

PRE-APPLICATION REPORT TO COMMITTEE

Planning Committee on 10 August 2015

Item Number

Case Number 16/0201/PRE

SITE INFORMATION

RECEIVED: 2016

WARD: Queensbury

LOCATION: 1 to 8 Capitol Industrial Park, Capitol Way, London, NW9 0EQ and land to front of 78 Capitol Way facing Stag Lane

SCHEME: Demolition of existing buildings and proposed redevelopment comprising six buildings (annotated on the plans as Blocks A, B, C, D,E and G) of between four to eight storeys high to accommodate a mixed use development with 2272sqm of commercial floorspace at ground level and 415 residential units, associated part basement car parking, landscaping, new street trees and public realm improvements. The scheme also proposes a separate building (annotated on the plans as Block F) on the land fronting Stag Lane that is up to three storeys in height and will contain 1879sqm of commercial uses only.

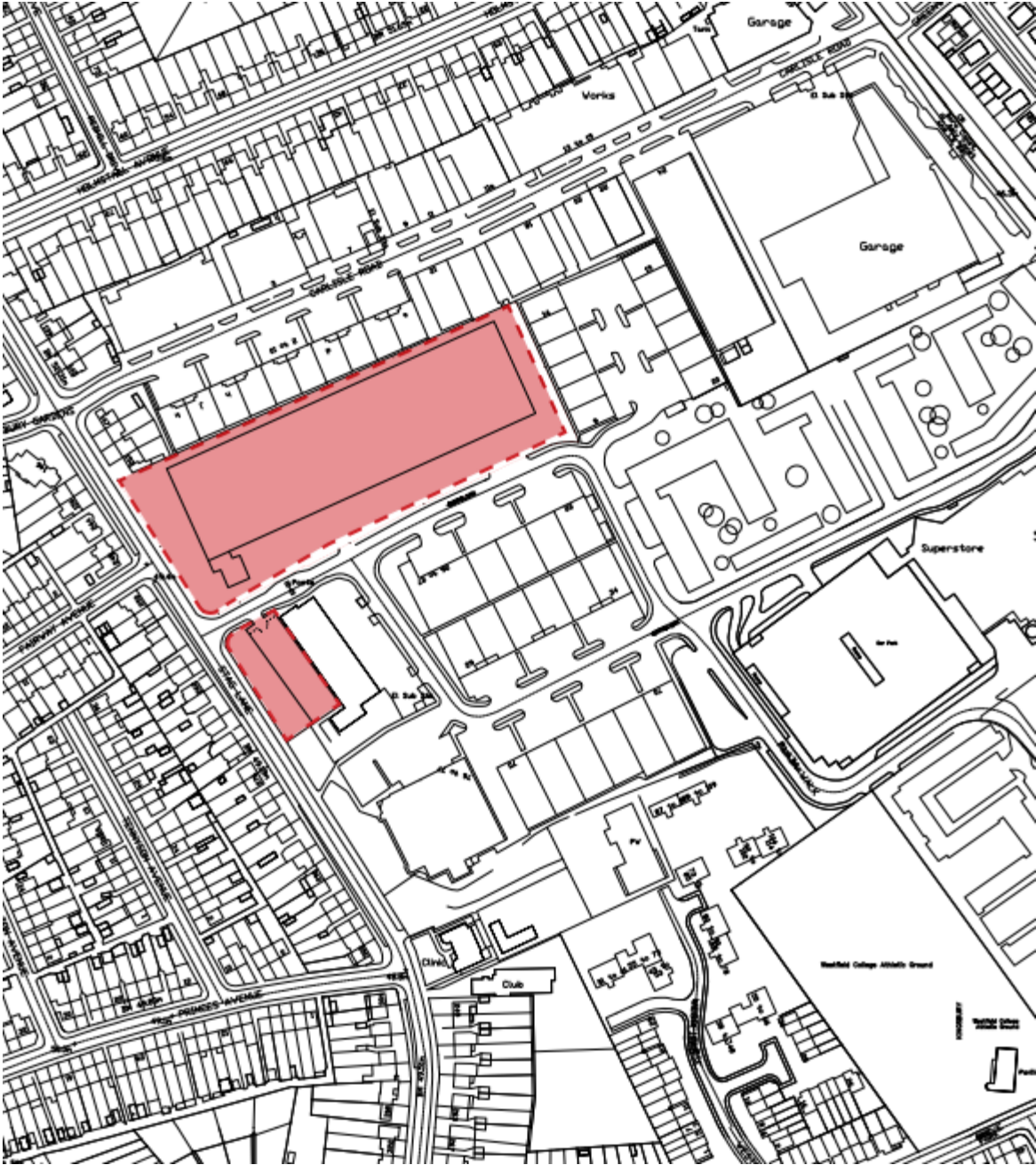
APPLICANT: Royal London Neat

Agent: Judd Planning

Case Officer: Victoria McDonagh (North Area Team)

SITE MAP

This map is indicative only



DEVELOPMENT DETAILS

Ref: 16/0201/PRE

Location: 1 to 8 Capitol Industrial Park, Capitol Way, London, NW9 0EQ and land to front of 78 Capitol Way facing Stag Lane.

Ward: Queensbury

Description: Demolition of existing buildings and proposed redevelopment comprising six buildings (annotated on the plans as Blocks A, B, C, D,E and G) of between four to eight storeys high to accommodate a mixed use development with 2272sqm of commercial floorspace at ground level and 415 residential units, associated part basement car parking, landscaping, new street trees and public realm improvements. The scheme also proposes a separate building (annotated on the plans as Block F) on the land fronting Stag Lane that is up to three storeys in height and will contain 1879sqm of commercial uses only.

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BACKGROUND

This proposed development is being presented to enable Members of the committee to view it before a planning application is submitted and to comment upon it. The development does not constitute an application for planning permission and any comments made upon it are provisional and subject to full consideration of any subsequent application and the comments received as a result of consultation, publicity and notification.

