

30 November 2015

**Chesterfield House, 9 Park Lane, Wembley, HA9 7RH**

in the London Borough of Brent

planning application no. 15/4550

**Strategic planning application stage 1 referral**

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

**The proposal**

Proposed demolition of existing building and erection of 21 and 26 storey building comprising flexible retail/commercial (Use Classes A1-A4) and community uses (Use Class D1) at ground floor and basement level, 239 residential units (Use Class C3) on the upper floors and associated landscaping, public realm, ancillary servicing and plant, car and cycle parking and associated works.

**The applicant**

The applicant is **Chesterfield House Partners LLP** and the architect is **Maccleanor Lavington**.

**Strategic issues**

The principle of the employment-led mixed-use redevelopment of this site is supported. However, there are a number of outstanding strategic planning concerns relating to **housing, urban design, climate change** and **transport**.

**Recommendation**

That Brent Council be advised that, whilst the principle of the proposal is supported, the application does not comply with the London Plan, for the reasons set out in paragraph 75 of this report; but that the possible remedies also set out in this paragraph could address these deficiencies.

**Context**

1 On 27 October 2015 the Mayor of London received documents from Brent Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 7 December 2015 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under the following Categories of the Schedule to the 2008 Order:

- Category 1A: *“Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats.”*
- Category 1C: *“Development which comprises or includes the erection of a building more than thirty metres high and outside the City of London”.*

3 Once Brent Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 has been taken into account in the consideration of this case.

5 The Mayor of London’s statement on this case will be made available on the GLA website [www.london.gov.uk](http://www.london.gov.uk).

## **Site description**

6 The application site has an area of 0.45 hectares and is located on the eastern corner of Wembley High Road and Park Lane. It comprises a 1960’s seven-storey building that contains ground floor retail floorspace with office accommodation above. The site also includes an area of hardsurfacing and woodland behind the retail parade to the east. There is vehicle access from Park Lane to a car park with 78 spaces. The site is within Wembley Major Town Centre, Wembley Housing Zone and the Wembley Opportunity Area, which is the subject of an Area Action Plan (WAAP) that was adopted in January 2015.

7 Wembley Central station (London Underground, London Overground and National Rail) is 300 metres to the west and Wembley Stadium station (National Rail) is 660 metres to the east. The site is also close to a number of bus routes, with the 79, 204 and 297 all stopping on Park Lane and more along the High Road. The site has a public transport accessibility level of 6a, on a scale where 1 is the lowest and 6b is the highest.

8 To the north of the site runs the Chiltern Railways line with more suburban residential areas beyond. To the west of the site, on the opposite side of Park Lane is a primarily residential development of up to eleven storeys. The immediate surroundings, including this stretch of the High Road, predominantly comprise commercial buildings with a mixture of town centre uses, with some larger office buildings and more recent residential developments.

## **Details of the proposal**

9 The proposal is for a mixed use development as described above. In summary, it would comprise two separate buildings of 21 (northern block) and 26 storeys (southern block) with a 7 storey link block in between. An area of public realm would be provided around and in between the blocks, with a pedestrian link to the parking area to the east.

10 In terms of the mix of uses, 777 sq.m. of flexible retail/office floorspace (Use Class A1-A4 and B1) is proposed. This would be located on the ground floor of the southern block on the corner of Park Lane and High Road. A community centre (Use Class D1) of 175 sq.m. is also proposed on the ground floor of the northern block.

11 239 residential flats would be located on the upper floors, each having private balconies, with shared gardens located above the link block and on the rooftops. 54 of these would be one bedroom, 153 would be two bedroom and 32 would be three bedroom.

12 Cycle storage would be located at basement and ground floor levels, with additional stands within the public realm areas. 17 car parking spaces would be located to the rear (east) of the

development, behind the town centre parade. Servicing and refuse collection would be from the existing vehicle access to a dedicated covered area on site.

## Case history

13 In 2001 planning permission (Brent reference 00/1871) was granted for an office-led redevelopment at this site of up to 17-storeys. This application (GLA reference PDU/0137) was renewed in 2008, but was not implemented and has now lapsed.

