight enjoyed at neighbouring properties, a balance has to be struck between different planning objectives, and the provision of a significant number of new homes, with significantly more of those homes being secured as affordable units than the Council would deem viable is a significant planning benefit that carries significant weight. Whilst the scheme does fall short on external amenity space standards set out in Policy DMP19 and draft Policy BH13, the quality of accommodation is considered to be very good and this would be mitigated through a financial contribution, and the wider benefits of the scheme including affordable housing, a new retail unit and significantly improved and enlarged public realm. As such, the conflict with adopted and emerging policy is limited and would be outweighed by the wider benefits of redeveloping the site for affordable housing.

245. Following the above discussion, and weighing up all aspects of the proposal, officers consider that the proposal should be approved subject to a Stage II referral, conditions and a Section 106 obligation.

## **CIL DETAILS**

This application is liable to pay **£12,193,518.05** \* under the Community Infrastructure Levy (CIL).

We calculated this figure from the following information:

Total amount of eligible\* floorspace which on completion is to be demolished (E): 1684 sq. m.

Total amount of floorspace on completion (G): 38143.86 sq. m.

<b>Use</b>	<b>Floorspace on completion (Gr)</b>	<b>Eligible* retained floorspace (Kr)</b>	<b>Net area chargeable at rate R (A)</b>	<b>Rate R: Brent multiplier used</b>	<b>Rate R: Mayoral multiplier used</b>	<b>Brent sub-total</b>	<b>Mayoral sub-total</b>
(Brent) Dwelling houses	35009.97		33464.33	£200.00	£0.00	£9,979,540.38	£0.00
(Brent) Shops	115.05		109.97	£40.00	£0.00	£6,558.97	£0.00
(Brent) General business use	3018.84		2885.56	£0.00	£0.00	£0.00	£0.00
(Mayoral) Dwelling houses	35009.97		33464.33	£0.00	£60.00	£0.00	£2,026,057.74
(Mayoral) Shops	115.05		109.97	£0.00	£60.00	£0.00	£6,658.04
(Mayoral) General business	3018.84		2885.56	£0.00	£60.00	£0.00	£174,702.92

use							
-----	--	--	--	--	--	--	--

BCIS figure for year in which the charging schedule took effect (lc)	224	331
BCIS figure for year in which the planning permission was granted (lp)	334	
<b>TOTAL CHARGEABLE AMOUNT</b>	£9,986,099.35	£2,207,418.70

\*All figures are calculated using the formula under Regulation 40(6) and all figures are subject to index linking as per Regulation 40(5). The index linking will be reviewed when a Demand Notice is issued.

\*\*Eligible means the building contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

Please Note : CIL liability is calculated at the time at which planning permission first permits development. As such, the CIL liability specified within this report is based on current levels of indexation and is provided for indicative purposes only. It also does not take account of development that may benefit from relief, such as Affordable Housing.

## DRAFT DECISION NOTICE



# Brent

## DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

## DECISION NOTICE – APPROVAL

Application No: 20/0967

To: Mr Grunwald  
QUOD  
Ingeni Building  
17 Broadwick Street  
London  
W1F 0DE

I refer to your application dated **20/03/2020** proposing the following:

Comprehensive mixed-use redevelopment of the site comprising the phased demolition of the existing buildings and structures on site and the phased development comprising site preparation works, provision of five new buildings containing residential uses, replacement train crew accommodation and flexible retail floorspace, basement, private and communal amenity space, associated car parking (including the part re-provision of station car parking), cycle parking, refuse storage, plant and other associated works.

and accompanied by plans or documents listed here:  
Refer to condition 2.

at **Wembley Park Station Car Park and Train Crew Centre, Brook Avenue, Wembley, HA**

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

Date: 17/11/2020

Signature:

**Gerry Ansell**  
Head of Planning and Development Services

### Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

1 The proposal is in general accordance with the following documents:

*Adopted Policy*

- The National Planning Policy Framework (2019)
- The London Plan (2016 – Consolidated with alterations since 2011)
- Brent's Core Strategy (2010)
- Brent's Development Management Policies (2016)
- Brent's Wembley Area Action Plan (2015)

*Emerging Policy*

- The Intend to Publish London Plan (2019)
- Brent's Local Plan (Reg 19 Version – 2019)

*Supplementary Planning Guidance / Documents*

- Mayor of London's Affordable Housing and Viability SPG (2017)
- Mayor of London's Housing SPG (2016)
- SPD1 Brent Design Guide (2018)
- Brent's Basements SPD (2017)

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):

15246-A-PL-X-(02)-001_00	SITE LOCATION AND OS PLAN
15246-A-PL-X-(02)-002_00	SITE PLAN
15878/JV/1 PRELIMINARY/A	EXISTING SITE LAYOUT
15246-A-PL-X-(05)-001_01	EXISTING ELEVATIONS
15246-A-PL-X-(05)-002_01	DEMOLITION ELEVATIONS
15246-A-PL-X-(02)-003_00	DEMOLITION PLAN
15246-A-PL-X-(03)-099_03	BASEMENT FLOOR PLAN
15246-A-PL-X-(03)-100_05	GROUND FLOOR PLAN
15246-A-PL-X-(03)-101_07	1ST FLOOR PLAN
15246-A-PL-X-(03)-102_07	2ND FLOOR PLAN
15246-A-PL-X-(03)-103_07	3RD FLOOR PLAN
15246-A-PL-X-(03)-104_01	4TH FLOOR PLAN
15246-A-PL-X-(03)-106_07	6TH FLOOR PLAN
15246-A-PL-X-(03)-107_06	7TH FLOOR PLAN
15246-A-PL-X-(03)-108_06	8TH FLOOR PLAN
15246-A-PL-X-(03)-111_06	11TH FLOOR PLAN
15246-A-PL-X-(03)-112_06	12TH FLOOR PLAN
15246-A-PL-X-(03)-113_05	13TH FLOOR PLAN
15246-A-PL-X-(03)-114_05	14TH FLOOR PLAN
15246-A-PL-X-(03)-115_05	15TH FLOOR PLAN
15246-A-PL-X-(03)-117_05	17TH FLOOR PLAN