This is the first time the proposed development is being presented to Members. Prior to this the applicants have been engaged in pre-application discussion with Council Officers. The proposal was presented to the Council's internal Major Cases Forum on 10 March 2016 and 14 July 2016. The applicant has also presented the scheme to the Greater London Authority on 4 April 2016.

PROPOSAL and LOCATION

Proposal

As discussed above the proposal involves the demolition of existing buildings and proposed redevelopment comprising six buildings (annotated on the plans as Blocks A, B, C, D,E and G) of between four to eight storeys high to accommodate a mixed use development with commercial floorspace at ground level and 415 residential units, associated part basement car parking, landscaping, new street trees and public realm improvements. The scheme also proposes a separate building on the land fronting Stag Lane that is up to three storeys in height and will contain commercial uses only.

The total amount of commercial floorspace across the application site is 4151sqm. This will be used for small and medium enterprises (SMEs) as a "work hub".

Proposed residential mix:

Unit Type	Block A	Block B	Block C	Block D	Block E	Block G	Total	% Total
Studio	1	3	0	17	7	17	45	10%
One Bed	5	14	11	32	35	27	124	30%
Two Bed	12	26	37	30	20	19	144	35%
Three Bed	20	17	19	13	20	13	102	25%
Total	38	60	67	92	82	76	415	100%

Site and Surroundings

The main part of the application site contains a large linear single storey warehouse building with area of hard standing to the south and east facing onto Capitol Way. It has a floor area of 9,513sqm. The building has been vacant for over three years. The site is accessed from Capitol Way and Stag Lane via a width restriction.

The smaller parcel of land that form part of the application faces onto Stag Lane. It is in front of 78 Capitol Way. This site does not contain any buildings but has a number of trees on the site that are subject to a Tree Preservation Order (TPO).