14 In 2009 a further application (Brent reference 09/2023) was submitted for a hotel-led redevelopment at this site of up to 29-storeys. The Mayor made representations on the application in October 2009 (GLA reference PDU/2314). Whilst noting that the site is an acceptable location for a tall building, the Mayor stated that the proposed design and appearance raised concern. The application was subsequently withdrawn.

15 In 2012 a further application (Brent reference 12/01058) was submitted for a student housing-led redevelopment at this site of up to 17-storeys. The Mayor made representations on the application in June 2012 (GLA reference PDU/2922). Whilst noting that the site is an acceptable location for a tall building, the Mayor stated that the proposed design and appearance raised concern. The application was subsequently withdrawn.

16 In respect of the current proposal, the applicant met with GLA officers at the pre-application stage on 2 June 2015. Overall, the proposed high density residential-led mixed use redevelopment of the site was supported in strategic planning terms. The applicant was however advised to ensure that the future application addresses matters relating to housing, urban design, inclusive access, sustainable development, and transport.

## Strategic planning issues and relevant policies and guidance

17 The relevant issues and corresponding policies are as follows:

- |                      |  |
|----------------------|--|
| • Mix of uses        | <i>London Plan</i>   |
| • Employment         | <i>London Plan; Land for Industry and Transport SPG;</i>   |
| • Town centres       | <i>London Plan; Town Centres SPG</i>   |
| • Housing            | <i>London Plan; Housing SPG; draft Interim Housing SPG; Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG; Shaping Neighbourhoods: Character and Context, SPG</i> |
| • Affordable housing | <i>London Plan; draft Interim Housing SPG; Housing Strategy;</i>   |
| • Urban design       | <i>London Plan; Shaping Neighbourhoods: Character and Context, SPG; draft Interim Housing SPG;</i>   |
| • Inclusive design   | <i>London Plan; Accessible London: achieving an inclusive environment SPG</i>  |
| • Climate change     | <i>London Plan; Sustainable Design and Construction SPG; Mayor's Climate Change Adaptation Strategy; Mayor's Climate Change Mitigation and Energy Strategy; Mayor's Water Strategy</i>     |
| • Transport          | <i>London Plan; the Mayor's Transport Strategy; Land for Industry and Transport SPG</i>  |
| • Crossrail          | <i>London Plan; Mayoral Community Infrastructure Levy; Crossrail SPG</i>   |

18 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, draft Development Management Policies, 2011 Site Specific Allocations, 2015 Wembley Area Action Plan, 2004 Brent Unitary Development Plan (saved policies), as well as the London Plan (Consolidated with Alterations since 2011). Also relevant is the 2011 Wembley Link SPD. The draft Minor Alterations

to the London Plan (2015) and the National Planning Policy Framework and Technical Guide to the National Planning Policy Framework, are also relevant material considerations.

## Principle of mixed use development

19 London Plan Policy 2.13 (and supporting Table A1.1) identifies the Wembley Opportunity Area as having capacity for 11,000 new jobs and a minimum of 11,500 new homes, and promotes development that would contribute to the vitality and viability of Wembley as a town centre. At the local level the Wembley Area Action Plan (AAP) seeks the regeneration of Wembley High Road as well as improvements to public realm and pedestrian access in the area. Site allocation W4 of the Wembley AAP identifies Chesterfield House (as part of a larger allocation comprising land north of High Road between Park Lane and Wembley Hill Road) as suitable for mixed use redevelopment with active frontages.

20 GLA officers note that site allocation W4 (High Road / Chiltern Line Cutting South) of the Wembley AAP supersedes allocation W7 (Chesterfield House) of the Council's Site Specific Allocations DPD. Having regard to the above policy context, GLA officers strongly support the proposed residential-led mixed use redevelopment in strategic planning terms.

## Housing

### Proposed residential mix and private rented sector housing

21 The application proposes 239 residential units in total, which is equivalent to just under 16% of the borough's annual monitoring housing target as defined by the London Plan. The proposed delivery of these new homes is strongly supported in accordance with London Plan Policy 3.3.