15246-A-PL-X-(03)-121_05	ROOF PLAN
15246-A-PL-X-(05)-100_012	ELEVATIONS
15246-A-PL-X-(05)-101_02	BAY STUDY 01
15246-A-PL-X-(05)-102_02	BAY STUDY 02
15246-A-PL-X-(05)-103_02	BAY STUDY 03
15246-A-PL-X-(06)-100_011	SECTIONS
15246-A-PL-A-(03)-100_05	BLOCK A - GROUND FLOOR PLAN
15246-A-PL-A-(03)-101_06	BLOCK A - 1ST FLOOR PLAN
15246-A-PL-A-(03)-103_06	BLOCK A - 3RD FLOOR PLAN
15246-A-PL-A-(03)-107_06	BLOCK A - 7TH FLOOR PLAN
15246-A-PL-A-(03)-112_06	BLOCK A - 12TH FLOOR PLAN
15246-A-PL-A-(05)-100_011	BLOCK A - SOUTH AND WEST ELEVATIONS
15246-A-PL-A-(05)-101_012	BLOCK A - NORTH AND EAST ELEVATIONS
15246-A-PL-B-(03)-100_05	BLOCK B - GROUND FLOOR PLAN
15246-A-PL-B-(03)-101_06	BLOCK B - 1ST FLOOR PLAN
15246-A-PL-B-(03)-102_01	BLOCK B - 2ND FLOOR PLAN
15246-A-PL-B-(03)-103_06	BLOCK B - 3RD FLOOR PLAN
15246-A-PL-B-(03)-104_01	BLOCK B - 4TH FLOOR PLAN
15246-A-PL-B-(03)-107_06	BLOCK B - 7TH FLOOR PLAN
15246-A-PL-B-(03)-113_05	BLOCK B - 13TH FLOOR PLAN
15246-A-PL-B-(05)-100_011	BLOCK B - SOUTH AND WEST ELEVATIONS
15246-A-PL-B-(05)-101_010	BLOCK B - NORTH AND EAST ELEVATIONS
15246-A-PL-C-(03)-100_04	BLOCK C - GROUND FLOOR PLAN
15246-A-PL-C-(03)-101_04	BLOCK C - FIRST FLOOR PLAN
15246-A-PL-C-(03)-103_04	BLOCK C - 3RD FLOOR PLAN
15246-A-PL-C-(03)-108_05	BLOCK C - 8TH FLOOR PLAN
15246-A-PL-C-(03)-114_04	BLOCK C - 14TH FLOOR PLAN
15246-A-PL-C-(05)-100_09	BLOCK C - SOUTH AND WEST ELEVATIONS
15246-A-PL-C-(05)-101_010	BLOCK C - NORTH AND EAST ELEVATIONS
15246-A-PL-D-(03)-100_04	BLOCK D - GROUND FLOOR PLAN
15246-A-PL-D-(03)-101_05	BLOCK D - FIRST FLOOR PLAN
15246-A-PL-D-(03)-103_05	BLOCK D - THIRD FLOOR PLAN
15246-A-PL-D-(03)-107_05	BLOCK D - 7TH FLOOR PLAN
15246-A-PL-D-(03)-108_05	BLOCK D - 8TH FLOOR PLAN
15246-A-PL-D-(03)-111_05	BLOCK D - 11TH FLOOR PLAN
15246-A-PL-D-(03)-117_05	BLOCK D - 17TH FLOOR PLAN
15246-A-PL-D-(05)-100_09	BLOCK D - SOUTH AND WEST ELEVATIONS
15246-A-PL-D-(05)-101_09	BLOCK D - NORTH AND EAST ELEVATIONS
15246-A-PL-E-(03)-099_04	BLOCK E - BASEMENT FLOOR PLAN
15246-A-PL-E-(03)-100_04	BLOCK E - GROUND FLOOR PLAN
15246-A-PL-E-(03)-101_04	BLOCK E - FIRST FLOOR PLAN
15246-A-PL-E-(03)-102_04	BLOCK E - 2ND FLOOR PLAN
15246-A-PL-E-(03)-103_06	BLOCK E - 3RD FLOOR PLAN
15246-A-PL-E-(03)-107_01	BLOCK E - 7TH FLOOR PLAN
15246-A-PL-E-(03)-115_06	BLOCK E - 15TH FLOOR PLAN
15246-A-PL-E-(03)-116_05	BLOCK E - 16TH FLOOR PLAN
15246-A-PL-E-(03)-121_05	BLOCK E - ROOF PLAN
15246-A-PL-E-(05)-100_010	BLOCK E - SOUTH AND WEST ELEVATION
15246-A-PL-E-(05)-101_011	BLOCK E - NORTH AND EAST ELEVATIONS
MA.3158.1000 REV D	SITEWIDE LANDSCAPE PLAN
MA.3158.1001 REV E	GROUND FLOOR LANDSCAPE GENERAL ARRANGEMENT
MA.3158.1100 REV I	PODIUM LANDSCAPE GENERAL ARRANGEMENT
MA.3158.1200 REV E	7TH FLOOR ROOF TERRACE LANDSCAPE GENERAL ARRANGEMENT
15246-A-PL-X-(03)-1B2P-02_03	PODIUM- 1BED 2P TYPE 02 M4(3)
15246-A-PL-X-(03)-1B2P-05_03	PODIUM- 1BED 2P TYPE 05 M4(3)