The site is surrounded to the north, east and south by other industrial and warehouses uses. These buildings are one to two storeys high. To the west on the opposite side of Stag Lane are two storey residential properties. To the south east of the application site is TNQ which is a recently constructed redevelopment to provide a residential led mixed use development (LPA Ref: 08/2823). The approved buildings are four to six storeys high above a podium plus a frontage block at 17 storeys high above a podium.

Policy context

The site is located within a Locally Significant Industrial Location. Further towards the Edgware Road and to the south east is the boundary of the Burnt Oak Colindale Growth Area. This site falls outside the growth area boundary.

The site currently has a Public Transport Accessibility Level (PTAL) of 2.

Planning History

No recent or relevant planning history

CONSULTATION RESPONSE

At this stage it is intended that the following will be consulted regarding any subsequent planning application:

Statutory Consultee:-

(Internal)

- Ward Councillors (Brent)
- Transportation (Brent)
- Environmental Health (Brent)
- Landscape Design (Brent)
- Tree Protection Officer (Brent)
- Sustainability Officer (Brent)
- Housing (Brent)
- Urban Design Officer (Brent)
- Planning Policy (Brent)
- Local Lead Flood Authority (Brent)

(External)

- Secure by Design Officer (Met Police)
- Greater London Authority
- Transport for London
- LB Barnet
- LB Harrow

- All existing properties and addresses within 100m of the application site.

PRE APPLICATION ADVICE WITH OTHER BODIES

The applicant presented the scheme to the Greater London Authority on 4 April 2016. A summary of the main points raised by the GLA is set out below:

GLA: Change of use of employment/industrial land

The GLA has advised that as the building has been vacant for a long period of time and the redevelopment has potential to increase employment densities on the site, the principle of development can be supported even though the site is within a LSIS. They have advised that this is subject to ensuring the development (which includes sensitive residential use) does not prejudice the operation of the existing industrial uses on the estate and thus its function as an LSIS. It should also ensure that the commercial floorspace is flexible and could potentially accommodate business types associated with the industrial estate (such as trade uses) and include affordable business space suitable to smaller start-up businesses.

GLA: Affordable housing

As no details of affordable housing were provided at the meeting, the GLA has made reference to its policy on affordable housing. Policy 3.12 of the London Plan requires the maximum reasonable amount of affordable housing to be negotiated on individual private residential and mixed use schemes having regard to current and future requirements at local and regional levels, affordable housing targets, the need to promote mixed and balanced communities, the size and types of affordable housing needed in particular locations, site circumstances, and resources.

GLA: Residential Mix and Housing Design Standards

The GLA have drawn the applicants attention to the requirements of policy 3.5 in the London Plan and the guidance set out in the London Housing Design Guide and Housing SPG, when designing the residential units and mix.

GLA: Children's play space

The GLA have drawn the applicants attention to the requirements of policy 3.6 in the London Plan and the method of calculating children playspace in accordance with the Mayor's SPG on "Providing for Children and Young People's Play and Informal Recreation.

GLA: Density

The GLA have refer to policy 3.4 within the London Plan, and advised that the proposal falls within this density range.

GLA: Design, layout, massing and scale

The GLA are generally supported of the layout of the blocks. They have advised that the location of the commercial units at ground level is appropriate subject to them maintaining acceptable relationship with the residential units above in terms of noise and other factors. They have advised that the internal routes within the development should be designed to maximise active frontages and passive surveillance to make the routes safe and attractive. Blocks that front onto a street frontage, such as Stag Lane, should at ground level at individual front doors to relocate the traditional street pattern.

The GLA have also considered wider connectivity through the site to the surrounding areas. It is recognised that there is currently limited opportunity to create north-south routes due to buildings adjoining and north and east boundaries. However. the GLA have advised that as the adjoining may be redeveloped in the future, the proposed development should consider safeguarding land for a north-south route, for instance on the eastern boundary where it could connect into Capitol Way an the park to the south.

The GLA have advised that they are broadly supported of the massing and height. The palette of materials which predominantly contains brick is supported.

