

# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

14 March, 2018  
03  
17/0837

## SITE INFORMATION

RECEIVED	24 February, 2017
WARD	Queensbury
PLANNING AREA	Brent Connects Kingsbury & Kenton
LOCATION	1-8 Capitol Industrial Park, Capitol Way, London, NW9 0EQ
PROPOSAL	Demolition of the existing buildings and the redevelopment of the site to provide six buildings ranging between four to nine storeys and eight three storey mews houses, and the erection of a two storey commercial building, providing a total 4,051m of flexible commercial floorspace (B1(a),(b) and (c), B8, D2 and A3) across the site and 414 residential units including a mix of studio, 1, 2 and 3 bedroom units with associated basement car parking, cycle storage, plant and shared external amenity space and landscaped courtyards at ground floor level, and other ancillary works.
APPLICANT	Neat Developments and Royal London Asset Management
CONTACT	Rolfe Judd Planning
PLAN NO'S	Please see 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_132851">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_132851</a></p> <p><b><u>When viewing this as an 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 "17/0837" (i.e. Case Reference) into the search Box</li><li>3. Click on "View Documents" tab</li></ol>

## INTRODUCTION

The application was deferred from the previous planning committee meeting to allow the conclusion of the press notice consultation period. This has now passed and no further representations were received in relation to the application.

Members visited the site on 10 February 2018. Members have sought clarification on issues relating to the design, highways and transportation, infrastructure, quality of accommodation, impact on neighbours and carbon savings.

### **Design:**

The frontage of the proposed housing onto Stag Lane follows the line established by the existing housing to the north. It is therefore set back with entrances to individual flats through front gardens onto the street. This helps to create a suburban street typology which is appropriate in its immediate context.

The corner of the new workspace building on the other side of Capitol Way is also aligned with this to form a symmetrical entrance to Capitol Way and the pavement is substantially widened on both sides to improve access and safety for pedestrians.

The workspace building then steps back so that it is set back to allow for a screen of planting onto Stag Lane and for several of the existing trees to be retained. This will improve the setting of the offices for both people within the building and the existing residents along Stag Lane.

This land is not a public open space but is in private ownership and currently consists of an overgrown area of trees and scrub planting to the front of a hard standing area of parking. The trees form a visual screen between the commercial properties and the housing along Stag Lane, and it is proposed to retain the majority of these trees to maintain this screening effect and further landscaping is proposed to improve the general appearance of this part of the site. Some planting will need to be removed particularly to the areas immediately adjacent to the mini roundabout to improve the public realm for pedestrians and to improve highway visibility at the junction.

### **Highways and transportation:**

The basement car park will provide 254 residential car parking spaces, representing a ratio provision of 0.6 spaces per residential unit.

Car parking will be allocated with a proportion allocated to the affordable housing units - these spaces will be taken on by the Registered Provider. A further proportion will be made available on a first come first serve basis to those residents wishing to take up a car parking space.

It will be possible for residents to sell the spaces, but only to other residents within the development.

As mentioned in paras. 109-110 of the Committee Report, without measures to control over-spill parking (i.e. the implementation of the CPZ), the development is estimated to generate about 80 more cars than could be accommodated on site. In terms of impact, previously available space in Capitol Way appears to now be occupied by overspill parking from the TNQ development. Many of the nearest residential streets to the west are already heavily parked (Fairway Avenue, Tennyson Avenue, Byron Avenue, Milton Avenue, Park Gardens, Tewkesbury Gardens and Tintern Avenue), so do not offer any scope to accommodate overspill parking. The nearest streets with some overnight capacity are Stag Lane (although we would not wish to see parking on both sides of this street), Carlisle Road, Holmstall Avenue and Beverley Drive. A CPZ would help to mitigate overspill parking, particularly as a 'parking permit restriction' clause is proposed in the event that a CPZ is introduced.

The revised junction of Capitol Way and Stag Lane has been modelled and results are summarised at para. 142 of the Committee Report.

The width restriction to the entrance of Capitol Way is to remain in place, but with amendments to allow access by buses, enforced with cameras.

The Stag Lane/Capitol Way junction is to remain as a mini-roundabout, but with widening on two of the arms to improve traffic flow/capacity.

The location of the access to the basement car park at the bend in the road is considered acceptable – it is on the outside of the bend, so visibility is good.

Updated accident records for the latest available three year period (April 2014 – March 2017), shows two accidents at the Capitol Way/Stag Lane junction and seven further accidents along Capitol Way (none along the site frontage). The accident rate at the Capitol Way/Stag Lane junction is consistent with the expected rate for an urban mini-roundabout. The number of accidents along Capitol Way is quite high given the nature of the road. However, there is no apparent common factor that would be exacerbated by this proposal. It is not considered that the proposal will materially affect accident rates.

Below shows the incident severity and number.

Incident severity	Number
Slight	8
Serious	2

Both ‘serious’ incidents occurred in the same location at the Capitol Way Junction with Plaza Walk.

With regard to the proposed bus stop locations, this has been reviewed by TfL and their buses team, and they are in agreement in principle but the details will be secured in the s.278.

**Infrastructure:**

Brent’s CIL Regulation List confirms that Brent CIL contributions will fund the following types of infrastructure–

- public realm infrastructure, including town centre improvement projects and street trees;
- roads and other transport facilities;
- schools and other educational facilities;
- parks, open space, and sporting and recreational facilities;
- community & cultural infrastructure;
- medical facilities;
- renewable energy and sustainability infrastructure; and
- flood defences

This scheme will contribute several millions of pounds to the Local CIL, which can in turn provide the necessary local infrastructure.

Notwithstanding this, it should be noted that there are nurseries in the area, and that Kingsbury Health and Wellbeing Centre, a GP practise is located to the south of the site on Stag Lane.

**Quality of accommodation:**

The units will meet the relevant standards for residential accommodation and the living conditions of future occupiers of the development would be acceptable. This is set out within paragraphs 44 - 55 of the report.

**Impact on neighbours:**

The mews buildings proposed to the north western corner of the site are the only parts of the scheme which sit directly adjacent to existing residential buildings. It should be noted that these are 2-3 storey’s in height, as such they are considered to result in an appropriate relationship to the existing local context and townscape.

In addition to this, the new building to the west of the site which sits onto Stag Lane is considered to contribute to the street frontage and creates a suburban street context with front gardens to match the properties adjacent and opposite on Stag Lane.

**Carbon savings:**

The proposed development meets the minimum 35% carbon reduction off set compared to 2013 Building Regulations. The proposal is in general compliance with the London Plan and the remainder of the reduction, to zero carbon emissions, will be secured as an off-set contribution. Additionally, the applicants are investigating the use of pv panels on the roofs of the development.

### Additional points:

Following publication of the committee report on the previous agenda, the applicant has identified some inaccuracies within the report. These are addressed below:

- The commercial uses table on page 6 didn't show any of the proposed commercial uses and simply showed a loss of 9100sqm of commercial floorspace. This has been updated to include a breakdown of all the proposed uses given under para 7 of the report.
- The residential table also set out on page 6 is not accurate and does not correspond with the correct figures set out on page 18, which is as follows-

	Studio	1 Bed	2 Bed	3 Bed	Td
Private	44	103	100	60	30
Intermediate	0	15	25	13	53
Affordable Rent	0	6	19	29	54
Total	44 (10%)	124 (30%)	144 (35%)	102 (25%)	41

- Paragraph 6 in main body of report refers to 900sqm of existing floorspace instead of 9100sqm.
- Paragraph 7 states that 1,852sqm on the satellite site will be B1c. This should read as flexible B1c/B8.
- Para 47 references units per core. Whilst there are 14 units which are accessed from one core, the central corridor is split with access restricted to 6 units on one side of the lift lobby and 8 on the other side.
- Para 49 should state that 155 units are dual aspect not 115.
- Under the CIL charge table the B1 floorspace was previously shown as 'Shops' which is £40 per sqm. However, the 4,051sqm should be under B1 or B8 and as such there is a 'zero' local CIL charge. this has been updated in the CIL calculator.

### Recommendation:

Remains approval, subject to the conditions set out in the draft decision notice, the completion of a legal agreement and the Stage 2 referral to the Mayor of London.

The report that formed a part of the agenda for the 14 February Planning Committee meeting is as follows:

## RECOMMENDATIONS

That the committee resolve to GRANT planning permission subject to the completion of a satisfactory Section 106 or other legal agreement and delegate authority to the Head of Area Planning or other duly authorised person to agree the exact terms thereof on advice from the Director of Legal Services and Procurement.

1. That the Committee resolve to GRANT planning permission subject to:

- A. Any direction by the London Mayor pursuant to the Mayor of London Order
- B. Any direction by the Secretary of State pursuant to the Consultation Direction

2. That the Head of Planning is delegated authority to issue the planning permission subject to a Section 106 Agreement, in order to secure the following obligations:

- 1. Payment of legal fees and other professional costs
- 2. Affordable housing (minimum 30% by habitable room) with appropriate post implementation review mechanisms
- 3. Sustainability implementation strategy, including carbon reduction
- 4. BREEAM Excellent

5. Sustainability mitigation if above measures not met
6. Revised Travel Plan
7. S38 and S278 works
8. Financial contribution of £200,000 towards CPZ
9. Parking permit restricted development agreement
10. Financial contribution towards bus improvements - amount to be agreed with TfL
11. Employment and training initiative

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

#### Conditions

1. Time limit (3 years)
2. In accordance with approved plans and documents
3. Non-residential deliveries
4. Wheelchair accessible units
5. Plant noise
6. Reinstatement of redundant crossovers
7. Electric Vehicle Charging Points
8. Provision of parking and accesses
9. Future connection to District Wide Heat Network
10. Approval of Materials
11. Approval of Landscape
12. Approval of Sound insulation
13. Approval of External lighting
14. Approval of Play areas
15. Approval of Delivery and servicing plan
16. Approval of Bicycle stores
17. Approval of Construction Management Plan and Construction Logistics Plan
18. Considerate constructors scheme
19. Approval of Piling method statement
20. Approval of site investigation
21. Approval of remediation
22. Approval of details of CHP
23. Approval of CHP air quality impact assessment
24. Approval of Tree protection measures
25. Approval of CCTV details
26. Approval of drainage strategy
27. Approval of parking management plan
28. Approval of car park headroom

And any further condition(s) considered necessary by the Head of Planning

#### Informatives

1. Controlled Discharge Rate for water run-off
2. Ground water risk management
3. Property protection measures
4. Surface water drainage
5. Maximum standards for fire safety
6. Notification of Highways Infrastructure Service
7. Construction vehicle cleaning
8. Advertisement consent
9. Community Infrastructure Levy
10. Asbestos regulations
11. Brent Supports the London Living Wage

Any further informative(s) considered necessary by the Head of Planning

**4.** 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.

5. 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.

6. That the Head of Planning is delegated authority to refuse planning permission should the Legal Agreement not be completed within 3 months of the date of the committee resolution.

**SITE MAP**

	<b>Planning Committee Map</b>
Site address: 1-8 Capitol Industrial Park, Capitol Way, London, NW9 0EQ	
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This map is indicative only.

## PROPOSAL IN DETAIL

As set out above, the application seeks planning permission for the demolition of the existing buildings and the redevelopment of the site to provide six buildings ranging between four to nine storeys and eight three storey mews houses, and the erection of a two storey commercial building, providing a total 4,051m of flexible commercial floorspace (B1(a),(b) and (c), B8, D2 and A3) across the site and 414 residential units including a mix of studio, 1, 2 and 3 bedroom units with associated basement car parking, cycle storage, plant and shared external amenity space and landscaped courtyards at ground floor level, and other ancillary works.

The proposed layout on the main site consists of five linear north-south orientated residential blocks, with business uses at ground and mezzanine levels (block C & D only) fronting onto Capitol Way to the south, and a residential mews running along the northern edge of the site.

Creation of both private amenity spaces in the form of private gardens and communal courtyard space at ground level; and balconies and terraces on upper levels. Four courtyards are proposed and will be enclosed by the residential blocks and linked via internal pathways. Additional shared amenity space will run north to south along the eastern boundary.

Provision of a basement level car park with spaces for 254 car parking spaces and 26 spaces at street level (including visitor and commercial spaces). The ratio for residential parking spaces to units is 0.6. The provision of 660 secure cycle parking spaces.

Provision of an onsite low carbon energy centre and photovoltaics incorporated with the scheme delivering a fully integrated and sustainable development.

## EXISTING

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.

The site comprises of two rectangular plots, positioned on either side of Capitol Way and bound to the west by Stag Lane. The main plot is orientated east-west along Capitol Way, and is approximately 1.7 hectares in area. The smaller plot to the south is approximately 0.18 hectares in area. Both plots form part of the Capitol Way industrial estate, on the western side of Edgware Road. The main plot contains a large vacant warehouse building formerly used for Class B8 storage and distribution. The smaller plot comprises a car park and green verge behind a car showroom.

The Capitol Way industrial estate forms part of the Colindale Locally Significant Industrial Site (LSIS) as designated within Brent Council's Core Strategy, but is not a Strategic Industrial Location (SIL) as defined in the London Plan. The site is within the Colindale/Burnt Oak Opportunity Area.