15246-A-PL-X-(03)-1B2P-10_03	BLOCK C - 1 BED 2P TYPE 10 M4(3)
15246-A-PL-X-(03)-1B2P-14_03	BLOCK D - 1 BED 2P - TYPE 14 M4(3)
15246-A-PL-X-(03)-2B3P-01_03	PODIUM - 2 BED 3P TYPE 01 M4(3)
15246-A-PL-X-(03)-2B3P-02_03	BLOCKS A & B - 2 BED 3P TYPE 02 M4(3)
15246-A-PL-X-(03)-2B3P-04_03	BLOCK C - 2 BED 3P TYPE 04 M4(3)
15246-A(SK)078_01	INDICATIVE RELATIONSHIP BETWEEN 50/51 BROOK AV. AND SUBSTATION
15246-A-PL-X-(03)-200_03	GROUND FLOOR PLAN - TENURE PLAN
15246-A-PL-X-(03)-201_02	1ST FLOOR PLAN - TENURE PLAN
15246-A-PL-X-(03)-202_03	2ND FLOOR PLAN - TENURE PLAN
15246-A-PL-X-(03)-203_03	3RDD FLOOR PLAN - TENURE PLAN
15246-A-PL-X-(03)-204_01	4TH FLOOR PLAN - TENURE PLAN
15246-A-PL-X-(03)-205_02	5TH FLOOR PLAN - TENURE PLAN
15246-A-PL-X-(03)-206_03	6TH FLOOR PLAN - TENURE PLAN
15246-A-PL-X-(03)-207_03	7TH FLOOR PLAN - TENURE PLAN
15246-A-PL-X-(03)-208_03	8TH FLOOR PLAN - TENURE PLAN
15246-A-PL-X-(03)-211_03	11TH FLOOR PLAN - TENURE PLAN
15246-A-PL-X-(03)-212_03	12TH FLOOR PLAN - TENURE PLAN
15246-A-PL-X-(03)-213_02	13TH FLOOR PLAN - TENURE PLAN
15246-A-PL-X-(03)-214_02	14TH FLOOR PLAN - TENURE PLAN
15246-A-PL-X-(03)-217_02	17TH FLOOR PLAN - TENURE PLAN

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

- 3 The scheme hereby approved shall contain 454 residential units as detailed in the drawings hereby approved, unless other agreed in writing by the Local Planning Authority.

Reason: In the interests of proper planning.

- 4 The scheme hereby approved shall contain 1,101sqm (GIA) of commercial floor space (use class Sui Generis) which shall not be used other than for purposes ancillary to the operations of London Underground Ltd and the transport network and 115sqm (GIA) of commercial floor space which shall be used for purposes within the Use Classes A1, A2, A3, B1, D1 or D2 (Use Class E from September 2020) only unless otherwise agreed in writing by the Local Planning Authority, notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification).

Reason: In the interests of proper planning and to ensure the use of the development is appropriate for the location.

- 5 The development hereby approved shall be built so that no fewer than 350 of the residential units achieve Building Regulations requirement M4(2) – ‘accessible and adaptable dwellings’ and that no fewer than 46 of the residential units achieve Building Regulations requirement M4(3) – ‘wheelchair user dwellings’.

Reason: To ensure that the development achieves an inclusive design in accordance with London Plan Policy 3.8.

- 6 The approved cycle and refuse storage facilities as shown on drawing 15246-A-PL-X-(03)-100 Rev 05 and on drawing 15246-A-PL-X-(03)-101 Rev 05 shall be installed on a phased basis prior to occupation of the relevant phase that they serve and thereafter retained and maintained for the life of the development and not used other than for purposes ancillary to the occupation of the building hereby approved, unless alternative details are agreed in writing by the Local Planning Authority.



Reason: To ensure that the development is fit for purpose.

- 7 The 14 blue badge parking bays on the western side and in the central part of the car parking area shall not be used other than for purposes ancillary to the occupation of the residential units of the building hereby approved, unless alternative details are agreed in writing by the Local Planning Authority. The 38 standard parking bays and 2 blue badge parking bays located centrally within the car parking area shall not be used other than for purposes relating to the operation of the transport network and occupation of the commercial unit with use class Sui Generis within the development hereby approved, unless alternative details are agreed in writing by the Local Planning Authority. The 12 blue badge parking bays located on the eastern side of the car parking area shall not be used other than for purposes of disabled access to Wembley Park Station in a public use capacity, unless alternative details are agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is fit for purpose.