GLA: Inclusive Design

The GLA have drawn the appellants attention to the Government's technical housing standards, which requires 90% of new homes to be built to lifetime standards (Building Regulation (M4(2) and 10% of new homes designed to be built as wheelchair accessible units (Building Regulation M4(3). They also advised that each wheelchair accessible unit should have access to a widened parking space. The applicant will also need to demonstrate how the design of public realm and landscaping meet inclusive design requirements.

GLA: Energy

The GLA have advised that the applicant that the scheme needs to comply with its policies on sustainability relating to carbon reduction, renewable energy, overheating and cooling and district heating.

GLA: Transportation considerations

No objections raised to the level of car parking. Proposal should have widened disabled spaces, Electric Vehicle Charging Points (EVCP) and cycle spaces that comply with London Plan standards.

A transport assessment together with a PERS assessment and cycle accessibility assessment is required to be submitted with the planning application together with a service and delivery plan.

MATERIAL PLANNING CONSIDERATIONS

The main issues raised by the proposed development that the Committee should be aware of at this stage are:

Issue 1

Principle of development

The site lies within a Locally Significant Industrial Site (LSIS). Policy CP20 in Brent's Core Strategy seeks to protect LSIS for industrial employment uses characterised by use classes B1, B2 and B8, or closely related Sui Generis uses. Policy DMP14 in Brent's Draft Development Management Policies is also relevant, and supports the continued provision of employment sites. It seeks to limit their loss to approximately 11.5 ha in the period to 2029.

Policy DMP14 sets out criteria where LSIS will be released which include:

- (a) it is a low quality employment site identified as suitable for release in the Employment Land Demand Study; and
- (b) it can be shown to be integral to and delivered as part of a wider compressive housing-led regeneration scheme with substantial benefits to Brent, providing at least 50% affordable housing, and consistent with the wider objectives of the Development Plan and/or is of strategic significance to London.

For developments falling under criteria (a) the development should incorporate employment uses providing high density employment on 20% of the site.

The recently completed Employment Land Demand Study scores the Capitol Way site (forming part of cluster 14) highly and recommends it is retained in employment use in order to help meet forecast demand for employment land for development in the B use classes and closely related sui generis uses. Therefore the redevelopment of the site to provide a residential led mixed use scheme is a departure from policy.

The applicant has submitted an employment land report which sets out the marketing evidence for the site and the viability to re-provide it for employment uses. This information would need to be submitted as part of the planning application and will need to be reviewed independently by officers. Subject to sufficient marketing evidence being provided and the report can demonstrate that all options for redevelopment of the site for employment purposes only are unviable, then the Council will need to consider the release of the site from the LSIS, subject to complying with the requirements of emerging policy DMP14. The applicant will also need to demonstrate that the re-provision of employment uses on site is maximised, the commercial space is flexible and could potentially accommodate business types associated with the industrial estate (such as trade uses) and include affordable business space suitable to smaller start-up businesses.

Another important consideration is that the introduction of residential uses within the site does not compromise the wider function of the LSIS. This will need to be demonstrated by the applicant as part of the planning application.

Issue 2

Affordable Housing and Mix of Units

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.

The applicant will be required to demonstrate that the maximum reasonable of affordable housing is being provided in this scheme, and this would need to be tested through the submission of a financial appraisal submitted with any future planning application which would be subject to scrutiny by or on behalf of your Officers. This will also need to take into account the requirements of policy DMP14 which specifies provision of 50% affordable housing when considering the release of LSIS. The Council's policy on the type of affordable housing seeks a ratio of 70% affordable rent and 30% shared ownership. The London Plan seeks a ratio of 60% affordable rent and 40% shared ownership.

Policy CP21 of Brent's Core Strategy 2010 seeks for 25% of units to be family sized (three bedrooms or more). The proposal achieves 25% family sized units, so is policy compliant.

Issue 3

Scale, massing and height

London Plan policy 3.5 promotes quality in the design of housing developments.