## 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:

**Representations Received:** 26 objections have been received from nearby residents in response to the consultation raising concern over the: economic impact of development; wind and turbulence; density too high; area overdeveloped; visual impact; impact on character of area; impact on conservation area; outlook and windows; privacy and security; daylight and sunlight; floodrisk; sewerage system; affordable housing; sustainability; noise; quality of life; air quality; anti-social behaviour and crime; health of residents; loss of green spaces; biodiversity; construction work; lack of garden space; question of need for additional housing; alternative uses for land preferred; inadequate street lighting; impact on pedestrians; public services and amenities; parking; inadequate transport assessments; changes to road layout and bus stops; traffic and

traffic management; inadequate consultation by developers and local authority. These concerns have been considered and discussed in this report.

**Principle of development:** The principle of a mixed use residential-led development retaining higher density employment uses is supported.

**Housing mix and Affordable housing:** Following review and negotiations between Brent officers and the applicants over several months, the applicants have increased their offer to provide 107 units, equating to 30% on a habitable room basis. It is proposed that 53 units are shared ownership and 54 units are affordable rented. A late stage viability review will be included in the S106 agreement, this would re-appraise scheme viability at a point closer to practical completion of the scheme, when actual rather than estimated costs and values, including actual market rents, can be assessed.

**Scale, Layout and Appearance:** The height and massing of the development is appropriate and the scheme is well designed. It is considered that the layout will enable the site to function successfully whilst also tying in with the existing and emerging surrounding development. The overall finished appearance of the development is considered to be high quality and is acceptable in design terms. The proposal will incorporate appropriate sound insulation and air quality mitigation to preserve residential quality and in turn protect the future of surrounding industrial uses.

**Quality of accommodation:** The units will meet the relevant standards for residential accommodation and the living conditions of future occupiers of the development would be acceptable.

**Sustainability and energy:** There is a shortfall in carbon savings, however, this would be off-set through a financial contribution and the potential for further savings should be further investigated.

**Highways:** The car parking, access and servicing arrangements are considered to be acceptable. Subject to a legal agreement to include a financial contribution towards a CPZ, car free development agreement, S38/278 works, approval of amended Travel Plans, Car Park Management Plan, Delivery and servicing plan and construction logistics plan and conditions relating to the basement car park, additions and amendments to the cycle parking, there are no objections on transportation grounds to the proposal.

## 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)
Assembly and leisure	0		0	109.5	109.5
Businesses / research and development	0		0	0	
Businesses and light industry	0		0	1852	1852
Businesses and offices	0		0	2200	2200
Drinking establishments (2004)	0		0	0	
Financial and professional services	0		0	0	
General industrial	0		0	0	
Hot food take away (2004)	0		0	0	
Hotels	0		0	0	
Non-residential institutions	0		0	0	
Residential institutions	0		0	0	
Restaurants and cafes	0		0	109.5	
Shops	0		0	0	
Storage and distribution	9100		9100	0	-9100

### Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
EXISTING ( Houses )										
EXISTING ( Flats û Market )										
EXISTING ( Flats û Social Rented )										
EXISTING ( Flats û Intermediate )										
PROPOSED ( Houses )			8							8
PROPOSED ( Flats û Market )	151	104	60							315
PROPOSED ( Flats û Social Rented )	2	15	21							38
PROPOSED ( Flats û Intermediate )	15	25	13							53

## RELEVANT SITE HISTORY

There are no relevant planning applications relating to the redevelopment of the site.

## CONSULTATIONS

Site Notice displayed 31/03/2017

The owner/occupier of 650 nearby and surrounding properties were notified of the development 03/04/2017

A further consultation was carried out with an additional 278 owner/occupiers notified 25/04/2017

At the time of writing this report the following representations have been received.

- 3 in favour
- 29 against

Due to an administrative error, the press notice was not displayed in the local press at the time that the initial consultation was undertaken. The consultation period for the press notice is due to expire on 21 February 2018, which is after the date of this committee meeting. Should further objections be received which cite material planning considerations which have not been discussed in this report and, in the opinion of the Head of Planning, could reasonably have led to a different decision having been reached by the Committee then the application will be re-reported to the next available planning committee meeting for further consideration.

The objections received to date cite the following issues:

Grounds for Objection	Response
<p><b>Inadequate consultation by developers</b> Inadequate consultation carried out. Did not receive details of any of previous consultations undertaken. Not enough residents have been involved in consultation process. Feel that the applicant has not engaged with the community as it claims and it has failed to capture the opinions and views of residents who will be directly impacted by this development.</p>	<p>The consultation undertaken by the applicant is discussed below.</p>
<p><b>Inadequate consultation by local planning authority</b> More properties to the south of the development site should have been consulted. These neighbours have been put at a distinct disadvantage. Local residents should have been consulted much earlier during this process and alternative ideas could have been brought forward.</p>	<p>The LPA have carried out extensive consultation on the proposals beyond the statutory requirements to increase awareness of the application</p>
<p><b>Traffic</b> Additional strain will be added to traffic levels – it is already highly dangerous for drivers, pedestrians and residents. Will result in serious congestion and prevent free and safe flow of traffic. Area around the roundabout becomes especially congested and there is poor visibility there. Stag Lane has long queues of traffic during the day and in the evenings. Capital way is already a busy through road, with noisy, queuing traffic all times of the day causing pollution. Access could not be via Capitol Way - this would bring the road to a standstill. It is already busy and at times a dangerous road for a residential area due to the huge Asda and it being a through road to Kingsbury. Need to consider cumulative impact of traffic build up. Have Brent and Barnet undertaken a comprehensive and factual traffic study and what was the genuine conclusion reached?</p>	<p>Please see Transport Assessment section, paragraph 133</p>
<p><b>Traffic management issues</b> Traffic management needs improving in area including one way traffic system, speed breakers, new cycle way and new roundabout where Asda petrol bunk exit meets Capitol Way. Area already suffers from a narrow access road leading to the ASDA and Morrison's supermarket and other Industrial businesses within this locality. Officers in transportation have advised that an extra lane is</p>	<p>Please see Transport Assessment section, paragraph 133</p>

required on the northern approach to the mini round about on Stag Lane if this development goes ahead. If a new lane is required, as transport officers advise, then how will this affect the area? If incorporated into the application site, then surely the number of residential units will be affected? Greater clarity is needed on this.  
 Vehicle access to the proposed site should only be via the Edgware Road.

**Changes to bus stop provision**

Applicant is proposing to introduce a new bus stop along Capitol Way. There are already 2 bus stops along Capitol Way near ASDA. The addition of another bus stop seems pointless and would cause further congestion along a very narrow road. There is also mention of relocating the bus stop on Stag Lane and moving it further south. This is very concerning as many people in the community, particularly the elderly, require a bus stop that is as close as possible to their homes especially if carrying shopping bags. Would this also reduce the PTAL which is already low in this area?

Please see Highways and transportation section of the report below, paragraph 104

**Suggested alterations to the junction of Stag Lane and Capitol Way**

These will add confusion and risk pedestrian pavements. The location is a hazard as it is, with recorded accidents already on file.

Please see Highways and transportation section of the report below, paragraph 104

**Parking**

Inadequate parking proposed for development. Parking problems in area will worsen. Additional cars will be parked in surrounding area to the detriment of free and safe flow of traffic and pedestrians. Area already suffers from inconsiderate parking by residents who have moved into the new dwellings who cannot or have not purchased reserved parking slots in the basement parking. Parking on single and double yellow lines clogs up the narrow road access already preventing free-flow in addition to the 2 bus length stops just opposite the entrance to the ASDA car park.

Residents from new developments nearby are already parking on neighbouring streets resulting in traffic build ups, accidents, pollution, damage to cars and an increase in disharmony.

Applicant openly admits to a total of 261 parking spaces for 415 residential units, meaning only 0.6 spaces per residential unit. The applicant's attempt to justify this by stating a similar space per residential unit at the TNQ development is both disingenuous and dangerous.

Parking provided at new development should be adequate for the volume of units being constructed, existing parking arrangements on the surrounding streets should be safeguarded from overcrowding and excessive parking, the parking facilities on the new complexes should be safeguarded to ensure residents of the complex do not migrate vehicles onto the residential streets and the developers should not impose in-affordable or exorbitant rents/charges on the parking facilities, thereby forcing the residents of the new complexes onto the residential and surrounding streets.

Please see paragraphs 105 - 118

**Impact on pedestrians**

Proposed inadequate alteration to the busy roundabout would also introduce conflicting traffic flow at this narrow location resulting in confusion for pedestrian. This junction is difficult to cross. This alteration will also incur the loss of vital street pavements.

Please see Highways and transportation section of the report below, paragraph 104

**Inadequacy of Transport Assessment**

Transport assessment is flawed and uses out-of-date data. Knock-on impact on wider area not considered. Impact of

Please see paragraph 133 onwards, an addendum to the transport assessment was

<p>additional traffic grossly underestimated. Transport Assessment is based on information and apparent measurements captured in July 2016 and can no longer be relied upon. This information predates the arrival of the Stag Lane Clinic and residential developments opposite the Kingsbury High School Stag Lane entrance both of which have had a detrimental impact on traffic flow and resulting congestions and air quality due to emissions. Neither the Transport Assessment nor the Air Quality Assessment have taken this on board and are thus invalid.</p> <p>Transport Assessment is based on apparent measurements captured within days of the 2016 summer school holidays when school traffic to and from local schools tends to be lower than during a typical term time. The measurements captured and conclusions derived from the same are therefore not realistic. Neither the Transport Assessment nor the Air Quality Assessment have taken into account major new developments adjacent to the proposed site which have not yet been completed, rendering their assumptions and predictions invalid.</p> <p>Copy of transport assessment needs to be sent to local residents so they can fully assess the findings and see if any further issues need to be discussed.</p>	<p>submitted and reviewed</p>
<p><b>Inadequate street lighting</b> Inadequate street lighting in Capitol Way area to ensure safety of pedestrians.</p>	<p>Please see Highways and transportation section of the report below, paragraph 104</p>
<p><b>Impact on public services and amenities</b> Impact on public services and amenities caused by new residents and commercial occupants must be considered, e.g. roads, transport, schools, health care, community centres. Infrastructure cannot support so many residents. Recycling and rubbish collection will be severely impacted.</p>	<p>Through the Community Infrastructure Levy and S106 obligations, the development will contribute to the cost of the infrastructure it will rely upon.</p>
<p><b>Question need for additional housing in area</b> Not clear whether additional housing is necessary in area. Already completely swamped by new flats. There are already new developments around Capital Way which are not fully occupied. Already there are three new developments in the nearby area - some of these have yet to even reach full occupancy years after opening and many flats are still on the market with exorbitant fees.</p>	<p>There is an identified need for new housing not only in the borough but across London and the South East as a whole. This is acknowledged in Brent's Core Strategy and the London Plan</p>
<p><b>Alternative uses for land preferable</b> Area would be better used for commercial use. This part of Brent is in desperate need for sports and similar facilities and the site should be used for that. Support redevelopment which caters for the community with more function/social halls and recreation centres. Want regeneration of the community and surrounding areas in a positive direction and people living in harmony, not more high rise flats/town houses. Recent developments have seen an exodus of businesses and it is these businesses which the area needs more than housing. A better use for areas such as this would be for recreational centres, nurseries, post offices or community centres. Brent council should instead lower business rates and local businesses could use the industrial warehouses on the existing site (Businesses such as Wickes and Homebase have both closed down leaving the local area without close DIY merchants.)</p>	<p>Please see paragraphs 1 to 13 in relation to the land uses at the site</p>
<p><b>Area is being overdeveloped</b> Area is now overcrowded. Area already crammed with tiny, poor-quality units, now yet more are proposed. Quality of life had been adversely affected. Increase in robberies and rubbish. Recent redevelopments have blighted area. Has led to more road congestion and more polluted air. There has been more than enough development in this small area of Kingsbury. You have</p>	<p>Quality of accommodation is assessed in paragraphs 41 to 55. Density levels are</p>

turned a nice community into a high rise concrete jungle.

**Visual impact**

Visual impact on the area is quite alarming. Proposed blocks too tightly packed together. Not set in enough from pavement boundaries. Unsympathetic scale and incongruous proposal is overly dominant, having a significantly detrimental impact on the open character and pattern of the street scene. Mass, bulk, height and proximity to neighbouring properties would result in an overbearing unbalanced structure not in keeping with the design and character of properties along Stag Lane. Development would be overbearing, does not blend into the area and draws attention to itself. Will ruin the aesthetics of the area. Development will change the character of the area. Design needs to respect long established buildings in area. Buildings fronting Stag Lane should be no higher than those demolished or would dwarf existing buildings

The proposed development has been discussed with both the GLA and CABA Design Review Panels who have found the scale and height of the proposal to be acceptable. This issue is discussed in more detail in Layout, Scale and Appearance section of the report below, paragraph 14.

**Density too high**

Due to the high density and small size of the apartments plus the lack of external space this development will create cramped conditions which will lead to unhealthy and unhappy inhabitants. We feel that less density would lead to harmonious living and reduced risk of antisocial behaviour.

This issue is discussed in more detail in Layout, Scale and Appearance section of the report below, paragraph 14.

**Impact on character of area**

The effect on the character of the area will be severely compromised due to the developments. Development would result in losing the feel of the area as a community based neighbourhood.

This issue is discussed in more detail in Layout, Scale and Appearance section of the report below, paragraph 14.

**Impact on Conservation Area**

The height of the proposed development means that this will be visible as far as Roe Green Village and it will detrimentally change the setting and the views from the Roe Green Village Conservation Area.