22 The application proposes a mix of open market sale units in the southern block and private rented sector (PRS) housing in the northern block. The PRS units would be provided at discount market rent as an affordable housing contribution, the details of which are discussed further below. The table below sets out the proposed residential schedule as proposed.

unit type	number		total	% of total scheme
	market sale	discount market rent		
1 bed	35	19	54	23
2 bed	88	65	153	64
3 bed	13	19	32	13
total	136	103	239	100.0

Table 1: proposed unit mix

23 London Plan Policy 3.8 (Housing Choice) and emerging guidance within the Mayor's draft Interim Housing SPG identify PRS housing as addressing a distinct need, and recognise that the model is becoming increasingly important in terms of supporting labour market mobility. The draft SPG notes that PRS housing may be particularly suitable in instances of town centre intensification, and in locations benefiting from good transport connectivity. Noting the particular characteristics of this site, the proposed PRS housing offer is supported in strategic planning terms and the proposal to locate this entirely within one of the blocks would be beneficial in terms of management and nomination arrangements.

## Affordable housing

24 As mentioned above, the applicant proposes a provision of discount market rent (DMR) as the affordable housing contribution within the scheme. Emerging guidance within the draft Interim Housing SPG (para 3.1.27) states that discount market rent may be an acceptable affordable housing offer where traditional affordable housing is unviable as part of a PRS scheme.

25 It is proposed to provide 103 units for DMR, which is equivalent to 45% of the total habitable rooms and 43% of the units. Mechanisms are also proposed to enable the 33 units on the first to fifth floors of the northern block to be available to households on the Council's waiting list. These would be offered for 3 months after completion at rents capped at London Housing Allowance (LHA) rates, which should be comparable to affordable rent, although the detailed arrangements should be confirmed by the Council and secured in perpetuity.

26 The remaining units would be capped at 80% of market rent, though the Council should confirm that this meets the NPPF definition of intermediate housing, and be affordable to those eligible for intermediate housing. The applicant states that they would be secured for 7 years, although this is considered to be inadequate. Other similar schemes have secured intermediate DMR units for 15-20 years, including a provision for re-appraisal and compensatory payment at the end of this period. The Council is encouraged to ensure that the DMR units are secured for a longer period and to include appropriate financial re-evaluation at the end of this period. GLA officers would welcome further discussions on this aspect. The balance of affordable rates is broadly supported in line with the objectives of London Plan Policy 3.11, subject to these clarifications.

27 It is understood that the affordable housing offer has been developed following discussions with the Council and the DMR units are the only viable option from a design and operational perspective, delivering a greater quantum of affordable housing than a traditional affordable offer. Whilst the proposed 43% provision of DMR units, with a roughly 68:32 split between discounted and LHA rates is welcomed, London Plan Policy 3.12 requires the maximum reasonable amount of affordable housing to be delivered, having regard to viability and other considerations. The applicant's Viability Assessment sets out a number of scenarios, including one with traditional affordable housing products, which result in a significantly worse viability position than the adopted approach. It is understood that the Council has appointed an independent consultant to review this work and the Council should confirm that the proposed offer represents the optimum scenario for this scheme.

28 The final agreed quantum, mix, rates and detailed arrangements (including nomination rights as appropriate) for the DMR provision should be secured through the S106 agreement.

## Mix of units

29 The balance of the housing mix is weighted mainly towards two-bedroom units, although there would be a slightly higher proportion of family sized dwellings within the discount market rent component of the scheme. Whilst Brent Council will need to be satisfied that the mix appropriately responds to local housing need, having regard to guidance within the draft Interim Housing SPG (particularly paragraph 3.1.25), and noting also the town centre context, GLA officers are of the view that the proposed residential schedule is acceptable in strategic planning terms.

## Density

30 London Plan Policy 3.4 requires development to optimise housing output for different locations taking into account local context and character, design principles set out in the London Plan and public transport capacity. London Plan Table 3.2 provides the density matrix in support of this policy. The site is regarded as having a 'central' setting with a high public transport accessibility level. The London Plan indicative residential density for this site is 650-1,100 habitable rooms per hectare.

31 The proposed development would have a density of 1,683 habitable rooms per hectare and this has been calculated based on the net residential site area. The density would be above the indicative ranges, although given the highly accessible and central nature of the site, a high density scheme would not necessarily be a concern. It is noted that the Mayor's supplementary planning guidance 'Housing' makes it clear that high density proposals need to be of the highest design quality, amenity and contribute to local place making. These matters are addressed in the following sections.