Policy 7.6 on 'Architecture' states that buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is regarded as being particularly important for tall buildings.

Your officers are supportive of the massing and height. The main site will rise incrementally to its highest point on the eastern side, aligning in height and scale with the western block of the TNQ development. The buildings fronting Stag Lane would be three-four storeys in height, which is considered to form an appropriate transition of the low rise residential development to the west.

The materials used on the main site is predominantly brick, which is supportive in principle. The commercial unit fronting Stag Lane will be a mixture of brick and glass. Once again this is supported, given its commercial use.

Issue 4

Density

London Plan policy 3.4 seeks to optimise housing potential taking into account local context, character, design principles and public transport capacity. The site currently has PTAL rating of 2. The applicant is proposing to introduce a new bus stop along Capitol Way which has potential to increase the PTAL to 3. Given the site's context between Stag Lane and Edgware Road it is considered to be an 'urban' site and it is therefore considered reasonable to apply the density matrix of (200 – 450 hr/ha).

The scheme proposes a density of approximately 750 hr/ha. Whilst this exceeds the density matrix, there may be scope for a higher density to be supported subject to the arrangement, scale and form of buildings proposed to be robustly tested at planning application stage with regards to local context, bearing in mind neighbouring residential amenity, quality and mix of accommodation and transport impacts.

Issue 5

Layout and public realm

The proposed layout of the main site consists of five linear north-south orientated residential blocks, with the business uses at ground and mezzanine levels, fronting on to Capitol Way to the south, and a residential mews block running along the northern edge of the site. The smaller site would contain the 3-4 block with commercial uses. The development would establish a new building line on this part of Stag Lane, which aligns with the housing further to the

north. Your officers do not object in principle to the layout of the blocks. It is similar in layout as the newly built TNQ development. However, the plans suggest that the mews block has a tight relationship to the flank elevations of the north-south orientated blocks. Details will need to be provided as part of the application to demonstrate that good levels of outlook are maintained for the mews block, especially as these units are single aspect.

The scheme will introduce a widened pavement on Capitol Way which will contain on street car parking and loading bays, intersected with new street trees. Once again, there is no objection to this layout in principle. Further details on this element will need to be provided as part of the planning application. This should also include details of the re-located bus stop to understand its relationship within the street and proximity to the frontage of the building.

The residential entrances should be clearly legible and overlooked. Likewise, there should be natural surveillance to the internal routes within the site and the mews street. The flank walls of the north-south blocks should not be blank, and should be animated with windows that overlook the mews street whilst not compromising privacy of the residential units within the northern block. This will need to be demonstrated as part of the planning application.

Issue 6

Impact on TPO trees

The proposal indicates that some of the TPO protected trees on Stag Lane are shown to be retained, with others proposed for removal. It appears only a few trees are to be retained. As a significant group of trees have already been removed, the further loss of trees will need to be considered by the Council's Tree Protection Officer as part of the planning application.

As part of the planning application, the applicant will need to provide details on species, sized and quality of new tree planting to demonstrate how this might mitigate the loss of existing trees.

Issue 7

Relationship with neighbouring sites

As discussed above, the scheme should not compromise the future operation of businesses within the remainder of the LSIS which is considered appropriate for uses within B1, B2 and B8 uses classes. The applicant will need to provide information as part of the planning application to demonstrate that the introduction of residential uses will not compromise the remainder of the LSIS.

It is noted that the mews development along the northern edge of the site is built upto the site boundary. The northern elevation is blank to avoid overlooking onto neighbouring land. At this stage, your officers do have concerns with the relationship of the mews development being built upto the boundary with the neighbouring employment sites, especially as the blocks rise up to seven storeys in height. This matter will need to be addressed in more detail by the applicant as part of the planning application.