Brent's Heritage Officer was consulted and concluded that the proposal will not result in a loss of heritage significance

**Impact on outlook and views**

Development would affect outlook of residents. Proposed blocks will dwarf houses in area and impede their current views.

Please refer to layout, scale and appearance section at paragraph 14

**Impact on privacy and security**

Privacy and personal life will be affected. Overlooking from proposed development will breach my private life. Privacy and security will be affected with all the properties that will overview my garden and house.

Please refer to Quality of accommodation section and Paragraph 54

**Impact on daylight and sunlight**

The amount of light being blocked by these 8 and 9 storey buildings is very evident and would give a claustrophobic affect to the surroundings. Buildings will obstruct daylight and sunlight levels to existing residents.

Please see paragraphs 56 to 65

**Flood Risk**

Increase in flood risk. This section of Stag lane suffers greatly from flash floods as was seen last year. Homes were ruined with flood water and sewage. Asda Supermarket car park was flooded recently and so were residential properties on "The Green Way". Believe this is caused by the new developments where the ground levels have been increased with little consideration of the outcome, thus leading to surface water running off to the lower laying areas. The volume of new buildings will exacerbate these problems. New developments are being built without adequate drainage and the ground cannot absorb the water. A full and independent appraisal of the drainage systems must be carried out and findings fully adhered to.

Please see paragraphs 161 to 168 of the report

**Impact on sewerage system**

Thames Water have confirmed that the sewerage system in Brent North will take two years to manage due to issues caused by the

Thames Waters comments and recommended conditions/informatives have

<p>present sewerage increase of new builds within North Brent.</p>	<p>been incorporated in the decision</p>
<p><b>Housing should be affordable</b> The housing should be for people to rent/purchase at an affordable cost and not sold on to overseas buyers or investment bodies as an investment only.</p>	<p>This is discussed in paragraphs 33 – 40 of the report</p>
<p><b>Sustainability</b> Project could have aspired to greater sustainability.</p>	<p>Please see paragraphs 88 and 89 of the report</p>
<p><b>Noise</b> Noise level will increase. Will be problem of noise both during construction and also when finished because of the amount of flats built. Working hours should be clearly defined and not exceed Monday to Friday 08.00--17.30 hrs. and Saturday 08.00--12.00 hrs. and absolutely no working on Sundays</p>	<p>Council's Environment and Regulatory officers were consulted. They recommend that subject to appropriate conditions the proposal is considered acceptable in these terms.</p>
<p><b>Impact on crime and antisocial behaviour</b> Crime rates will go up around the area. There are already problems including burglaries and people hanging around conducting anti-social behaviour throughout the day and night.</p>	<p>There is no justification that the proposals will result in anti-social behaviour, any such instances should be reported to the Police</p>
<p><b>Quality of life</b> Quality of life of current residents would be affected.</p>	<p>Appropriate measures and management plans during the construction phases will be secured via condition and through a legal agreement to minimise the impact on current residents. The proposal is considered to have been designed to relate acceptably to the surrounding context and existing residents.</p>
<p><b>Air Quality</b> Development would have an adverse effect on the air quality. No doubt deliveries will need to access this construction and add to traffic problems and pollution. Air Quality information predates the arrival of the Stag Lane Clinic and residential developments opposite the Kingsbury High School Stag Lane entrance both of which have had a detrimental impact on traffic flow and resulting congestions and air quality due to emissions. Neither the Transport Assessment nor the Air Quality Assessment have taken this on board and are thus invalid. Neither the Transport Assessment nor the Air Quality Assessment have taken into account major new developments adjacent to the proposed site which have not yet been completed, rendering their assumptions and predictions invalid. Recent increase in traffic has led to an increase in pollution in the surrounding area. This is a huge concern for asthma sufferers, children and the elderly and I do not think this has been taken into account by the developers. The fact that a large number of trees have been cut down and removed in the last few years has surely exacerbated the pollution problem. Everyone is talking of increased air pollution from vehicular emissions, affecting the vulnerable and those suffering from respiratory health issues. London Mayor is constantly threatening increased emission charges, so taking all this into consideration, how will this issue be squared up, by adding even more vehicles to this toxic mix? Hope Brent will take the responsible approach and avoid putting more vehicles onto the roads generated by these proposed high density developments.</p>	<p>An air quality neutral assessment for both transport and building emissions has been carried out for the Proposed Development. Based on the results presented in this report, the Proposed Development is considered to be air quality neutral for both transport emissions and building emissions.</p>
<p><b>Impact on health of residents</b> Constant building work in area over last 5 years has severely affected my asthma.</p>	<p>Construction management plans will be secured via a legal agreement to minimise</p>

This development will be in direct view of my home and will therefore have a significant impact on the light reaching my home. As some people on the street suffer from Vitamin D deficiencies or from Seasonal Affective Disorders, this could have life changing consequences.

and manage any dust and air pollution during construction. Please see daylight and sunlight section at paragraph 56

**Loss of green space and trees**

The building proposed on Stag Lane is not in keeping with the residential street and will lose the greenery that currently exists. Current number of trees are vital and need to be preserved. The development of the adjacent satellite site on Capitol Way Block F requires trees with a preservation order to be cut down. Despite a few new trees being planted the loss of these trees under any circumstance is unforgiving. It is also important we keep some greenery in the area, as it is a quiet suburban area and does not need to be turned into an identikit urban high-rise area in the name of 'affordable housing' or 'regeneration'.

Please see paragraph 66 of the report below

**Lack of garden and green space**

Lack of garden area is sadly lacking and for the families living in these buildings must reflect badly on their health and outlook. The proposal has pitiful greenery for public benefit. Residential courtyards have zero benefit to the wider communities. Lack of green space in area concerning. The ecological survey made appears to have centred on Fryent Country Park but in fact an even nearer habitat would be Roe Green and Jubilee Parks.

Please see paragraph 71 of the report

**Biodiversity**

There are still hedgehogs in Roe Green Village which is less than 250 metres from the development. We would like the developers to assure that hedgehogs habitat space will be added to the design. As there are two species of bats located nearby we would propose lowering the height of the tallest buildings and using only smart downward facing lighting as part of the design.

The Ecological survey submitted with the application demonstrates in accordance with the NPPF and the London Plan that no net loss of biodiversity and the provision for ecological protection, enhancements and creation are provided for within the landscape design of the Proposed Development.

**Impact of building work**

Over the past 5 years there has been explosion of developments in this small area. Residents have had constant building work and inconvenience. Works involved in demolition and rebuilding of the current site will place additional strain and disruption to the road network - specifically Capitol Way and Stag Lane - which is a busy road as is and heavy lorries will ruin the surface which has only recently been relaid after falling into ruin over the past few years and further destroyed by the current TNQ development. During the demolition and the development stage, there will be a lot of excess noise and vibrations caused during the day affecting houses nearby. As a shift worker working nights, if the development goes, the noise levels and heavy traffic flow noises will impact on my rest period which will impact on my job.

Construction method statements and logistic plans are sought through the consent in order to ensure construction is carried appropriately with minimal disturbance. An inevitable consequence of regeneration is the construction phase.

**Unacceptable gusting and turbulence in the public domain**

Recent high density residential complexes have led to unacceptable gusting and turbulence in the public domain which are affecting the established community. Since the implementation of the Colindale Regeneration Plan, it is quite noticeable there is heightened and unacceptable gusting and turbulence caused by the various developments, particularly the new developments along the Edgware Road. This unacceptable phenomenon we feel, is caused by the combined development in both boroughs, mainly at all the primary

These issues are assessed in paragraph 94-103 and are found to be acceptable.

<p>junctions/intersections, A) Capitol Way, B) Colindale Avenue, C) Colindeep Lane and D) Kingsbury Road. The new developments have not only aggressively encroached onto the public domain, but also by "lack of considerate design" created continuous and unbroken facades, thus forming the ideal conditions for gusting and turbulence from this tunneling of streets. Have Brent undertaken an impact assessment on this issue and did they do a combined/joint assessment with Barnet?</p>	
<p><b>Economic impact of development</b> I have concerns developments such as this will create a class disparity with existing residents and cause local costs to rise to levels which many will find difficult to meet.</p>	<p>The site is located within the study area of Brent's Placemaking Plan for Burnt Oak, Colindale &amp; the Hyde (2014), targeted for substantial regeneration, to deliver new homes, retain &amp; create jobs &amp; support economic &amp; social well-being of the area</p>

<p><b>Reasons for support</b></p>	
<p>We support the development but traffic management and lighting needs improvement.</p>	
<p>The area is unsafe and desolate. It is a great idea to expand the community into the area and keep building up Colindale.</p>	
<p>Good plan to use the unused buildings for new homes.</p>	

**North Brent Residents Association and Roe Green Village Residents Association, object to the proposal on the following grounds:**

Comments:

- 52 people attended the consultation over 3 days.
- Traffic increase on Stag Lane and effect on air quality.
- Visual impact – can be seen from the village. Blocking light and materially changing the view.
- Flooding occurs on Stag Lane – The volume of new buildings will add to the flooding.
- The sewerage system in Brent North, which Thames Water have confirmed will take two years to manage due to issues caused by the present sewerage increase of new builds within North Brent. We have a Thames Water Map of the issues uncovered so far.
- Lack of infrastructure – more pressure on the schools, doctors' surgeries, transport. No added infrastructure is being planned with the development.

If the application proceeds we would suggest that:

- the site needs to be reduced across the whole site by 2 storeys
- increase the parking to a 1:1 ratio for the amount of units from 0.6
- reduce the amount of bicycle spaces – perhaps reverse the car to bike spaces.
- To improve Grove Park with a better children's play area, a gym in the park and possible uses such as tennis courts with better lighting.

These matters are discussed in detail within the detailed considerations section of the report.

**Statement of community involvement**

As part of the process of bringing forward a planning application for the redevelopment of 1 – 8 Capitol Way, Colindale, the applicants implemented a programme of community engagement to seek feedback from local residents, community groups and councillors on the proposals for the site.

As part of the engagement process, a programme of pre-application community engagement took place over the course of 6 months between June and November 2016. This included a three-day public exhibition, stakeholder meetings and a presentation to Brent Council's Planning Committee.

The public exhibition took place in September 2016. 2,610 invitation letters were sent out to local residents and businesses within a 1/3rd mile radius of the site. Approximately 100 additional invitations were hand delivered to immediate neighbours inviting them to a preview session of the public exhibition. Invitations were also circulated to all Brent councillors and neighbouring Barnet ward councillors.

During the consultation process, immediately preceding the public exhibition, the 1 – 8 Capitol Way site was temporarily occupied by members of the travelling community. The three-day public exhibition was held in the TNQ Marketing Suite on the corner of Capitol Way and Edgware Road. This venue was chosen due to its immediate proximity to the site, and after the originally intended venue on site was rendered unusable due to occupation by members of the travelling community. The aforementioned invitation circulation was subsequently repeated in light of the changed venue.

The public exhibition was split into a preview session for immediate neighbours and further sessions for the general public, to allow all members of the local community to voice their opinions and directly interact with the project team. 52 members of the public attended the exhibition over three days. 9 people completed comment forms. All three Queensbury ward councillors also attended the public exhibition and discussed the proposals with the project team.

Running in conjunction with the formal consultation event, the project team engaged in a number of stakeholder meetings, presentations and meetings with Brent councillors.

The public consultation programme ran alongside the formal process of pre-application discussions between the project team and statutory consultees. This has, to date, included pre-application meetings with the GLA and TFL, as well as 3 pre-application meetings with planning officers at Brent Council.

### **External / Statutory consultees**

#### Thames Water

No objections. Conditions and informatives are recommended.

#### Greater London Authority Stage 1 response

**Principle of development:** The principle of a mixed use residential-led development retaining higher density employment uses is supported, but it must be ensured that the residential development does not compromise the viability of the wider LSIS. The provision of affordable workspace should be secured.

**Housing:** The proposals include 26% affordable housing by habitable room. The proposed level of affordable housing is unacceptable. Considering the low quality of the existing site, the benchmark land value should reflect the ability to provide a greater amount of affordable housing. The applicant's viability assessment will be robustly interrogated and all options explored to increase affordable housing provision. Early and late review mechanisms in accordance with the Mayor's draft Affordable Housing and Viability SPG will be secured.

**Urban design:** The height and massing of the development is appropriate and the scheme is well designed. The design must incorporate appropriate sound insulation and air quality mitigation to preserve residential quality and in turn protect the future of surrounding industrial uses. Areas of inactive frontage to the northern part of the site should be addressed.

**Climate change:** The shortfall in carbon savings should be off-set and the potential for further savings should be further investigated.

**Transport:** Further work is required on the pedestrian and cycling environment audits and assessment of junction capacity, with mitigation measures secured as required. Improvements to walking and cycling infrastructure are required to support active travel. Conditions and s106 obligations are required including contributions to the new bus route.

It should be noted that the affordable housing offer has increased from 26% to 30% on a habitable room basis. Review mechanisms will be included in the S106 legal agreement to ensure the maximum affordable housing is delivered on this site.

Further discussions have taken place between the applicants, TfL and Brent highway officers to improve the pedestrian and cycling environments. As well as more detailed assessment of junction capacity and mitigation measures. An obligation is included in the S106 relating to contributions to the new bus route. It is considered that the issues raised by the Greater London Authority have been addressed.