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

Reason: In order to ensure a sustainable development by minimising water consumption.

- 9 A communal television aerial and satellite dish system for each building, or a single system for the development as a whole, shall be provided, linking to all residential units within that building unless otherwise agreed in writing by the local planning authority. No further television aerial or satellite dishes shall be erected on the premises.

Reason: In the interests of the visual appearance of the development in particular and the locality in general.

- 10 The residential units hereby approved shall at no time be converted from use class C3 residential to a use class C4 small HMO, notwithstanding the provisions of Schedule 2 Part 3 Class L of the Town and Country Planning (General Permitted Development) Order 2015 (or any equivalent provision in any order revoking and re-enacting that Order) without express planning permission having first been granted by the Local Planning Authority.

Reason: To ensure that an adequate standard of accommodation is maintained in all of the residential units and in view of the restricted space within the site to accommodate additional bin or cycle storage.

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

Reason: To protect local amenity and air quality in accordance with Brent Policy and London Plan policies 5.3 and 7.14.

- 12 The development hereby approved shall be carried out in full accordance with the Proposed Risk Mitigation Strategy as set out in Section 12 of the submitted Detailed Unexploded

Ordinance Risk Assessment (prepared by SafeLane Global, dated March 2020) reference: CG/38188.

Reason: To ensure that the development suitably mitigates the risks associated with the potential presence of unexploded ordinance at the application site.

- 13 The substation at the western end of the development hereby approved, shall be installed in accordance with the approved details and must comply with the following Standards:
- Noise: BS8233:2014 – Guidance on sound insulation and noise reduction for buildings.
  - Vibration: BS6472-1:2008 Guide to evaluation of human exposure to vibration in buildings. Part 1: Vibration sources other than blasting.
  - ICNIRP Reference Levels of 100 microteslas for magnetic fields and 5000 volts per metre for electric fields

Reason: To secure the satisfactory development of the site in terms of human health and the wider environment.

- 14 Unless alternative details are first agreed in writing by the Local Planning Authority, the recommendations set out in the submitted Flood Risk and Drainage Strategy (prepared by Powell Tolner & Associates Ltd, dated March 2020 – Ref: 9706-PTA-ZZ-XX-RP-9001) shall be fully implemented for each phase of the development following the commencement of each phase of the development (excluding site preparation works).

Reason: To ensure the development suitably addresses flood risk and drainage impact.

- 15 Unless alternative details are first agreed in writing by the Local Planning Authority, the recommendations set out in the submitted Air Quality Assessment (prepared by Eight Associates, dated March 2020) shall be fully implemented for each phase of the development following the commencement of the superstructure works of each phase of the development.

Reason: To ensure the development suitably addresses air quality impact.

- 16 Unless alternative details are first agreed in writing by the Local Planning Authority, the ecology mitigation and enhancement recommendations set out in chapters 5, 6 and 7 of the submitted BREEAM Ecology Assessment (prepared by Greengage, dated March 2020) shall be fully implemented for each phase prior to occupation of each phase of the development.

Reason: To ensure the development suitably mitigates ecological impact and takes the opportunities to enhance ecology and biodiversity.

- 17 Unless alternative details are first agreed in writing by the Local Planning Authority, the tree protection recommendations set out in the submitted BS5837 Tree Survey & Arboricultural Impact Assessment (prepared by Greengage, dated March 2020) shall be fully implemented for each phase of the development following the commencement of each phase of the development (excluding site preparation works).

Reason: To ensure the development suitably protects trees that could be damaged by the development.

- 18 Unless alternative details are first agreed in writing by the Local Planning Authority, the recommendations set out in the submitted Fire Statement (prepared by Michael Slattery Associates, dated September 2020) shall be fully implemented for each phase prior to occupation of each phase of the development.