Issue 8

Quality of proposed accommodation

The internal floor area of the residential units should comply with the details set out within the Mayor's Housing Standards - Minor Alterations to the London Plan (March 2016). Likewise, 10% of units should be wheelchair accessible (part M4(3)) and the remainder designed to comply with part M4(2). This information will need to be set out as part of the planning application.

SPG17 requires each residential unit to have access to 20sqm of external amenity space. This can be provided in the form of private balconies/terraces together with access to a communal amenity space. The information submitted with the pre-application submission suggests that minimum standards are being exceeded. Details clearly showing how this amenity space has been calculated should be provided as part of the planning application. This information should also set out the usability of courtyards as amenity space given that they will also be used for access to the residential flats.

The scheme should also provide sufficient levels of playspace for children as required by the London Plan. Once again, these details should be provided with the planning application.

The scheme should provide sufficient defensible space between the ground floor residential units and those that face onto communal amenity areas. This will also need to be applied to the units facing Stag Lane and those within the mews street. This is to ensure that these units maintain sufficient levels of privacy.

A distance of 20m should be maintained between the blocks in line with SPG17. This is to ensure that sufficient levels of privacy are maintained between the residential units.

If a shortfall is proposed it should be clearly demonstrated that the privacy of the units in question will not be compromised. Likewise, the planning application should be accompanied by information to demonstrate that all residential units will receive sufficient levels of daylight and sunlight, and that the communal amenity spaces receive sufficient levels of daylight and sunlight.

It is noted that the scheme involves a number of single aspect units. As these units face onto the mews street, it will need to be demonstrated that these units are not adversely affected by noise and disturbance from vehicles travelling along the mews street. The application will also need to demonstrate that the single aspect units received good daylight and ventilation, and do not overheat.

Issue 9 Highway works, parking strategy and servicing

Parking

The scheme is proposing a total of 261 spaces for the residential units to be accommodated within a basement car park under the main site accessed from Capitol Way. It also proposes 24 surface level car parking spaces to be used flexibly by commercial units and visitors.

The application provides just over 0.6 spaces per residential unit. Given the low PTAL of the site, officers would normally be seeking 1 car parking space for each unit. In order to justify a lower parking standard, the applicant has made reference to car park ownership at TNQ which is around 0.6 spaces per residential unit. As part of the planning application, this information will need to be provided to be considered further by officers to demonstrate that the parking provision is adequate. An overnight parking survey should also be carried out to compare with Brent's survey from 2013.

As part of any justification to support a lower parking demand, consideration must be given to overspill parking. This matter will need to be reviewed by officers in Transportation as part of the planning application, but in addition to mitigation measures such as Travel Plans and Car Clubs, your officers will need to consider whether there is a need to require a contribution from the applicant to fund a Controlled Parking Zone to the residential road to the west of Stag Lane, plus contributions towards permits for existing residents. The application would also be looking to the removal of the rights of residents, businesses and visitors within the development to be entitled to apply for parking permits in the event that a CPZ is introduced in the future.

All wheelchair units should have access to widened car parking spaces. 20% of spaces should have active EVCP and another 20% should have passive EVCP, to comply with London Plan standards.

A Transport Assessment will need to be submitted with any forthcoming application - see GLA comments above.

Bicycle parking should accord with London Plan standards.

Servicing and refuse

Details of servicing for the commercial units need to be provided. This should include a number of loading bays along Capitol Way which can be used flexibly for visitor parking outside of normal commercial opening hours. Consideration also needs to be given to residential servicing such as home shopping vans.

Refuse collection and servicing for the residential units (i.e. home shopping) is proposed via the mews street. The applicant will need to provide tracking plans to demonstrate that these vehicles can access the site. Your officers also have concerns with the potential poor relationship of these type of vehicles in proximity to the flats within the northern block. It is noted that a similar arrangement has been approved as part of 399 Edgware Road (LPA Ref: 12/2166) and officers will use this as a comparison. The applicant will also need to provide additional information on this arrangement to demonstrate that it provides an acceptable environment.

The capacity of the stores and carrying distances for refuse collection should comply with Brent's Householder Waste Collection Strategy.