## **POLICY CONSIDERATIONS**

### **National**

National Planning Policy Framework 2012

## Regional

The London Plan consolidated with alterations since 2011

## Local

Brent Local Plan Development Management Policies 2016

Brent Local Development Framework Core Strategy 2010

Brent Supplementary Planning Guidance

SPG17 Design Guide for New Development

Emerging SPD 1 - Brent Design Guide

## DETAILED CONSIDERATIONS

### 1. Principle of development and proposed uses

2. The site is not designated as a strategic industrial or office location in the London Plan, however it is identified as a locally significant industrial site (LSIS) by Brent Council.
3. London Plan Policy 4.4 'Managing industrial land and premises' seeks to ensure there is a sufficient stock of land and premises to meet the future needs of different types of industrial uses across London and it supports the managed release of surplus industrial land where it is compatible with strategic and local planning objectives, especially the provision of additional housing. The '
4. London Plan identifies Brent as having a limited amount of industrial land to transfer to other uses.
5. Brent Council's Local Plan Policy DMP14 states that land within LSIS will only be released where it is a low quality employment site identified as suitable for release; and where the redevelopment will provide at least 50% affordable housing and incorporates employment uses on approximately 20% of the site area.
6. The proposed development seeks a residential-led, mixed use development on the main site, which is currently occupied by a vacant warehouse (providing approximately 900 sq.m, of floorspace). The applicant has demonstrated that the warehouse has been vacant for over five years and has provided marketing information. The applicant has also submitted an Employment Land Report in support of the application, which has found that despite active marketing, the site has remained unoccupied and vacant. This is considered to result from the constraints of the building and its servicing arrangements which were specific to the requirements of the previous occupier but are inadequate for mainstream distribution purposes.
7. The proposed development would incorporate a "work hub" on the main site, providing approximately 2,200 sq.m, of flexible employment space (comprising 1,617 sq.m, of Class B1a uses, and smaller elements of mixed B class studios (373sq.m.) and a cafe and gym (219sqm)). On the separate site to the south, 1,852 sq.m, of Class B1c light industrial floorspace would be provided with an associated service yard. Together, these employment uses amount to approximately 24% of the total site area of the two sites.
8. The "work hub" is envisaged to provide accommodation for small and medium sized companies. Due to their nature, the proposed employment uses have the potential to provide a significantly greater number of jobs than the existing use, even if the existing site was fully occupied. Based on established employment densities, the total number of full time employment (FTE) jobs on the site would be approximately 217, compared to the existing site which has provided no jobs in the past few years (and would be expected to provide a maximum of 100 jobs if used fully as a storage and distribution centre).
9. The increased employment generation on the site is welcomed, however it is noted that the majority of the employment floorspace provided would be occupied by Class B1 uses and not Class B2/B8 uses that would be traditionally associated with the LSIS. Brent Council's Core Strategy policies indicate that there is some scope for flexibility in land uses, stating that whilst occupancy within LSIS is generally similar to that within Strategic Industrial Land, it can also be more varied and may include quasi office or trade uses.
10. Given the evidence on marketing and vacancy, the fact that the proposals include a significant amount of floorspace for light industrial purposes and the fact that the proposals will bring about a greatly increased employment capacity, officers are satisfied that the proposals comply with policy. However, it is crucial that the proposed uses will sit comfortably alongside the existing light industrial uses on the surrounding sites and do not compromise the operation of the wider LSIS.

11. The employment floorspace proposed will provide workspace suitable for small and medium sized enterprises (SMEs). Appropriate conditions will be required in order to secure and ensure its delivery.
12. In order to further demonstrate the sites shortcomings for retention as part of the LSIS the applicant submitted an Employment Land Report during the course of the pre-application discussions. This comprised a site specific analysis and marketing exercise for the application site. The report found that despite continual and active marketing in combination with an identified strong market, it was considered that the site's failings, by way of servicing, site density and the configuration of the building were simply too great for a potential occupier to compromise on. The report concluded that there is potential return for the unit if it is partly demolished and reconfigured to allow for a larger yard and circulation. This was considered together with the subdivision of the existing building but the cost associated with the proposed works far outweighs the returns, thus making any redevelopment unviable.
13. Given the points above, the proposed mixed use redevelopment of the site is considered to be acceptable in principle.

#### **14. Layout, scale and appearance**

15. The redevelopment of brownfield land should provide a contemporary architectural response to a site whilst having regard to the pattern and grain of development in the wider area. Development should be of a proportion, composition, scale and orientation that enhances the local area.

#### **16. Layout**

17. The site layout proposes a series of L-shaped blocks enclosing courtyards, with commercial space at ground and mezzanine floor levels to the south of each block. A long row of mews houses is proposed to the north, which will be single-aspect units facing south. The smaller site (to the south-west) would accommodate a 3-4 storey block with business use at ground floor level and residential units above. The development would establish a new building line on this part of Stag Lane, which aligns with the housing further to the north.
18. The proposed employment uses all front onto Capitol Way Trading Estate reinforcing the activity and character of this part of the estate as a location for predominately local and small businesses. The eastern boundary of the site is designated as further residential amenity space and includes the flexibility to be used as a potential future green link, whilst acting as a buffer between the proposed residential and existing employment uses. An underground car park entrance is located to the south east corner of the site and is accessed from Capitol Way. The satellite site is accessed via the junction of Capitol Way and Stag Lane.
19. The proposed development would be similar in layout and appearance to the newly-built TNQ development to the east of the site. For instance, the positioning of the majority of car parking underground, allowing the creation of landscaped amenity spaces at ground level, is strongly welcomed. The proposed development also replicates the interface between private and communal amenity spaces at ground floor level which has been successful at the TNQ development, ensuring that ground level apartments have good privacy levels to their private courtyards.
20. The pedestrian focus of this space is complemented by a series of elements and informal features that can be added to help define a defensible space immediately outside the properties. This takes the form of slightly elevated planters, low benches or shelves and changes in paving materials to de-mark the space.
21. In general the routes through the development have been designed alongside ground floor active frontages to maximise passive surveillance, making the routes safe and attractive. This has been achieved by positioning the parking, bin and bike stores for the apartments at basement level.
22. The proposals have safeguarded land for a potential north-south connecting route to the east of the site should adjacent sites be developed in the future, and this is welcomed.

#### **23. Scale**

24. The existing height of the warehouse is between 2 and 3 storeys. The height of the proposed blocks is 3 storeys rising to 9 storeys.

- 25. In terms of the overall building heights and massing, the proposed buildings would sit comfortably in local townscape views and would not cause harm to heritage assets. The lower height and massing alongside Stag Lane and the continuation of the building line is supported, and the development would make an appropriate transition to the lower rise residential development to the west. The development would rise incrementally to the east to align with the scale of the lower elements of the nearby TNQ scheme. Comments received suggest that the height should be restricted to two-storeys. However, the scale and massing of the scheme is considered to be appropriate, with the character of this site differing from that of the suburban housing nearby.
- 26. The scale and massing of the proposed building has been designed to integrate with the existing context and is appropriate for its setting in accordance with SPG17, and provides a contemporary design response in accordance with Policy 7.6B of the London Plan.

**27. Appearance**

- 28. There is a great diversity of materials across the local area, but brick is predominant, particularly to the East. No particular brick type characterises new local residential developments and a variety is proposed within this scheme to reflect that.
- 29. As the buildings drop down in scale towards Stag Lane, the brick colour deepens to a red buff that reflects the local palette. Overall a mixed palette of dark and light materials is proposed. This includes light grey and dark grey facing brick for the external facing brick with bands of pale brick to create an interesting and modern architecture which is well proportioned. The use of horizontal banding in lighter coloured brick will link the blocks together at key levels and these tones are also matched at the upper floor levels to 'crown' each of the blocks. The proposed balconies would be a dark bronze effect metal which would complement the proposed brick colours.
- 30. The elevational design treatment is considered acceptable, however, the success of the appearance and visual richness of the scheme will depend on the use of high quality building materials which will be assessed on the submission of condition details.
- 31. The overall finished appearance of the development is considered to be high quality and is acceptable in design terms, and thus accords with policy DMP1 of the Brent Local Plan Development Management Policies 2016.

**32. Residential Accommodation**

**33. Housing mix and Affordable housing**

- 34. London Plan Policy 3.12 requires boroughs to seek the maximum reasonable amount of affordable housing when negotiating on private and mixed use developments, having regard to a number of factors, including development viability. The new London Plan proposes a new approach on affordable housing, including a 35% affordable housing threshold approach on most sites.
- 35. Policy CP2 of Brent's Core Strategy sets a strategic target that 50% of new homes to be delivered in the borough are affordable. Development Management Policy DMP 15 reinforces the 50% target set by policy CP2 and the need to seek the maximum reasonable amount of affordable housing. It goes on to say that where a reduction to affordable housing obligations is sought on economic viability grounds on major phase housing developments, and where the proportion of affordable housing agreed is significantly below 50%, appropriate provisions to re-appraise scheme viability will be sought and secured by S106 agreement. Developers are required to provide development appraisals to demonstrate that each scheme maximises affordable housing output. It should be noted that the London Plan tenure policy is for a 60:40 split and Brent's policy is for a 70:30 split.
- 36. The applicant initially proposed to provide 91 affordable units (22% of the total units), equating to 26% on a habitable room basis. It was proposed that 53 units were shared ownership and 38 units were affordable rented (a split of 58:42 in favour of intermediate accommodation on a unit basis). The housing mix that was initially proposed is shown in the table below:

Mix initially proposed:

	<b>Studio</b>	<b>1 Bed</b>	<b>2 Bed</b>	<b>3 Bed</b>	<b>T</b>
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<b>Private</b>	44	107	104	68	32
<b>Intermediate</b>	0	15	25	13	53
<b>Affordable Rent</b>	0	2	15	21	38
<b>Total</b>	44 (10%)	124 (30%)	144 (35%)	102 (25%)	419

37. As the proposed level of affordable housing is less than Brent Council's minimum target of 50% (and less than the 35% "threshold approach" within the Mayor's draft Affordable Housing and Viability SPG), the applicant has submitted a financial viability appraisal (FVA) in order to demonstrate that the level of affordable housing provision is the maximum reasonable.

38. The Council appointed consultants to independently assess this FVA. Following review and negotiations between the parties over several months, the applicants have increased the proposed level of Affordable Housing to provide 107 units, equating to 30% on a habitable room basis and 26% by unit. Consequently an additional 16 affordable rented units were secured through these negotiations, increasing the offer and better aligning the tenure split to planning policy. It is proposed that 53 units are shared ownership and 54 units are affordable rented, approximately a 50:50 ratio of Affordable Rent to Intermediate accommodation.

39. The revised Affordable Housing proposal has the proposed housing mix shown in the table below. This is considered to represent the maximum reasonable proportion of Affordable Housing. The ratio of Affordable Rented Accommodation to Intermediate accommodation does not accord with the ratio set out in Brent policy (70:30) or London Plan policy (60:40), but on balance is considered to be acceptable having regard to the total level of Affordable Housing, which would be lower had a higher proportion of Affordable Rented accommodation been provided.

Revised and final housing mix:

	<b>Studio</b>	<b>1 Bed</b>	<b>2 Bed</b>	<b>3 Bed</b>	<b>Total</b>
<b>Private</b>	44	103	100	60	307
<b>Intermediate</b>	0	15	25	13	53
<b>Affordable Rent</b>	0	6	19	29	54
<b>Total</b>	44 (10%)	124 (30%)	144 (35%)	102 (25%)	419

40. It is recommended that a late stage viability review is included in the S106 agreement and this is supported by DMP 15 which also requires that appropriate provisions to re-appraise viability be sought on major sites where the proportion of affordable housing agreed is significantly below the Council's targets. Officers have therefore agreed in principle a post implementation S106 review mechanism with the applicant, to be secured by a planning obligation within a S106 legal agreement. This would re-appraise scheme viability at a date agreed by the LPA at a point closer to practical completion of the scheme, when actual rather than estimated costs and values, including actual market rents, can be assessed.

41. Policy CP21 of the Brent Core Strategy aims for developments to "provide a balanced housing stock with an appropriate range and mix of self-contained accommodation types and sizes, including family sized accommodation on suitable sites providing 10 or more homes". The Policy and Strategic Objective 7 aims for at least 25% of new homes across the borough to be family size.

42. As set out above, the application scheme provides the following unit mix: 44 x Studio (10%); 124 x 1-bed units (30%); 144 x 2-bed units (35%); 102 x 3-bed units (25%). The scheme provides a varied range of unit sizes (including 25% family sized accommodation) and is therefore in accordance with Policy CP21.

43. London Plan Policy 3.8 requires different sizes and types of dwellings to meet different needs. Policy 3.11 of the London Plan states that within affordable housing provision, priority should be accorded to family housing. As set out above, the proposals would provide 414 homes, of which 102 (25%) would be 3 bedroom units. The high proportion of family-sized units is welcomed within this development, which, also provides a range of smaller dwelling sizes to increase housing choice. Nearly half of the family units provided would be in an affordable housing tenure. The high proportion of affordable family accommodation is welcomed in accordance with London Plan Policy 3.11.

#### 44. **Quality of accommodation and impact on amenities of surrounding occupiers**

45. London Plan Policy 3.8 (Housing Choice) states that 90% of new housing should meet Building Regulation requirements M4 (2) 'accessible and adaptable dwellings' and 10% of new housing should meet Building Regulation requirements M4 (3) 'wheelchair user dwellings' (i.e. is designed to be

wheelchair accessible or easily adaptable for residents who are wheelchair users). The scheme comprises 44 (10.6%) wheelchair adaptable units in accordance with Part M4(3) of the Building Regulations.