## Housing quality

32 London Plan Policy 3.5 promotes quality in new housing provision, with further guidance provided by the Mayor's Interim Housing SPG. All of the units meet the Mayor's minimum space standards for internal space and amenity space, which is welcomed. The number of dual aspect units have been maximised and there are no single aspect north facing flats. Floor to ceiling heights would exceed 2.5 metres and the scheme achieves an efficient core to unit ratio, with good corridor widths and the majority of cores have access to natural light. Overall the quality of the residential units is high, although concerns are raised in respect of some of the north facing single aspect units, in the urban design section of the report below.

## Children's play space/amenity space provision

33 London Plan Policy 3.6 seeks to ensure that development proposals include suitable provision for play and recreation. Further detail is provided in the Mayor's supplementary planning guidance 'Providing for Children and Young People's Play and Informal Recreation', including a benchmark of 10 sq.m. of usable space to be provided per child, with under-5 child playspace provided on-site. It is anticipated that there will be approximately 60 children within the development of which 32 will be within the 0-5 age range.

34 There would be a requirement to provide 320 sq.m. of playspace for under 5s on site. There would be 68 sq.m. of doorstep play space provided on the 7<sup>th</sup> floor communal roof terrace, but this would be a significant shortfall compared to the benchmark standards. The applicant should carry out a full audit of play facilities in the local area to demonstrate that there are adequate facilities in the area to meet the demand expected from the development, having regard to benchmark walking distances set out in the Mayor's SPG. The applicant should investigate whether additional play space for under 5s can be accommodated on site. If this is not possible, the Council should secure an appropriate contribution for improvements to local play areas, in addition to any mitigation that may be required for older children.

## **Urban design**

35 Good design is central to all objectives of the London Plan, and given the scale and density of the development, its design needs to be of an outstanding quality. The proposed scheme has been commented on at pre-application stage, and whilst the majority of concerns have been addressed and the scheme is strongly commended, there remain outstanding concerns that need to be addressed.

## Layout and public realm

36 The overall approach to layout is supported. The scheme would provide improved and more generous public realm along High Road, as well as helping to unlock the future development of the adjacent backland site behind the shopping parade. The proposed introduction of a new public square off Park Lane is also a key asset of the scheme. The flanking of the square with active ground floor uses (including retail, residential entrances and a community centre) is strongly supported. The introduction of a colonnade under part of the southern block would increase public realm still further and improve the visibility of the square from the High Road, which is welcomed. The Council should consider imposing a condition to ensure that windows of the retail units shall not be obscured by shop fittings, or made visually opaque, to maximise activation of the public realm.

## Residential quality

37 For the reasons outlined in paragraph 31, the residential quality of the scheme is generally of a high standard. The wind and microclimate section of the Environmental Statement concludes that the majority of amenity spaces would be sufficiently sheltered and recommends mitigation in the form of raised balustrades and glazed panels. The Council should secure these details by condition, as well as securing details of any noise mitigation that may be required for units on the lower floors facing the railway or surrounding roads.

## Tall building, scale and massing

38 The Wembley AAP identifies this site as suitable for tall buildings (over 30 metres). Supporting text in the AAP with respect to building height also refers to the Wembley Link SPG - which states that new tall buildings in the area should not exceed the height of Wembley Central (13-storeys/55 metres). Pursuant to the Mayor's consideration of previous schemes at this site (refer to case history above), GLA officers are of the view that the principle of a tall building at this highly accessible town centre and Opportunity Area site is acceptable in strategic planning terms. It is, nevertheless, noted that (at 26-storeys/85 metres) the proposal would be taller than envisaged by design guidance within the Wembley AAP, albeit it is broadly similar to the historically approved office-led scheme.

39 Having regard to the requirements of London Plan Policy 7.7, GLA officers are of the view that the overall configuration of massing is well considered. The tallest elements present a generally slender profile, and have been carefully aligned to provide views between them on both the east and west approach to the site along the High Road. Long range views also demonstrate that the proposal would be subordinate in height compared to the Wembley Stadium arch, and would not detract from the appreciation of views towards this iconic venue.