Highway works/bus stops

Officers in Transportation have advised that on northern approach to the mini round about on Stag Lane, that an extra lane is required and to accommodate this part of the adjoining land within the application site may be required to accommodate this. Such works would be secured as part of section 278 highway works within the legal agreement.

The application will also involve the need to relocate the bus stop on Stag Lane and move it further south on Stag Lane, together with a new bus stop on Capitol Way. The applicant is involved in early discussions with TfL and your highways officers regarding the bus stops, and details will need to be provided as part of the planning application.

OTHER CONSIDERATIONS

Environmental Health

Officers in Environmental Health have requested a Noise Impact Assessment due to the proximity to the nearby industrial uses.

As the site is located within an Air Quality Management Area (AQMA), any forthcoming application should be accompanied by an Air Quality Assessment.

Due to previous uses on the site, any forthcoming application should be accompanied by a Land contamination/site investigation works.

Sustainability Requirements

The London Plan currently applies a 35% carbon reduction target beyond Part L 2013 of the Building Regulations. Within the GLA's revised energy assessment, it explains that this will change for new development from 1 October 2016, to comply with the following:

- Stage 1 schemes received by the mayor up until 30 September 2016 - 35% below Part L 2013 for both residential and commercial/non domestic development.
- Stage 1 schemes received by the Mayor on or after 1 October 2016 - Zero carbon (as defined by the Housing SPG) for residential development and 35% below Part L 2013 for commercial/non domestic development.

The planning application will need to apply evidence on how the demand for cooling will be minimised through passive design in line with Policy 5.9 of the London Plan, and also consider domestic overheating.

The application will need to investigate opportunities for connection to nearby district heating networks and will also need to consider providing a site wide heating network, suitable for connection to wider district network now or in the future. It will need to follow the London Plan's energy hierarchy for CHP and renewable energy.

The application will need to aim to achieve 20% of the carbon reduction achieved through renewable energy, if feasibly possible. Brent Core Strategy also seeks commercial developments to achieve BREEAM excellent. In addition to the above, the scheme is required to meet water efficiency targets of 105 litres per person per day.

Any forthcoming application will need to be accompanied with a Sustainability Strategy that addresses the above.

The scheme should demonstrate how it meets the requirements set out in the Mayor's Sustainable Drainage Hierarchy.

PLANNING OBLIGATIONS

In accordance with the Council's Planning Obligations SPD, the proposal would be likely to attract the following obligations to mitigate the impact of the development:

- Affordable Housing - Final proportion to be subject of detailed financial viability assessment.
- Employment and training opportunities during construction
- Parking Permit restricted development to remove the rights of residents to apply for parking permits in the surrounding roads in the vicinity of the site
- Join and adhere to Considerate Constructors scheme
- Energy - Achieve a 35% reduction in CO2 emissions beyond the 2013 Building Regulations or Zero Carbon for the residential units (depending on when the application is submitted) together with a water efficiency target of 105 litres per person per day and BREEAM excellent for the commercial units
- Submission and approval of a commercial and residential Travel Plan to score a PASS rating under TfL's ATTruTE programme prior to first occupation, to include provision of a subsidised Car Club membership for future residents and to fully implement the approved plan for the lifetime of the development thereafter.
- Undertaking of on and off site highway works through an agreement under S38/S278 of the Highways Act 1980 (N.B. the precise nature of highway works necessary to be confirmed at application stage but likely to involve new lane at northern approach to Stag Lane roundabout).
- Contribution towards bus improvements together with relocation of the bus stop(s) – amount to be agreed with TfL
- Affordable workspace - set out 50% reduction on market rates

Community Infrastructure Levy (CIL)

The proposed development would be CIL liable development. The amount of liability this would attract will be confirmed at a later stage when the precise quantum of development is known.

CONCLUSIONS

Members should note the above development is still in the pre-application stage and that additional work remains to be carried out as discussed above.