46. London Plan Policy 3.5 (Quality and Design of Housing Developments) states that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. The policy adds that the design of new dwellings should take account of factors relating to 'arrival' at the building and the 'home as a place of retreat', have adequately sized rooms and convenient and efficient room layouts. The proposed unit sizes all comply with or exceed the minimum space standards identified in Table 3.3 of the London Plan and also the National Technical Housing Standards 2015.
47. Generally, there would be five to seven units per core which complies with the standards within the Mayor's Housing SPG, although in Block A, 14 units would be accessed from a single core at first floor level. This is an isolated example and it is not considered to detrimentally effect the overall layout of the scheme.
48. The Mayor's Housing SPG seeks to avoid single aspect north facing units wherever possible or single aspect units that are at risk of being exposed to detrimental noise levels. Three bedroom units should also be designed to be dual aspect.
49. Dual-aspect units make up 115 of the 414 units. While this proportion is relatively low, there are no single aspect north facing units proposed within the scheme. Units have been designed to maximise daylight, with many of the units being shallow to ensure good levels of daylight penetration into the rooms and the homes meet daylight standards. All the units have been orientated in such a way that they do not unduly affect the privacy of each other or neighbouring properties. The residential units facing onto the mews which run along the site's northern boundary each have been designed as single aspect from 1st floor upwards in order to turn away from the commercial units on Carlisle Road and to avoid conflict between the residential and commercial uses. Therefore balconies are proposed on their southern elevations; each balcony has been carefully designed so that they are angled away from the flank walls of the perpendicular blocks towards the courtyards. This is necessary because the flank walls of the main blocks each have windows intended to animate these facades
50. The separation distances between the proposed blocks is a minimum of 20m, between Block A and B to the West of the site, increasing to 32m as the blocks increase in height to the East. Additionally, there is a 33m between the satellite site to the south of Capitol Way and the residential properties opposite on Stag Lane. A distance of 26m is proposed between Block A and the residential dwellings on the opposite side of Stag Lane. It should be noted that the Stag Lane public highway and footpaths also separate the proposed development and existing dwellings and the proposal is well clear of the 30 degree angle as set out in SPG17.
51. As mentioned above, a section of land kept for a potential green gateway to the East of the site. The proposed building is set back from the light industrial units to the east of the site by 20m. These units have blank façades and have no windows. Landscape planting and trees have been provided to create private amenity for the apartments in this area.
52. Along the northern boundary of the development the proposals replicate the condition that the existing warehouses to the north have with the shared boundary. As both façades are blank there will be no impact on either use and future development will not be prejudiced. On the upper levels of the mews block, glazing specification with increased sound insulation could be provided to mitigate any effects from the commercial uses on Carlisle road.
53. The Capitol Way public highway and footpaths to the south of the site act as a separation between the proposed development and other existing industrial uses, this results in a separation in excess of 30m which is considered to be acceptable and is in excess of SPG17 standards.
54. All of the above separation distances allow for good quality outlook from the proposed residential properties as well ensuring an appropriate relationship with and no overlooking of existing surrounding uses/occupants in accordance with SPG17 and draft SPD1 standards.
55. The proposal will deliver a good standard of residential accommodation and will have a good relationship with surrounding sensitive properties with regard to their outlook and privacy, which is acceptably in accordance with London Plan Policy 3.5, the Mayor's Housing SPG, Brent Local Plan Development

Management Policies DMP1, DMP18 and DMP19, SPG17, draft SPD1 as well as the National Technical Housing Standards.

## **56. Daylight and sunlight**

- 57.** An Internal Daylight, Sunlight and Overshadowing Report to assess the light received by the proposed rooms within the development has been submitted with the application. All habitable rooms have been assessed for Average Daylight Factor (ADF), No Sky Line (NSL) and Room Depth Criterion (RDC).
58. The results of this demonstrate that the vast majority of the schemes habitable rooms will be fully compliant with the BRE Guidelines, and that any shortfalls are due to the spacious internal open plan layouts which reflect the modern ways of living, and which fall within the built in flexibility intended within the BRE guidelines. All living/kitchen/diners will also have access to a balcony, terrace or garden. In relation to sunlight, all main living spaces will either be fully compliant with the BRE Guidelines or have access to a balcony/terrace/garden which receives good levels of sunlight and are therefore acceptable.
59. In regards to overshadowing, the proposed amenity spaces will be fully compliant with the BRE Guidelines and over 1,640sqm of amenity space will receive good levels of direct sunlight. Overall, the proposed development has been designed to maximise the daylight and sunlight potential whilst providing open plan living spaces within an urban location.
- 60.** A Daylight, Sunlight and Overshadowing Report has also been submitted which assessed the development's potential impacts on the surrounding residential properties when compared to the existing site conditions. The assessment has been undertaken in accordance with the British Research Establishments (BRE) Report 2009, Site Layout Planning for Daylight and Sunlight: A guide to good practice (Second Edition, 2011). Referred to in the report as the "BRE Guidelines".
61. The results of the assessment for 148-150, 244 -248 (even) and 256 - 276 (even) Stag Lane demonstrate full compliance with the BRE Guidelines.
62. The results of the daylight assessment for 153 Stag Lane demonstrate full compliance with the BRE Guidelines. The single secondary window that deviates from the Annual Probable Sunlight Hours (APSH) guidance will retain good levels of annual sunlight following construction of the proposed development. Furthermore, this window serves a room with multiple windows and therefore any alteration to the existing condition is unlikely to be considered noticeable.
63. In relation to 250, 252 and 254 Stag Lane, the daylight assessment results demonstrate isolated impacts and all windows and rooms will retain good levels of daylight following construction of the proposed development. There are no windows facing within 90° of due south and therefore a sunlight assessment is not required.
64. The sun hours on ground results demonstrate that 151 Stag Lane will be fully compliant with the BRE Guidelines following construction of the proposed development. For 153 Stag Lane, the rear garden area will suffer some loss of sunlight on March 21st. However, the rear garden will likely retain very good sunlight levels in the summer months, and the overshadowing is caused by the 2/3 storey proposed mews houses to the north west corner of the scheme, the height of which are compatible with the local adjacent townscape and building heights and are therefore considered characteristic of the area and to result in an acceptable situation.
65. In summary, the assessment demonstrates neighbouring units will mostly receive good levels of daylight and sunlight. The resulting overshadowing is considered to be within appropriate limits also. As referred to above there will be some instances where the BRE daylight guidelines will not be achieved, in relation to neighbouring properties. However, it is accepted that this is a normal outcome of a large scale development in a built up urban area.

## **66. Landscape and amenity and children's playspace**

- 67.** The landscaping strategy comprising the provision of extensive landscaping within the amenity areas between the blocks, with street trees proposed within all of the frontages. Three principle types of street trees have been proposed within the scheme in discussion with Brent's tree officer. For the easternmost gardens flanking the largest of the residential blocks it is proposed to plant Red Cypress (Taxodium

distichum) a deciduous conifer which can reach heights of over 20m if warm summers prevail. These trees are aligned north south and replicate the planting on Edgware road. The location is proposed as a potential future pedestrian cut through so will offer an informal cue to orientation.

68. For the Stage Lane frontage the medium sized Small Leaved Lime (*Tilia cordata* 'Greenspire') has been selected, this cultivar survives better under difficult conditions. Along Capitol Way another native medium sized tree, Field Maple (*Acer campestre*), has been selected. It has good ecological qualities making it useful to wildlife. This is a field maple that has been bred with a neat, narrow, upright egg shaped canopy, which makes it appropriate for planting on roadsides.

69. Running along the northern edge of each of the courtyards is a predominantly hard landscape Mews Street, with planting pockets to green north facing facades and allow residents to establish planting around their front doors. This street is designed as a pedestrianized space to facilitate refuse and fire access only, with limited residential access by arrangement only.

70. A selection of small and medium sized trees are proposed for the courtyards which largely occur above the car park podium slab. These species have been chosen for their seasonal interest, providing both blossom and fruiting berries to promote bird and nectar feeding species in the gardens. A number of these trees are specified as multistemms to provide a variety of forms, with some Pines to help maintain some evergreen canopies during the winter months.

#### 71. **Amenity space**

72. Standard 26 of the Mayor's Housing SPG (March 2016) states that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. The use of roof areas for additional amenity or garden space is encouraged (including green roofs). As part of this proposal each unit's private amenity space not only meets, but in many cases exceeds the Housing SPG's requirements.

73. In addition to this Section 5.1(b) of the Council's SPG17 and Policy DMP19 (Residential Amenity Space) looks to exceed the London Plan's minimum standard and seeks a total of 20sqm of external open space (including private and communal space) per flat. The guidance allows any under provision to be off-set through measures such as increased unit floor sizes, more generous balconies or roof terraces, higher quality landscape design, or s106 payments towards public realm improvements.

74. Four large communal courtyards have been created to serve all new units as well as further green space along the site's eastern boundary.

75. Each courtyard has been provided with high quality design features, landscaping and materials which have been incorporated into the plan to provide amenity space and child play space which is of a high quality. Each courtyard is predominantly grass, with the exception of footpaths which provide links and permeability through the scheme.

76. The scheme proposes a total of 9,188sqm of amenity space across the whole development, of which the proposed communal courtyards and amenity areas total 4,612sqm. The external amenity provision averages 22 sqm per home.

77. Private amenity space to the ground floor units is slightly raised to offer a sense of separation whilst maintaining lower balustrades and views from the terraces into the garden.

#### 78. **Children's Play Space**

79. The London Plan's SPG - Shaping Neighbourhoods: Play and Informal Recreation (2012) provides guidance for Children's playspace.

80. The SPG states that 10m<sup>2</sup> of play space should be provided for each child on a new development. Based on child yield calculations the scheme would be expected to contain approximately 139 children of which 73 would be 0-4, equating to a requirement for 730 sqm of on-site 0-4 years play space.

81. The strategy within the proposed development seeks to provide a variety of spaces shared between the courtyards to enable children to inhabit different areas as other residents also enjoy the spaces. The layout of the courtyard spaces offers various opportunities for play with the landscape including a series

of specific play features. These are primarily located around the social housing provision where child numbers are expected to be higher and therefore a greater demand for 'Doorstep' play exists.

82. This will also enable the provision of quiet, secure and overlooked play areas which are directly accessible, and all 'doorstep play' will be located within 100sqm of the residential units they serve in accordance with the London Plan's SPG.
83. Courtyard A is designed to offer informal play amongst large boulders and stepping stones, with 3 small play huts located within a stand of trees, a wide 1.5m high slide which is graded into the grass banks, two toddler swings and a spinning disc. All provided with erosion control matting through which the grass will be established to maintain the appearance of a courtyard garden.
84. Courtyard B, which is more accessible to the whole development, is to provide some on site play for older children in the form of a twin rope pyramid and two large climbing boulders. The sculptural form of these pieces contributes to the composition whilst offering more adventurous play opportunities.
85. Courtyard C has a series of informal stepping stones and balancing beams to extend the 'Doorstep' play across the scheme along with larger informal lawns for younger children to play ball. More active ball games are discouraged by the form of the lawns to promote use of the nearby Grove Park where larger grass fields, a MUGA and equipped play area are easily accessed.
86. Additionally Grove Park is located within the 400m zone. Older children, of which the development generates an estimated 19, are to be provided for within 800m. The space provided by Grove Park provides the most easily and safely accessible site for any new facility/equipment. Montrose Playing fields, Silk Stream Park, Eaton Grove and Roe Green Park also lie within 800m of the development. Access to these areas require the crossing of Edgware Road (A5150) or Stag Lane.
87. The proposal includes 790 sqm of playspace, meeting the requirement for 0-4 year olds together with the requirement for 5-11 year olds. The proximity of near-site play space at Grove Park accords with the distances for such space within the Mayor's SPG. The proposal accords with the Mayor's policies and guidance in relation to childrens and young persons play and recreation space.

## **88. Energy and sustainability**

89. The energy assessment submitted with the application demonstrates that the proposals will achieve a 40% reduction in carbon emissions for the residential element, compared to a 2013 Building Regulations compliant development, and a 30.4% reduction for the non-residential element. The development does not therefore meet the London Plan's carbon reduction target for either element (zero carbon for the residential elements and 35% for the commercial elements), and the remaining regulated carbon dioxide emissions, should be met through a contribution to the borough's offset fund. The applicant has provided a commitment to ensuring that the development is designed to allow future connection to a district heating network and this should be conditioned.
90. A BREEAM pre-assessment has been carried out to identify credits and incorporate them into the design. A BREEAM rating of 'Excellent' is expected in accordance with CP19. There are also measures in the S106 to ensure this. .
91. Residential units will meet a target of 105 litres per person per day or less in line with London Plan standards. Potential strategies to meet the target requirements include the use of low water use sanitary fittings within each residential unit, such as low water use WCs, showers, taps, baths and (where installed) white goods.
- 92.
93. The proposal accords with London Plan and Brent policies with regard to Sustainability and Energy.

## **Environmental issues**

### **94. Wind microclimate**

95. A wind assessment has been submitted with the application. Within the submission the report outlines the overall methodology and the use of the Lawson Comfort Criteria to describe the expected on-site wind conditions. The assessment is based upon analysis of meteorological conditions for

London, adjusted to the site, and a review of the scheme drawings in the context of the meteorological data.