Reason: To ensure the development accounts for fire safety.

- 19 Unless alternative details are first agreed in writing by the Local Planning Authority, the recommendations set out in the submitted Overheating Analysis (Prepared by Eight Associates, dated March 2020) shall be fully implemented for each phase prior to occupation of each phase of the development.

Reason: To ensure the development effectively addresses overheating issues.

- 20 Unless alternative details are first agreed in writing by the Local Planning Authority, the recommended mitigation measures set out in the Noise and Vibration Report (prepared by RBA Acoustics, dated March 2020 – Ref: 9697.RP01.AAR.2 Revision Number: 2) shall be fully implemented for each phase of development prior to occupation of that phase.

Reason: To demonstrate a suitable noise environment for prospective residents.

- 21 The development hereby approved shall not be commenced until a phasing plan showing the location of all phases and car parking provision, the sequencing for those phases and car parking provision, and indicative timescales for their delivery is submitted and approved by the Local Planning Authority in writing through the submission of an application for approval of details reserved by condition. The development shall be carried out in accordance with the plan thereby approved.

The phasing plan may be updated from time to time subject to the written approval of the Local Planning Authority.

Reason: To allow the Local Planning Authority to understand the relevant phase of development that is subject to condition discharge and to ensure coordination between the phasing plan as approved and the triggers in any relevant agreement made under Section 106 of the Town and Country Planning Act 1990 (as amended).

Pre-commencement Reason: The precise phasing must be known prior to the commencement of works on those relevant phases for clarity of the submission of details in relation to each of those phases.

- 22 Prior to the commencement of works on a relevant part of the development hereby approved, a CIL chargeable developments plan shall be submitted to the Local Planning Authority through the submission of an application for approval of details reserved by condition.

Reason: To define the extent of a CIL phase for the purposes of the CIL Regulations 2010 as amended.

Pre-commencement Reason: CIL payments must be made prior to commencement of development and the chargeable development and associated charge must therefore be known prior to the commencement of works on those relevant phases.

- 23 Notwithstanding the details already submitted, prior to the commencement of the development (excluding site preparation) hereby approved, a revised Construction Logistics Plan shall be submitted to and agreed in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition.

The revised Construction Logistics Plan shall include:

- Details of arrangements for general traffic management along Brook Avenue during construction.
- An evaluation of the potential to phase the use of the adopted highway for construction logistics purposes in a way that would facilitate the provision of disabled parking on-street on Brent Council highways land along Brook Avenue opposite the application site.

The development shall thereafter operate in accordance with the approved document.

Reason: To ensure an acceptable impact on existing facilities during construction.

- 24 Notwithstanding the details already submitted, prior to the commencement (excluding site preparation) of the development hereby approved, a revised Construction Environmental Management Plan shall be submitted to and agreed in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. The submission shall outline details of the following measures:

- Hoarding of material.
- Parking arrangements on site.
- Transportation of vehicles and
- Dust Mitigation – wheel washing of vehicle.
- Noise mitigation and management (BS 5228;2014).
- Storage of materials.

The development shall thereafter operate in accordance with the approved document.

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

- 25 a) Prior to the commencement of a phase of development (excluding site preparation works) a site investigation for that phase of the development shall be carried out by competent persons to determine the nature and extent of any soil contamination present. The investigation shall be carried out in accordance with the principles of BS 10175:2011 + A2:2017 and the Environment Agency's current Land Contamination Risk Management Guidance. A report shall be submitted to and approved in writing by the Local Planning Authority that includes the results of any research and analysis undertaken as well as an assessment of the risks posed by any identified contamination. It shall include an appraisal of remediation options should any contamination be found that presents an unacceptable risk to any identified receptors. The report shall be submitted for the Local Planning Authority's approval through the submission of an application for approval of details reserved by condition.

b) Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full. A verification report shall be submitted to and approved in writing by the Local Planning Authority, stating that remediation has been carried out in accordance with the approved remediation scheme and the site is suitable for end use (unless the Planning Authority has previously confirmed that no remediation measures are required). The report shall be submitted for the Local Planning Authority's approval through the submission of an application for approval of details reserved by condition.