40 In mid-range views, particularly from the north along Park Lane, the mass of the two towers are seen to converge. At pre-application stage, GLA officers requested refinement of the appearance of the scheme to allow the towers to be read as two distinct elements. The architect's response has been to alter the brickwork treatment of the courtyard elevations (south elevation of north block and north elevation of south block) by introducing white brick banding to differentiate the blocks in north and south views. Based on the information provided, GLA officers are unconvinced that this approach has been successful. In particular, the Park Lane view (view 9) in the Townscape, Visual and Heritage Impact Assessment (TVHIA) is shown as a wireline instead of a full render. The applicant is requested to reconsider the approach to differentiating the towers and consider using contrasting bricks or architectural treatments for each. Further information should be provided to justify the approach taken.

41 The wind and microclimate assessment demonstrates that all ground level areas would be appropriate for their intended uses, with the exception of the walkway tunnel. However, the assessment concludes that the landscaping proposed in the public square would significantly improve wind conditions and the Council is requested to ensure that appropriate tree planting details are secured by condition.

#### Architecture and materials

42 Notwithstanding the comments made above, the architectural approach is strongly supported. The scheme proposes a simple high quality approach to architectural detailing and materials that would complement the orderly form of the building massing. The proposed use of varying types of high quality brickwork is supported, and would provide robust and durable elevations which subtly articulate the building's base, middle and upper levels. The detailing and build quality will however be critical to achieving the highest possible standard of architecture and the Council is encouraged to secure key details to ensure this is achieved and built through, as well as securing the retention of the architects during detailed design phases.

### **Inclusive design**

43 In accordance with London Plan Policy 3.8, the applicant has confirmed that all of the residential units will meet Lifetime Homes standards, and that more than 10% of the units will be designed to be fully adaptable and adjustable to wheelchair users. These would be split equally across the market sale and rented tenures. As set out in the Mayor's Housing Standards Policy Transition Statement, the Council should secure compliance with building regulations M4 (2) and M4 (3) by condition.

44 Furthermore, the application documents confirm that inclusive and convenient access for all will be achieved throughout the development, with all public realm spaces designed to ensure inclusive access with level, wide and smooth surface approaches and minimal obstacles. Level access will be provided to all non-residential uses, within all buildings and to external amenity areas. This is supported, and the Council should secure details of landscaping and site levels by condition, to ensure that inclusive design objectives are met.

### **Climate change – adaption**

45 The proposal includes a number of measures in response to strategic policies regarding climate change adaptation, which are welcomed. Measures proposed include sustainable drainage measures, use of low energy lighting and energy efficient appliances, high levels of insulation, and green roofs.

### **Climate change - mitigation**

#### Energy efficiency

46 The applicant has broadly followed the London Plan energy hierarchy to reduce carbon dioxide emissions, and a range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. Other features include low energy lighting and mechanical ventilation with heat recovery.

47 The demand for cooling will be minimised through glazing ratio optimisation and solar control glazing. The applicant has stated that none of the dwellings will be at a high risk of overheating under the Part L assessment and that the cooling demand will be less than 1% of the total development energy demand. Whilst it is acknowledged that the predicted cooling demand is relatively low the figure alone does not adequately demonstrate that the cooling



demand has been reduced for the dwellings and non-domestic uses. Evidence of how London Plan Policy 5.9 has been addressed to avoid overheating and minimise cooling demand should be provided for both the domestic dwellings and commercial uses.

48 In addition, the Part L compliance checklists provided suggest a medium risk for some of the dwellings. Further passive measures should be considered in line with Policy 5.9 to avoid the risk of overheating now and in future climate. Dynamic overheating modelling in line with CIBSE Guidance TM52 and TM49 is recommended.

49 The development is estimated to achieve a reduction of 32 tonnes per annum (7%) in regulated carbon dioxide emissions compared to a 2013 Building Regulations compliant development. Sample SAP calculation worksheets (both DER and TER sheets) and BRUKL sheets (including solar gain checks) including efficiency measures alone should be provided to support the savings claimed.