96. The meteorological data for the site indicates prevailing winds from the south-west throughout the year, with colder north-easterly winds in spring months.
97. For the existing site the wind microclimate at ground level is expected to be acceptable for the required use during the windiest season.
98. The ground level wind microclimate for the Proposed Development is expected to range from acceptable for sitting use through to leisure walking use, which is the required condition for comfortable pedestrian use.
99. All entrances are expected to experience the desired standing or calmer wind conditions during the windiest season and will not require further mitigation.
100. Occurrences of strong winds in excess of Beaufort Force 6 (B6) are expected at the corners of blocks D and E which are expected to observe leisure walking conditions; however, as these areas are thoroughfares, these winds are not expected to create a nuisance for the pedestrians.
101. Courtyard spaces between the blocks in the development are expected to experience conditions suitable for use as ground level amenity space during the summer season, and are expected to experience wind conditions classified as acceptable for the required sitting use.
102. Terraces and balconies are expected to observe conditions ranging from sitting to standing/entrance use during the summer season. These conditions are considered acceptable for the intended use of these areas.
103. Overall it is concluded that the wind microclimate in and around the Proposed Development will be acceptable for its intended use.

#### **104. Highways and transportation**

105. For a development of this scale, up to 465 residential and 20 commercial parking spaces would be allowed, so the proposed provision of 266 parking spaces in total would fall within the maximum standards allowed by Policy. A Car Parking Management Plan was previously requested to set out how spaces would be allocated and the transport consultant has confirmed this will be provided. A condition will be included to this end to ensure appropriate management of this for the lifetime of the development.
106. Adequate disabled parking is proposed, but such spaces need to have adequate headroom - not just for the spaces themselves, but for the full length of the route to the spaces. Further details have been provided showing suitable 3.3m headroom at all disabled spaces, but only 2.4m above other spaces. From the sections that have been provided, it is unclear what headroom is proposed above the aisles and for clarity, at least 2.6m is required along all access routes to disabled parking spaces. A condition is recommended to this effect.
107. It has again been confirmed that electric vehicle charging points will be provided in accordance with London Plan standards (20% active and 20% passive).
108. An amended design for the 12-space surface level office car park has been submitted, showing a wide space for disabled parking and five electric vehicle charging points, in line with standards.
109. Concerns were previously expressed regarding the impact of overspill parking from the development though, with estimates based on Census data for the area suggesting average car ownership of 0.8 cars/flat for the area, resulting in about 80 residents of the development being likely to park cars on-street in the locality.
110. The applicant initially countered this by pointing out that only 144 on-site parking spaces had been sold to the first 242 flats in the nearby TNQ development on Capitol Way, suggesting a lower car ownership rate of about 0.6 cars/flat (in line with the proposed parking ratio for this development). However, the raw data was not provided to support this and the figure provided did not take into account residents that chose to park on-street rather than on-site. A comparison between Brent's overnight car parking data

from 2013 and the applicant's own surveys from 2015 identified about 46 additional cars parking overnight in Capitol Way, which is almost certainly the result of overspill parking from the residents of the TNQ development. Adding these to the 144 reserved spaces on-site gives an estimated total car ownership of 190 cars for the 242 flats, thereby increasing the parking ratio to 0.79. This again points to an overspill of about 80 cars.

111. A further survey of on-street parking has subsequently been undertaken by the applicant's consultant, but again the raw data is scant. In this case, the survey counted cars that park on-street in the area that arrive and leave between 5am and 10am and are likely to be driven by people entering and leaving the TNQ development. However, it does not provide a full count of on-street parking overnight in the area and again cannot therefore give a clear indication of how much overspill parking is being generated by the TNQ development. It is therefore again considered to be unreliable as a means of firmly identifying precise car ownership rates for that development.
112. As before, it is recommended that a full TRICS standard multi-modal survey is undertaken in order to provide reliable data, if it is proposed to base estimates of future trip rates and car ownership on the TNQ development.
113. In the meantime, Brent's officers previous concerns regarding the inability of the surrounding area to safely accommodate overspill parking remain, given the absence of a Controlled Parking Zone to help to regulate overspill parking on surrounding roads.
114. To address this, the Transport Assessment Addendum now proposes that the development will provide a contribution towards the cost of implementing a CPZ in the area, to be pooled with other developer contributions, so that Brent Council would have the means to control parking if necessary.
115. However, aside from the TNQ development (which provides funding of up to £200,000 depending upon car ownership rates), there are no other major developments proposed in this area. This development would therefore need to bear the vast majority of the costs of a potential CPZ for the nearby streets, including a sum towards subsidising existing residents in the area for the cost of future parking permits for a suitable period.
116. A Zone covering Holmstall Avenue, Stag Lane and the residential streets surrounded by Beverley Drive, North Way and Princes Avenue could be expected to cost in the region of £250-300,000 (allowing a permit for an average sized car for each household for five years) and a sum of at least £200,000 is therefore sought from this development to mitigate the impact of overspill parking.
117. A restriction will also need to be placed on the development to prevent future residents from obtaining on-street parking permits in the event that a CPZ is introduced in the area in the future.
- 118. Cycle Parking**
119. At least 660 secure bicycle parking spaces are required for the flats. It has now been clarified that in addition to the basement storage for 470 bicycles on double-height racks, a further 198 bicycles are proposed in three stores at mezzanine level over the bin stores. This brings the total capacity in line with requirements.
120. However, access to the mezzanine stores is proposed via steps with wheel channels to a 40% gradient with a 90 degree turn, which is not considered acceptable. Lifts should therefore be installed if bicycle storage is to be provided at mezzanine level and this is recommended to be secured through condition.
121. A commercial bicycle store for 26 bikes for the offices is also proposed at the eastern end of the site, although this is remote from the main office building so would be better relocated to the western end of the site, which is recommended to be secured through condition.
122. A total of seven 'Sheffield' stands (14 spaces) are proposed in easily accessible areas close to Capitol Way for visitors, but at least ten stands are required to meet short-term parking requirements, so three further stands should be accommodated, again recommended to be secured through condition.
123. With regard to servicing, concerns were previously expressed regarding the dimensions of the on-street loading bays (6 no. 12m long bays are now indicated along Capitol Way). The bays have thus been widened to 3m, with clear 2m footways shown behind to maintain pedestrian access when the bays are in use.

124. The westernmost loading bay has now been removed to allow the existing width restriction in Capitol Way to remain and this amendment is welcomed. This leaves no bay directly outside Unit A, so goods would need to be trolleyed 30(+m) from the bay outside Unit B, which is not ideal. This arrangement needs to be clearly set out in a Delivery & Servicing Plan for the unit (to be secure through the S106 agreement), to minimise the risk of delivery vehicles standing in close proximity to the mini-roundabout junction of Capitol Way and Stag Lane.
125. The large office unit at Block F also requires loading facilities, given the absence of any provision within the car park to the rear. A further 3m wide, 10m long footway loading bay has therefore been added along the Stag Lane frontage, with a 2.5m wide footway to be adopted to the rear. This is generally welcomed, but it is noted that TfL propose a future bus stop in the location shown for the bay and the future highway layout will need to take both servicing and bus stop requirements into account. These works will be secured through the S278 agreement unless the works are carried out by TfL and the developer beforehand.
126. As previously noted, the loading bays along Capitol Way will reduce on-street parking capacity in the street, which is likely to add to parking pressure in other nearby roads unless a CPZ is introduced. The applicant's transport consultant has noted that suitable loading restrictions (20-30 minute duration) will need to be applied to the proposed bays.
127. The existing width restriction in Capitol Way is now proposed to be retained and amended to operate as a CCTV enforced bus-gate. This is welcomed, particularly as it will meet TfL's objective of extending bus services along Capitol Way and into Stag Lane.
128. The amended loading bay arrangements along Capitol Way no longer retain any space for a bus stop/bus stand outside the development though, as shown in the original application. New bus stops are instead proposed in Stag Lane to the south of Capitol Way, which is fine, although as noted above these will need to sit clear of the newly proposed loading bay.
129. Otherwise, the internal access road for the residential development will again meet emergency and servicing vehicle access requirements, subject to the moving of bins up from the basement on collection days by the management company.
130. It has been confirmed that the gradient of the basement car park access ramp will be designed to accord with Institute of Structural Engineers' guidance and that the kerb radii at the junction with Capitol Way will also be reduced to 2m. The applicant has also noted the need to remove all existing redundant crossovers to the site and return them to footway, whilst the new access to Stag Lane will entail repositioning of the existing bus stop slightly further southwards.
131. The amendments to the roundabout and width restriction design on Capitol Way have addressed previous concerns regarding the access to the office car park.

### 132. **Transport Assessment**

133. Concern was previously raised regarding the over-reliance on surveys of traffic movements into and out of the nearby TNQ development in producing estimated vehicular trip rates, particularly given the absence of raw survey data for that site and the likelihood that the TNQ development generates significant amounts of on-street parking that would not have been picked up by the original surveys. It was therefore previously recommended that a full multi-modal survey of the TNQ site be undertaken (i.e. based on the TRICS Standardised Assessment Methodology).
134. A further survey has therefore been undertaken in October 2017 which aimed to identify all journeys by car to and from the site (including by drivers parking on-street). However, as noted above, this still does not follow the TRICS methodology and as before, the raw survey data has again not been supplied. Furthermore, the survey appears to have only been undertaken during a weekday morning and does not therefore include data for the evening peak hour or a Saturday. As such, very limited weight can again be placed on this survey.
135. Nevertheless, the results do show considerably more vehicular traffic to and from the TNQ development than was identified previously and a comparison between the average trip rates derived from these updated surveys and those derived from the TRICS database for blocks of flats in London suggests that they are robust. As such, the revised residential trip rates proposed for this development are now

considered acceptable.

136. Commercial trips for the workspace and café were again estimated using TRICS data from sites in London and the southeast. This is also considered to produce robust results for vehicular trips, due to the inclusion of non-London sites.
137. Estimated trips were then added to baseline traffic flows and estimated future flows from committed development sites in the area (i.e. the remainder of the TNQ and Oriental City developments, which are currently partially built and occupied). Distribution of traffic has been based upon analysis of journey to work destination data for the flats and traffic turning counts for the commercial uses.
138. Increases in traffic flows through the Edgware Road/Capitol Way and Stag Lane/Capitol Way junctions as a result of the development have then been calculated, with overall increases of less than 2%.
139. The consultant has then undertaken detailed models of the existing and future operation of these junctions using industry standard software.
140. For the Capitol Way/Edgware Road signalised junction, capacity problems were identified following the completion of this and other committed development in the area, but these could largely be addressed through optimisation of the signal timings. The only time period still operating beyond its practical capacity following adjustments to the timings would be the Saturday mid-afternoon peak hour (12.15-13.15), with a practical reserve capacity of -4.3%. This is not considered to be a significant issue and the modelling results have been accepted by Transport for London.
141. For the Capitol Way/Stag Lane junction, the previous assessment identified serious existing and future capacity problems. The layout of the junction has therefore been amended, with the existing width restriction in Capitol Way retained along with a new pedestrian island and the flared approaches on the Stag Lane (north) and Capitol Way arms being eased, partly to assist manoeuvring by buses.
142. The results of the modelling show the amended junction operating within its maximum capacity at all times when all predicted development traffic is added, but above the recommended maximum ratio of flow to capacity of 0.85 during the evening peak hour (0.907) and the Saturday mid-afternoon peak hour (0.851).
143. Although not ideal, these results provide a substantial improvement on the assessed operation of the existing junction, which operates well above its calculated capacity during all three modelled peak periods.
144. It should also be noted that alterations to the committed development at TNQ in terms of the likely future occupier of the large anchor retail store (previously proposed to be occupied by Wickes) to a less car/van dominated occupier means that some of the predicted future traffic through this junction may not in actual fact materialise.
145. On this basis, the improvements to the junction are welcomed, although the pedestrian refuge in Capitol Way should be at least 5.1m in length. Works to widen the junction should be secured through the S38/S278 Agreement for the development.
146. For other modes, previous estimates of trips have been amended to reflect the increase in the estimated proportion of car trips, again based on 2011 Census data.
147. For rail and Underground services, a total of 116 trips are estimated in the morning peak hour (8-9am), 83 trips in the evening peak hour (5-6pm) and 108 trips in the Saturday peak hour (12-1pm). The site lies midway between Colindale (Northern line) and Queensbury (Jubilee line) Underground stations and rail trips could expect to be fairly evenly divided between these two stations (with the nearest mainline railway station at Mill Hill Broadway being a bus ride away). On this basis, the development would add about two extra passengers to each train.
148. For buses, the development is predicted to add 45 passengers in the morning peak hour, 32 in the evening peak hour and 41 in the Saturday peak hour. This amounts to about one additional passenger per bus service passing close to the site.
149. Transport for London have raised no concerns with regard to the capacity of the bus and Underground services and are satisfied that the improvements to bring extra bus services (303/305) through the width

restriction to serve the site will be sufficient to mitigate impact.

150. With regard to walking and cycling, an additional 20-30 purely pedestrian trips and 17-21 cyclist trips are estimated to be generated in each peak hour. Audits that were previously undertaken have recommended a number of improvements, largely around providing tactile paving at junctions and crossing points and these should be borne in mind when considering priorities for use of any funding from the development.