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

- 26 No piling shall take place for a phase of development until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority for that phase in consultation with Thames Water. The method statement shall be submitted for the Local Planning Authority's approval through the submission of an application for approval of details reserved by condition.

Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

- 27 Details of materials of the development, for all external work, including samples which shall be made available for viewing in an agreed location, shall be submitted to and approved in writing

by the Local Planning Authority prior to works commencing for that part of the development which include the relevant materials. The work shall be carried out in accordance with the approved details. The details shall be submitted for the Local Planning Authority's approval through the submission of an application for approval of details reserved by condition.

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

- 28 Prior to commencement of a phase of superstructure works, a plan indicating the provision of electric vehicle charging points for the approved car parking spaces for that phase within the site shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. Thereafter, the agreed electric vehicle charging points shall be provided and made available for use prior to occupation of that phase of the development. The provision of electric vehicle charging points shall be in accordance with adopted London Plan standards, providing at least both active and passive charging points.

Reason: To encourage the uptake of electric vehicles as part of the aims of the adopted London Plan policy 6.13.

- 29 Prior to commencement of a relevant phase of the development (excluding site preparation works), hereby approved, detailed designs of the segregated ramp for pedestrian and wheelchair users forming part of that relevant phase of development hereby approved shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition.

The development shall thereafter be implemented in accordance with the approved details prior to its first occupation.

Reason: To ensure a safe arrangement can be demonstrated.

- 30 Prior to occupation of a phase of the development hereby approved, a scheme of detailed landscaping proposals for that phase shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition.

The submitted scheme shall set out detailed proposals for the following aspects:

- Planting species and densities for all grass, shrubs and proposed trees, including street trees along Brook Avenue;
- Child Play spaces;
- Safety measures to minimise conflict between vehicles and play space to the west of Block A, including vehicles that would service the substation;
- Measures to achieve wind comfort levels at the on-street blue badge bays, as recommended in submitted Pedestrian Level Wind Microclimate Assessment (prepared by RWDI, dated March 2020 – Ref: #2000382);
- Biodiversity mitigation and enhancement measures, as recommended in submitted Preliminary Ecological Appraisal (prepared by Greengage, dated March 2020);
- External lighting (including details of lux levels and light spillage diagrams).

The approved landscaping scheme shall be completed prior to the first occupation of the relevant phase of the development hereby approved, or in the case of planted elements, within the first planting season after the occupation of the development hereby approved and thereafter maintained, unless alternative details are first agreed in writing by the Local Planning

Authority.

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

Reason: To ensure a satisfactory standard of appearance and to ensure that the proposed development enhances the visual amenity of the locality, provides functional spaces and to maximise biodiversity benefits.

- 31 Prior to occupation of a phase of development hereby approved, details of how the phase of development is designed to allow future connection to a district heating network should one become available, shall be submitted to and approved in writing by the local planning authority through the submission of an application for approval of details reserved by condition.

The development shall be completed in accordance with the approved details prior to occupation of that phase of the development.

Reason: To ensure the development is in accordance with the principles of London Plan Policy 5.6

- 32 Prior to occupation of the phase of development that incorporates the construction of the tallest block (Block E) within the development hereby approved, details of privacy screening to the southern side of the balcony serving the '2 Bed 3P – Type 07' apartment and to the northern side of the balcony serving the '1 Bed 1P – Type 02' apartment located on the third, fourth, fifth and sixth floors of Block E shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition.

The development shall thereafter be implemented in accordance with the approved details prior to occupation within that phase unless alternative details are first approved in writing by the Local Planning Authority.

Reason: To ensure acceptable privacy levels within the development.