#### District heating and renewables

50 The applicant has carried out an investigation and there are no existing district heating networks within the vicinity of the proposed development. However, the development is situated within the Wembley Central district heating opportunity area. In accordance with the principles of London Plan Policy 5.6, the applicant should contact the local energy officer to explore the potential for district network connection opportunities coming forward in the area. Evidence of this correspondence should be provided. The applicant should also provide a commitment to ensuring that the development is designed to allow future connection to a district heating network should one become available.

51 The applicant is proposing to install a communal heat network and has confirmed all uses at the proposed development (including the amenities, dwellings and non-residential spaces) will be connected. The site heat network will be supplied from a single energy centre. This will be 239 sq.m. in size and located in the basement. A plan of the energy centre has been provided, however the applicant should provide further detail on the provisions being made for a future district network connection (such as space allocated for heat exchangers and pumps).

52 In line with London Plan Policy 5.6 all opportunities for connection to existing district heating networks should be investigated and exhausted before considering the installation of on-site CHP, including opportunities for connection to nearby developments should also be considered. Evidence of correspondence with relevant stakeholders should be provided to support any statements made.

53 The applicant is proposing to install a 110 kW<sub>e</sub> gas fired CHP unit as the lead heat source for the site heat network. The CHP is sized to provide the domestic hot water load, as well as a proportion of the space heating. A reduction in regulated carbon dioxide emissions of 76 tonnes per annum (16%) will be achieved through this second part of the energy hierarchy. The applicant should provide information on the management arrangements proposed for the system, including anticipated costs, given that the management and operation of small CHP systems can significantly impact their long term financial viability.

54 The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install 152 sq.m. of Solar Photovoltaic (PV) panels on the roof of the development. A roof layout drawing detailing the indicative location of the PV panels has been provided. A reduction in regulated CO<sub>2</sub> emissions of 8 tonnes per annum (2%) will be achieved through this third element of the energy hierarchy.

## Summary

55 Overall the measures proposed result in a 25% reduction in regulated carbon dioxide emissions compared to a 2013 Building Regulations compliant development, which would fall short of the London Plan Policy 5.2 target. While it is accepted that there is little further potential for carbon dioxide reductions on site, in liaison with the Council the developer should ensure the shortfall in carbon dioxide reductions, equivalent to 46 tonnes per annum, is met off-site. This should be secured through the S106 agreement. In addition, the applicant should fully address all comments made above before compliance with London Plan energy policy can be verified.

## **Flooding**

56 The site is within Flood Zone 1 and is at low risk of surface water flooding, although there are areas within the wider surface water catchment in the Wembley area that are at high risk from surface water flooding. The application sets out a number of measures to deal with surface water, including green roofs and underground attenuation tanks. These measures would restrict surface water run-off to greenfield rates in accordance with London Plan Policy 5.13. Given the nature and location of the proposals this approach is considered to be acceptable in terms of the sustainable drainage hierarchy contained in Policy 5.13 and should be secured by the Council by an appropriate planning condition.

## **Transport**

57 As mentioned, the site lies within the Wembley Opportunity Area as identified in the London Plan and is in a location allocated for redevelopment in the Wembley Area Action Plan (AAP) adopted by Brent Council in January 2015. As part of the Wembley Opportunity Area, a number of aspirational transport improvements have been identified, such as the upgrade of three railway stations, the implementation of a bus strategy and improvement to cycle and pedestrian infrastructure.

### Trip generation and modal split

58 It was agreed at pre-application stage that in this instance, highway modelling would not be required by TfL, provided that the impact of pedestrian, cycle and servicing movements on traffic flow, including buses, was fully explained in the Transport Assessment (TA). Some analysis is presented but there is little sense that the TA connects the identified trip generation and distribution with impacting on the local public transport and route network and this is partly due to an inappropriately high number of 'current' trips used in modelling. This effectively underplays the number of trips the new development is likely to add to the network. The TA states the existing offices on site are currently vacant along with a number of the retail units, and that no historic data is available albeit the previous proposals for this site date are as recent as 2012. TfL understands the office building ceased its most recent occupancy by Brent Council in 2013, therefore it considers the baseline person trip rate should be zero and not be derived from the use of TRICS/TRAVL trip generation along the census, as presented in the TA. If appropriate, more detailed information on the current occupancy of the retail units and their likely trip rates (from an on-site survey for instance) could be provided to justify the trip rates.