151. There are no existing road accident issues in the area that would be likely to be exacerbated by this development proposal.

#### **152. Travel Plans**

153. Residential or Workplace Travel Plans have been received. but amendments to these are required in order to meet the required standards. It is accordingly recommended that the S106 Agreement includes clauses requiring amended Travel Plans to take these observations into account to be submitted and approved prior to occupation of the development.

#### **154. Construction Management**

155. A Framework Construction Management Plan has been submitted, but will need to be developed further into a detailed Construction Logistics Plan prior to any works commencing on site and thereafter kept under review. This is recommended to be secured through condition.

#### **156. Highways Recommendations**

157. The proposal is considered to be acceptable on highways grounds subject to the following being secured through condition or the legal agreement:

- A financial contribution of £200,000 towards the implementation of a Controlled Parking Zone in the vicinity of the site (including the offering of subsidised permits to existing residents in the area);
- Designation of the development as 'parking permit restricted' to withdraw the right of future residents of the development to on-street parking permits in the event that a CPZ is introduced in the future;
- A S38/S278 Agreement under the Highways Act 1980 to include: (i) widening of the highway along the Capitol Way and Stag Lane site boundaries; (ii) construction of "in-footway" loading bays along Capitol Way and Stag Lane with footways to the rear; (iii) widening of the Capitol Way and Stag Lane (North) approaches to the mini-roundabout junction of the two roads; (iv) provision of a pedestrian island on the Capitol Way arm of the mini-roundabout junction with Stag Lane; (v) construction of new crossovers to Capitol Way and Stag Lane; (vi) repositioning of the existing bus stop and bus shelter on Stag Lane fronting the site approximately 12m southwards; (vii) removal of redundant crossovers to the site; and (viii) resurfacing of the footways along the site frontages in modular paving with tree planting; together with all ancillary and accommodation works in general compliance with drawing no. NEA001-DCR-GF-PL-A-0001/A;
- Submission and approval of amended Residential and Workplace Travel Plans;
- Submission and approval of a Car Park Management Plan;
- Submission and approval of a Delivery & Servicing Plan;
- Submission and approval of a Construction Logistics Plan,
- The submission and approval of further details of the basement car park to include ramp design, gradients and headroom;
- The provision of improved access to mezzanine floor bicycle parking and repositioning of some of the commercial bicycle parking to the western end of the development; and
- The provision of three additional publicly accessible bicycle stands.

#### **158. Flood risk and drainage**

159. The Environment Agency flood map shows the Proposed Development to be located within Flood Zone 1, and as the site is larger than 1 hectare in area, a Flood Risk Assessment is required to demonstrate that the Proposed Development is safe and that it will not increase flood risk in the surrounding area. The NPPF considers the vulnerability of different forms of development to flooding; in this case, the Proposed Development is classified as 'More Vulnerable'. Being in Flood Zone 1; under NPPF guidelines the Proposed Development is considered appropriate.

160. The Flood Risk Assessment submitted with the application makes the following conclusions:

161. The site is located in Flood Zone 1 and can therefore be considered to be at low risk of fluvial and tidal flooding.
162. In accordance with the NPPF, residential development is classified as “more vulnerable” development, and is suitable within Flood Zone 1.
163. The site is located at higher level compared to the adjacent Stag Lane and at low risk from surface water and sewer flooding. The site will provide betterment by adopting Sustainable Urban Drainage System (SuDS) measures and a minimum of 50% reduction of the existing peak runoff rate. Surface levels will be set to fall away from the buildings and basement entrances to prevent flooding from overland flow.
164. The Proposed Development is not at risk from groundwater flooding as it is underlain by ‘unproductive strata’. However, engineering techniques will be applied to eliminate potential flood risk from perched groundwater to the basement. The groundwater flood risk to and from the Proposed Development will therefore be low.
165. The proposed development is at low risk from surface, sewer and groundwater flooding. It will also not increase the risk of flooding to the site or surrounding areas as it will result in a reduction in the level of surface water runoff from the site. It is therefore acceptable on these grounds.
166. **Conclusion**
167. Overall, the proposed development is considered to create a high quality, mixed use development that responds to its context and setting and follows the aspirations and key principles of the Local and Regional Planning Policies. The scheme materially accords with the relevant planning policies and guidance and it is recommended that the proposal is approved.

## **S106 DETAILS**

The application requires a Section 106 Agreement, in order to secure the following benefits:-

1. Payment of the Council's legal and other professional costs in a) preparing and completing the agreement and b) monitoring and enforcing its performance
2. Affordable Housing –
  - a. To provide a minimum of 30% affordable housing (by habitable room) within the development.
  - b. Disposal of affordable housing to a Registered Provider on a minimum 125 year leasehold;
  - c. Precise tenure and unit size mix;
  - d. 100% LBB nominations on the affordable rented units;
  - e. Appropriate post implementation s106 review mechanisms
3. A detailed 'Sustainability Implementation Strategy' shall be submitted to the Local Planning Authority and approved in writing prior to material start of the development hereby approved. This shall demonstrate:
  - a. How the development will achieve BREEAM excellent in relation to commercial floorspace;
  - b. How the scheme will achieve a minimum CO2 reduction of 35 % from 2013 TER (regulated) plus an additional carbon off set contribution to achieve zero carbon. This shall include a requirement to achieve 20% reduction through renewable energy where feasible;
  - c. The applicant shall implement the approved Sustainability Implementation Strategy and shall thereafter retain those measures.
4. On completion, independent evidence (through a BRE Post-Construction Review and completion certificates) shall be submitted on the scheme as built, to verify the achievement of BREEAM excellent and the approved Sustainability Implementation Strategy.
5. If the evidence of the above reviews shows that any of these sustainability measures have not been implemented within the development, then the following will accordingly be required:
  - a. The submission and approval in writing by the Local Planning Authority of measures to remedy the omission; or, if this is not feasible,
  - b. The submission and approval in writing by the Local Planning Authority of acceptable compensatory

measures on site; or otherwise pay to the Council a sum equivalent to the cost of the omitted measures to be agreed by the Local Planning Authority, to be used by the Council to secure sustainability measures on other sites in the Borough.

6. To submit (6 months before first occupation) a revised Travel Plan and implement the revised Travel Plan from first occupation of the development. The submission for the Councils approval refined overall targets for the Travel Plan to encourage travel by residents, occupiers and visitors by means other than private car and promote walking and cycling to and from the site. Commercial units occupied by less than 20 staff in total will not be required to submit a Travel Plan These organisations should simply provide employees with the information contained in a typical Travel Pack at induction.

7. Any highway works to be undertaken at the developer's expense under S 38 and 278, including: (i) widening of the highway along the Capitol Way and Stag Lane site boundaries; (ii) construction of "in-footway" loading bays along Capitol Way and Stag Lane with footways to the rear; (iii) widening of the Capitol Way and Stag Lane (North) approaches to the mini-roundabout junction of the two roads; (iv) provision of a pedestrian island on the Capitol Way arm of the mini-roundabout junction with Stag Lane; (v) construction of new crossovers to Capitol Way and Stag Lane; (vi) repositioning of the existing bus stop and bus shelter on Stag Lane fronting the site approximately 12m southwards; (vii) removal of redundant crossovers to the site; and (viii) resurfacing of the footways along the site frontages in modular paving with tree planting; together with all ancillary and accommodation works in general compliance with drawing no. NEA001-DCR-GF-PL-A-0001/A.

8. A financial contribution of £200,000 towards the implementation of a Controlled Parking Zone in the vicinity of the site (including the offering of subsidised permits to existing residents in the area),

9. Designation of the development as 'car-free' to withdraw the right of future residents of the development to on-street parking permits in the event that a CPZ is introduced in the future;

10. Contribution towards bus improvements – amount to be agreed with TfL

#### 11. Employment and Training

a. To prepare and gain approval of an Employment Enterprise and Training Plan prior to commencement and to implement the Plan

b. To offer an interview to any job applicant who is a resident in Brent and meets the minimum criteria for the job

c. To use reasonable endeavours to: achieve 1 in 10 of the projected construction jobs to be held by Brent residents and for every 1 in 100 construction jobs to provide paid training for a previously unemployed Brent resident or Brent school leaver for at least 6 months

d. From material start, to provide monthly verification of the number of Brent Residents employed or provided training during construction and if the above targets are not being met, to implement measures to achieve them

e. Prior to occupation, verify to the Council the number of Brent Residents employed during construction and unemployed/school leavers who received training.

And, to authorise the Head of Area Planning, or other duly authorised person, to refuse planning permission if the applicant has failed to demonstrate the ability to provide for the above terms and meet the policies of the Unitary Development Plan and Section 106 Planning Obligations Supplementary Planning Document by concluding an appropriate agreement.

## CIL DETAILS

This application is liable to pay **£13,092,589.41\*** 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): sq. m.

Total amount of floorspace on completion (G): 43294 sq. m.

Use	Floorspace on completion	Eligible* retained floorspace	Net area chargeable at rate R	Rate R: Brent multiplier	Rate R: Mayoral multiplier	Brent sub-total	Mayoral sub-total
<i>Document Imaged</i>							
						<i>DocRepF Ref: 17/0837 Page 11 of 43</i>	

	(Gr)	(Kr)	(A)	used	used		
Dwelling houses	39243		39243	£200.00	£35.15	£10,967,016.96	£1,927,453.23
Either B1, B2 and / or B8	4051		4051	£0.00	£35.00	£0.00	£198,119.22

BCIS figure for year in which the charging schedule took effect (lc)	224	224
BCIS figure for year in which the planning permission was granted (lp)	313	
<b>Total chargeable amount</b>	<b>£10,967,016.96</b>	<b>£2,125,572.45</b>

\*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.**



Application No: 17/0837

To: Rolfe Judd Planning  
Old Church Court  
Claylands Road  
Oval  
London  
SW8 1NZ

I refer to your application dated **24/02/2017** proposing the following:

Demolition of the existing buildings and the redevelopment of the site to provide six buildings ranging between four to nine storeys and eight three storey mews houses, and the erection of a two storey commercial building, providing a total 4,051m of flexible commercial floorspace (B1(a),(b) and (c), B8, D2 and A3) across the site and 414 residential units including a mix of studio, 1, 2 and 3 bedroom units with associated basement car parking, cycle storage, plant and shared external amenity space and landscaped courtyards at ground floor level, and other ancillary works.

and accompanied by plans or documents listed here:  
Please see condition 2.

at **1-8 Capitol Industrial Park, Capitol Way, London, NW9 0EQ**

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: 02/03/2018

Signature:

A handwritten signature in black ink that reads 'Alice Lester'.

**Alice Lester**  
Head of Planning, Transport and Licensing

**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.

## SUMMARY OF REASONS FOR APPROVAL

- 1 REASON FOR GRANT: The proposed development is in general accordance with policies contained in:

The National Planning Policy Framework (2012)  
London Plan (2016)  
Brent's Core Strategy (2010)  
Brent's Development Management Policies (2016)  
Design Guide for New Developments (SPG 17)

- 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 material accordance with the following approved drawing(s) and/or document(s):

## SITE

NEA001-DCR-EX-LP-A-0001 Existing Site Location Plan A3 1/1250  
NEA001-DCR-SP-A-0001 Proposed Location Plan - Roof Level A3 1/1250  
NEA001-DCR-EX-SP-A-0002 Existing Site Survey A0 1/250

## EXISTING ELEVATIONS &amp; SECTIONS

NEA001-DCR-EX-E-A-0001 Existing Building Elevations & Sections A0 1/250

## PROPOSED PLANS

NEA001-DCR-BF-PL-A-9001 Basement Floor Plan A1 1/200 A  
NEA001-DCR-GF-PL-A-0001 Ground Floor Plan A1 1/200 A  
NEA001-DCR-01-PL-A-0002 First Floor Plan A1 1/200 A  
NEA001-DCR-02-PL-A-0003 Second Floor Plan A1 1/200 A  
NEA001-DCR-03-PL-A-0004 Third Floor Plan A1 1/200 A  
NEA001-DCR-04-PL-A-0005 Fourth Floor Plan A1 1/200  
NEA001-DCR-05-PL-A-0006 Fifth Floor Plan A1 1/200  
NEA001-DCR-06-PL-A-0007 Sixth Floor Plan A1 1/200  
NEA001-DCR-07-PL-A-0008 Seventh Floor Plan A1 1/200  
NEA001-DCR-08-PL-A-0009 Eighth Floor Plan A1 1/200  
NEA001-DCR-09-PL-A-0010 Roof Plan A1 1/200 A  
NEA001-DCR-GF-PL-A-0100 Ground Floor Plan - Block A A1 1/100 A  
NEA001-DCR-GF-PL-A-0101 Ground Floor Plan - Block B A1 1/100  
NEA001-DCR-GF-PL-A-0102 Ground Floor Plan - Block C A1 1/100  
NEA001-DCR-GF-PL-A-0103 Ground Floor Plan - Block D A1 1/100  
NEA001-DCR-GF-PL-A-0104 Ground Floor Plan - Block E A1 1/100  
NEA001-DCR-GF-PL-A-0105 Ground Floor Plan - Block G A1 1/100  
NEA001-DCR-01-PL-A-0200 First Floor Plan - Block A A1 1/100 A  
NEA001-DCR-01-PL-A-0201 First - Third Floor Plan - Block B A1 1/100  
NEA001-DCR-01-PL-A-0202 First - Fourth Floor Plan - Block C A1 1/100  
NEA001-DCR-01-PL-A-0203 First - Fifth Floor Plan - Block D A1 1/100  
NEA001-DCR-01-PL-A-0204 First - Sixth Floor Plan - Block E A1 1/100  
NEA001-DCR-01-PL-A-0205 First Floor Plan - Block G A1 1/100  
NEA001-DCR-02-PL-A-0300 Second Floor Plan - Block A A1 1/100 A  
NEA001-DCR-02-PL-A-0305 Second Floor Plan - Block G A1 1/100  
NEA001-DCR-03-PL-A-0400 Third Floor Plan - Block A A1 1/100 A  
NEA001-DCR-03-PL-A-0405 Third Floor Plan - Block G A1 1/100