- 33 Notwithstanding the details already submitted, prior to the occupation of a relevant phase of development hereby approved, a revised Delivery and Servicing plan for that phase shall be submitted to and agreed in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition. The revised Delivery and Servicing Plan shall adjust the details of the originally submitted plan to account for the omission of loading bays from the plans.

The development shall thereafter operate in accordance with the approved document.

Reason: To ensure an acceptable impact on existing facilities during construction.

- 34 Prior to occupation of a relevant phase of the development hereby approved, a car park management plan shall be submitted to and approved in writing by the Local Planning Authority for that phase through the submission of an application for approval of details reserved by condition.

The development shall thereafter operate in accordance with the approved details unless alternative details are first approved in writing by the Local Planning Authority.

Reason: To ensure a safe arrangement can be demonstrated.

- 35 Prior to occupation of a relevant phase of development hereby approved, a refuse management plan shall be submitted to and approved in writing by the Local Planning Authority for that phase through the submission of an application for approval of details reserved by condition.

The development shall thereafter operate in accordance with the approved details unless alternative details are first approved in writing by the Local Planning Authority.

Reason: To ensure a safe arrangement can be demonstrated.

- 36 Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises. Prior to the installation of any plant, an assessment of the expected noise levels shall be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' and any mitigation measures necessary to achieve the above required noise levels shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition.

The plant shall thereafter be installed and maintained in accordance with the approved details.

Reason: To protect acceptable local noise levels.

- 37 Prior to the commencement of any A3 use (E(b) use from September 2020) within the development hereby approved, details of the means of extraction of effluvia from the kitchen of the unit being used for that purpose shall be submitted to and approved in writing by the Local Planning Authority through the submission of an application for approval of details reserved by condition.

Reason; To protect local amenity and minimise local nuisance.

## INFORMATIVES

- 1 The applicant is advised that this development is liable to pay the Community Infrastructure Levy; a Liability Notice will be sent to all known contacts including the applicant and the agent. Before you commence any works please read the Liability Notice and comply with its contents as otherwise you may be subjected to penalty charges. Further information including eligibility for relief and links to the relevant forms and to the Government's CIL guidance, can be found on the Brent website at [www.brent.gov.uk/CIL](http://www.brent.gov.uk/CIL).
- 2 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk).
- 3 The applicant must ensure, before work commences, that the treatment/finishing of flank walls can be implemented as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.
- 4 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.

- 5 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 6 In relation to the conditions requiring the submission of details pertaining to land contamination, the quality of imported soil must be verified by means of in-situ soil sampling and analysis. We do not accept soil quality certificates from the soil supplier as proof of soil quality.
- 7 Brent Council advises that the applicant includes the use of Pyrus 'Chanticleer' and Hornbeam as species of street tree in the discharge of Condition 30.
- 8 The following definitions apply in respect of the planning conditions above:

**SubStructure**

Substructure works are defined as building foundations or underlying building supporting substructure. These exclude site preparation works.

**Superstructure**

Superstructure works are defined as part of the building above its foundations. These exclude site preparation works.

**CIL**

For the purposes of the Community Infrastructure Levy Regulations 2010 (as amended) this is a phased development. Each CIL chargeable development approved by this condition shall be considered a separate chargeable development for the purposes of calculating Community Infrastructure Levy.

**Phase**

A phase of development comprises a phase defined for the purposes of CIL and/or a phase defined for the purposes of the discharge of planning conditions and/or a construction phase or sub-phase, and for the purposes of discharging relevant planning obligations.

A phase can comprise site preparation works, demolition works, site preparation works, sub-structures, and/or buildings, plots or groups of plots.

**Site preparation works**

Site preparation works comprise demolition, surveys, site clearance, the erection of fencing or hoardings, the provision of security measures or lighting, the erection of temporary buildings or structures associated with the development, the laying removal or diversion of services, the provision of construction compounds



Any person wishing to inspect the above papers should contact Toby Huntingford, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1903