### Parking

59 Seventeen car parking spaces are proposed – comprising eight accessible spaces for the accessible units and nine standard bays for other residents. The provision is equivalent to 0.07 spaces per dwelling. The parking area adjacent to the rear of the residential units (above the retail units) within the southern part of the car park will be retained. This will allow up to nine vehicles to park within this area – making a total for the development of 26 vehicles, including eight disabled spaces. No parking provision is provided on-site for the commercial uses.

60 At pre-application stage, TfL supported the proposals to provide disabled parking bays only, but the revised quantum remains acceptable as it represents a significant reduction from the 78 existing bays and will encourage use of more sustainable modes of transport for able-bodied residents and workers. TfL would however encourage that for the quantum of development, most – if not all – spaces should be of blue badge design and furthermore disabled spaces should be provided for workers and community facility users as well as residents, to align with the London Plan which covers provision for all land uses. Future residents should be exempted from eligibility to apply for on-street permits within the existing Controlled Parking Zones (CPZ) and electric vehicle charging points (EVCP) should be provided at a ratio of 20% of all spaces and a further 20% of spaces should have passive provision.

61 It is noted that a car club bay is situated on the High Road approximately 300 metres to the east of the site although no information has been supplied about demand. TfL would therefore be supportive of a further space being provided either on-site within the proposed car parking, or by the Council locally, the latter's funding assisted by the applicant.

### Cycling

62 Cycle parking will be provided internally on the ground floor and basement levels for residents and staff of the commercial uses, as well as externally outside the building for visitors and customers. In total 458 cycle parking spaces are proposed at grade on the site of which eight are for the commercial uses and 450 for residents, meeting the requirements of the London Plan. A further 26 short-stay cycle parking spaces will be provided externally within the courtyard; 6 short-stay spaces for residents and 20 short-stay spaces for the commercial uses which is also an acceptable quantum.

### Public transport

63 TfL considers that the impact on tube and rail services is unlikely to be significant, however it is concerned about the implications for local bus services. TfL is in the process of finalising with Brent Council a bus strategy for Wembley in order to cater for the growth anticipated in the Opportunity Area. Although a bus corridor study is about to be undertaken, TfL is of the view that developments will need to contribute potentially through pooling contributions, towards bus capacity enhancements to accommodate the cumulative impact of developments in the area.

64 While the development currently benefits from being served by a high frequency bus corridor, all of the routes (with the exception of Route 92) are currently operating at capacity in the Wembley area. Routes 18 and 223 terminate nearby and are therefore unlikely to be impacted by the likely additional demand generated by the site. For routes 83, 182 and 204 demand outstrips planning capacity and with further developments coming forth from the Wembley Opportunity Area, this is forecasted to continue and be exacerbated. The TA gives a figure of 116 buses per hour (bph) peak along Wembley High Street whilst by TfL's calculation this is much lower at 64.5 bph.

65 TfL requires further discussion with the applicant to identify and agree an appropriate buses contribution, which will help deliver the aims of the emerging bus strategy and London Plan Policy 6.7 *Better Streets and Surface Transport*.

### Pedestrian and cycle environment

66 The junction of the A404 High Road and A4089 Park Lane is currently lacking both pedestrian control and safe crossing facilities. Although it is understood Brent Council has designed improvements to this nearest junction to the site for cyclist and pedestrians, there is no

commitment from the applicant on funding this or other improvements to mitigate the development's impacts. Nor is reference made to helping realise the Council's aspiration in promoting Wembley as an area suitable for a Cycle Hub and similarly it is unclear how the proposals will meet its connectivity aims.

67 Given the location and nature of the proposals, TfL considers that insufficient improvements to the pedestrian and cycle environment have been proposed in accordance with London Plan policy 6.10. It is critical that this and other developments in the area help improve the safety, attractiveness and connectivity of these 'soft' modes. Therefore TfL would support Brent Council in seeking appropriate funding for its improvement schemes as mentioned here and in its AAP, to be secured through the S106 agreement. Furthermore a contribution towards the implementation of Legible London in the immediate vicinity of the site in accordance with London Plan policy 6.10 is suggested.

#### Travel planning, access and servicing

68 The existing access on Park Lane will be used as a service access by refuse and long-dwell delivery/service vehicles; retail and above-ground residential units with a high-street frontage will continue to be serviced from the marked loading bays on the High Road. Refuse and service vehicles will have to reverse into the site off Park Lane as the space to turn on site is limited. Although the refuse service provided by Brent Council accepts this, this arrangement is not ideal in terms of road safety for cyclists and congestion for buses caused by large vehicles slowly reversing off the highway. Although a framework Servicing Management Plan (SMP) has been submitted which aims to examine the management of delivery procedures to minimise the impact, it appears no actual facilities management is to be provided on site. TfL requests this to be re-examined for the submission of a full SMP, which the Council should secure by condition.

69 The application is supported by a framework travel plan, which has passed TfL's ATTrBUTE test. Travel plans for the residential use plus ideally the commercial use should also be secured, enforced, monitored, reviewed and funded through the S106 agreement in accordance with London Plan Policy 6.3. As stated above a framework construction logistics plan (CLP) is included in the TA but a detailed version should be submitted prior to development commencing and secured by condition.

#### Community Infrastructure Levy

70 In accordance with London Plan policy 8.3, *Community Infrastructure Levy*, the Mayor agreed to commence CIL charging for developments permitted on or after 1 April 2012. It is noted that the proposed development is within the London Borough of Brent, where the Mayoral charge is £35 per square metre Gross Internal Area (GIA). The levy will raise £300 million towards the delivery of Crossrail. Further details can be found at:  
<http://www.london.gov.uk/publication/mayoral-community-infrastructure-levy>.

#### Summary

71 In summary, given the high accessibility and limited parking, along with a car-and-permit free agreement, it is unlikely to have a significant impact on the surrounding highway network. However, TfL wishes to raise detailed issues relating to the trip generation, pedestrian crossing improvements, bus capacity, walking and cycling connections, Legible London contribution and disabled parking, which should be addressed. CLP, SMP and travel plan should all be secured by condition or through the S106 agreement.

## Local planning authority's position

72 The Council is still considering the application and has yet to make a recommendation to committee.

## Legal considerations

73 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

## Financial considerations

74 There are no financial considerations at this stage.

## Conclusion

75 London Plan policies on Opportunity Areas, employment, town centres, housing, urban design, playspace, inclusive design, climate change and transport are relevant to this application. The principle of the housing-led mixed-use redevelopment of this site is supported. However, a number of strategic concerns are raised, and consequently the application does not accord with London Plan Policy:

- **Housing:** the Council should ensure that the PRS units are secured through the S106 agreement, as well as confirming through the viability appraisal that the optimum affordable housing offer is provided and secured through the S106 agreement, in accordance with London Plan Policy 3.12. The Council should confirm that the proposed unit mix addresses local need. The applicant should also address concerns raised in respect of off-site play space and if necessary agree a contribution with the Council.
- **Urban design:** the design quality of the scheme is generally high, but the applicant should seek to address outstanding concerns relating to the visual impact of the proposal in mid-range views, to ensure compliance with London Plan Policies 7.6 and 7.7. The Council should secure details of public realm levels, shopfront treatments, wind and noise mitigation by condition, as well as securing high quality detailing and the retention of the scheme architects for the detailed design phase.
- **Climate change:** the energy strategy does not accord with London Plan policies 5.2, 5.6 and 5.9. Further information regarding energy efficiency, overheating, future connection to a district heat network and the site-wide heat network is required. A contribution should be secured by the Council through the S106 to offset the carbon dioxide emissions of the development.
- **Transport:** in accordance with London Plan policies 6.1, 6.2, 6.3, 6.4, 6.7, 6.9, 6.10 and 6.13 the applicant should address concerns relating to trip generation, pedestrian crossing improvements, bus capacity, walking and cycling connections, Legible London

contribution and disabled parking. A construction logistics plan, servicing management plan and travel plan should all be secured by condition or through the S106 agreement.

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