NEA001-DCR-04-PL-A-0501 Fourth Floor Plan - Block B A1 1/100  
NEA001-DCR-04-PL-A-0505 Fourth Floor Plan - Block G A1 1/100  
NEA001-DCR-05-PL-A-0601 Fifth Floor Plan - Block B A1 1/100  
NEA001-DCR-05-PL-C-0602 Fifth Floor Plan - Block C A1 1/100  
NEA001-DCR-05-PL-A-0605 Fifth Floor Plan - Block G A1 1/100  
NEA001-DCR-06-PL-A-0702 Sixth Floor Plan - Block C A1 1/100  
NEA001-DCR-06-PL-A-0703 Sixth Floor Plan - Block D A1 1/100  
NEA001-DCR-06-PL-A-0705 Sixth Floor Plan - Block G A1 1/100  
NEA001-DCR-07-PL-A-0803 Seventh Floor Plan - Block D A1 1/100  
NEA001-DCR-07-PL-A-0804 Seventh Floor Plan - Block E A1 1/100  
NEA001-DCR-08-PL-A-0904 Eighth Floor Plan - Block E A1 1/100

#### PROPOSED ELEVATIONS & SECTIONS

NEA001-DCR-ZZ-EL-A-0001 Site elevations A0 1/200  
NEA001-DCR-ZZ-EL-A-0002 Site sections A0 1/200 A A  
NEA001-DCR-ZZ-EL-A-0003 Site sections A1 1/200  
NEA001-DCR-ZZ-EL-A-0004 Site sections A1 1/200  
NEA001-DCR-ZZ-EL-A-0005 Site sections A1 1/200  
NEA001-DCR-ZZ-EL-A-0006 Site sections A1 1/200  
NEA001-DCR-ZZ-EL-A-0007 Site elevations A1 1/200

#### DETAILS

NEA001-DCR-DE-A-401 Bay Study A A1 1/50  
NEA001-DCR-DE-A-402 Bay Study B A1 1/50  
NEA001-DCR-DE-A-403 Bay Study C A1 1/50  
NEA001-DCR-DE-A-404 Bay Study D A1 1/50  
NEA001-DCR-DE-A-405 Bay Study E A1 1/50 A A  
NEA001-DCR-DE-A-406 Bay Study F A1 1/50  
NEA001-DCR-DE-A-407 Bay Study G A1 1/50  
NEA001-DCR-DE-A-408 Bay Study H A1 1/50  
NEA001-DCR-DE-A-409 Bay Study J A1 1/50  
NEA001-DCR-DE-A-410 Bay Study K A1 1/50  
NEA001-DCR-DE-A-411 Bay Study L A1 1/50  
NEA001\_DCR-CO-PL-A-310 Basement Floor Bike Store  
NEA001\_DCR-CO-PL-A-311 Basement Floor Bike Stores  
NEA001\_DCR-CO-PL-A-312 Ground Floor Commercial Bike Storage  
NEA001\_DCR-CO-PL-A-314 Mezzanine Floor Bike Stores

#### DOCUMENTS

NEA001\_D&A Design & Access Statement A3 NTS  
NEA001\_SCH\_001 Accommodation Schedule A3 N/A A

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

- 3 Non-residential deliveries, including unloading and loading, shall not be undertaken other than between the hours of 0800 and 2100 Monday to Friday and between 0800 and 1300 on Saturday, and they shall not be undertaken at any time outside of these times or on Sunday or Bank Holidays; unless otherwise agreed in writing by the Local Planning Authority.

Reason: To limit the detrimental effects of noise and disturbance from vehicles on the premises on adjoining residential occupiers.

- 4 10% of the proposed units shall be completed as Wheelchair accessible (in the case of Affordable Rented homes) or easily adaptable (in the case of Private and Intermediate homes) in accordance with Building Regulations requirement M4(3) as set out on the approved drawings listed in Condition 2 and the remaining homes within the development shall be completed in accordance with Building Regulation requirement M4(2) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure suitable facilities for disabled users, in accordance with the London Plan policy.

- 5 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 10 dB (A) below the measured background noise level when measured at the nearest noise sensitive premises. Prior to the installation of plant, an assessment of the expected noise levels of any plant shall be submitted to and approved in writing by the Local Planning Authority. The assessment should be carried in material compliance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound' and shall include any mitigation measures necessary to achieve the above required noise levels. The plant shall thereafter be installed and maintained in material compliance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect acceptable local noise levels.

- 6 All existing crossovers rendered redundant by this proposal shall be reinstated to footway at the applicant's own expense and to the satisfaction of the Council's Head of Highways and Infrastructure prior to first occupation of the new development.

Reason: In the interests of traffic and pedestrian safety.

- 7 Electric vehicle charging points shall be provided in accordance with the revised site layout plan (20% active and 20% passive) prior to the commencement of use and occupation of the development.

Reason: To ensure appropriate provision of ECVP to meet the current standards and future demand.

- 8 All parking spaces, turning areas, loading bays, access roads and footways shall be constructed and permanently marked out prior to first occupation of the relevant part of the development and thereafter shall not be used other than for purposes ancillary to the development hereby approved.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety within the site and along the neighbouring highway.

- 9 Prior to the occupation of the development hereby approved details of how the development shall be 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 and the development shall be completed in accordance with the approved details.

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

- 10 Notwithstanding the submitted drawings, details of materials for all external work (including samples which shall be made available for viewing on site or in another location as agreed) shall be submitted to and approved in writing by the Local Planning Authority prior to any work commencing on that phase. The development shall be completed in accordance with the approved details.

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

- 11 Prior to the construction of the superstructure a detailed landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. Such landscaping work shall be completed prior to first use or occupation of the development hereby approved and thereafter maintained.

The submitted scheme shall include details of:

- a) The planting scheme for the site, which shall include species, size and density of plants,

- sub-surface treatments;
- b) Details of any trees to be trans-located, replaced, and retained;
- c) Any walls, fencing and any other means of enclosure, including materials, designs and heights;
- d) The treatment of areas of hardstanding and other areas of hard landscaping or furniture, including materials;
- e) details of levels and contours within the site and adjoining the site;
- f) a landscaping maintenance strategy, including details of management responsibilities.

Any trees and shrubs planted, trans-located in accordance with the landscaping scheme and any shrubs 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 as soon as practicable as those trees or shrubs have been affected.

Reason: To ensure a satisfactory standard of appearance and to ensure that the proposed development enhances the visual amenity of the locality.

- 12 Details of a scheme of sound insulation between the commercial and residential unit(s) hereby approved shall be submitted to and approved by the Local Planning Authority prior to first occupation of the residential unit(s). The sound insulation measures approved shall be installed prior to first occupation of the residential unit(s) and maintained as such in perpetuity.

Reason: To protect the amenity of future residents.

- 13 Details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority prior the installation of the lighting. This shall include details of the lighting fixtures, luminance levels through the site and luminance levels at sensitive receptors within and adjoining the site. The lighting shall not be installed other than in accordance with the approved details.

Reason: In the interests of safety and the amenities of the area.

- 14 Details of external childrens play areas, any associated equipment and appropriate access arrangements shall be submitted to and approved in writing by the Local Planning Authority and the play areas shall be completed in accordance with the approved details prior to first occupation of the relevant phase of the residential accommodation.

Reason: In order to ensure satisfactory provision of the playground and its equipment

- 15 A Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby approved and the approved plan shall thereafter be implemented from first occupation of the development. The Delivery and Servicing Plans shall have regard to the TfL guidance regarding Delivery and Servicing Plans.

The Delivery and Servicing Plan shall include details of how Unit A would be serviced in order to minimise the risk of delivery vehicles standing in close proximity to the mini-roundabout at the junction of Capitol Way and Stag Lane.

The Delivery and Servicing Plan will include a restriction on the use of the loading bays along Capitol Way to 30 minutes maximum.

Reason: In the interest of the free and safe flow of traffic on the highway network.

- 16 Notwithstanding the approved plans, further details of the bin stores and cycle storage shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented in full prior to first occupation of the relevant part of the development, being the part of the development that the bin or cycle storage serves. Such details shall include:
- 660 secure weatherproof bicycle storage spaces and, if the mezzanine level is proposed to house a portion of these cycle spaces, details of a suitable bicycle lift (or suitable alternative arrangement) to ensure access to this level;
  - Revised details for the 26 cycle storage spaces for office use which shall be within close proximity to the use to which they will serve;
  - A total of 10 'Sheffield' bicycle stands shall be delivered within close proximity to Capitol Way for visitor use.

Reason: In the interests of highway flow and safety, and sustainable transport.

- 17 Prior to the commencement of works an updated Construction Management Plan and Construction Logistics Plan shall be submitted to and approved in writing by the LPA. Thereafter the approved Construction Logistics Plan shall be implemented in full for the duration of construction unless otherwise agreed in writing by the Local Planning Authority.

The CMP shall confirm that:

- Best practical means available in accordance with British Standard Code of Practice BS5228 1:2009 shall be employed at all times to minimise the emission of noise from the site;
- Vehicular access to adjoining and opposite premises shall not be impeded;
- All vehicles, plant and machinery associated with such works shall be stood and operated within the curtilage of the site only;
- A barrier shall be constructed around the site, to be erected prior to demolition; to prevent wind entrainment of dust generated and minimise dust nuisance to residents in the area
- A suitable and sufficient means of suppressing dust must be provided and maintained.
- Sheet off lorry loads during haulage and employ particulate traps on HGVs wherever possible
- Use demolition equipment that minimises the creation of dust.
- Dust/debris is prevented from being carried onto the road by vehicles exiting the site by installing and operating a wheel washing facility.
- Re-suspension of any dust from the works that may build-up on the adjoining roads is minimised, by sweeping the roads when necessary.
- Damping down materials during demolition and construction, particularly in dry weather conditions;
- Drop height of materials are minimised by means such as the use of chutes to discharge material and damping down the skips/ spoil tips as material is discharged;
- Ensuring that any crushing and screening machinery is located well within the site boundary to minimise the impact of dust generation; Utilising screening on site to prevent wind entrainment of dust generated and minimise dust nuisance to residents in

the area;

The Construction Logistics Plan shall out how deliveries to the land during the construction of the Development will be managed so as to optimise traffic operations and minimise disruption as also minimise the environmental impact of freight activity, shall be submitted to and approved in writing prior to the commencement of the development and the approved plan shall thereafter be implemented.

Reason: In the interests of pedestrian and highway safety, air quality and the amenities of surrounding occupiers.

- 18 Details demonstrating that the developer or constructor has joined the Considerate Constructors Scheme shall be submitted to the Local Planning Authority prior to commencement of works on the site and the developer or constructor shall thereafter adhere to the requirements of the Scheme for the period of construction of the development except that this shall not prevent and shall specifically exclude demolition, works of site clearance, ground investigation and site survey works, erection of temporary boundary fencing or hoarding and works of decontamination and remediation (hereafter 'preparatory works') and shall be carried out only as approved. The developer or constructor shall thereafter adhere to the requirements of the Scheme for the period of construction for the development.

Reason: In the interest of the amenities of the adjoining and nearby owners and occupiers.

- 19 No piling shall take place 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 in consultation with Thames Water. 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 impact on local underground sewerage utility infrastructure.

- 20 Following the demolition of the buildings and prior to the commencement of building works, a site investigation 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. A report shall be submitted to 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 written report is subject to the approval in writing of the Local Planning Authority.

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

- 21 Any soil contamination remediation measures required by the Local Planning Authority shall be carried out in full prior to first occupation of the relevant part of the development. A verification report shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation confirming 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).

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

- 22 The Communal Heat and Power system (CHP) hereby approved shall be installed prior to practical completion, and shall be maintained and operated in accordance with the manufacturers specifications for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure the carbon savings as outlined in the approved energy statement are met.

- 23 Prior to the installation of the CHP unit, an Air Quality Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority demonstrating that the proposed CHP unit shall have no more than an imperceptible impact on neighbouring residents. The development shall be implemented in accordance with the approved details.

Reason: To protect local air quality, in accordance with adopted Brent Policy.

- 24 Details of tree protection measures shall be submitted to and approved in writing prior to the commencement of works and the approved measures shall be implemented throughout the construction of the building. Such details shall include:

- Detailed drawings showing all existing trees which are not directly affected by the building(s) and works hereby approved. Such trees shall be retained and shall not be lopped, topped, felled, pruned, have their roots severed or be uprooted without the prior written approval of the Local Planning Authority.
- A detailed Tree Protection Plan including detailed drawings of all underground works and additional precautions to prevent damage to tree roots, if any. Such details shall include the location, extent and depth of all excavations for drainage and other services, in relation to the trees to be retained on site.
- An arboricultural impact statement (AIS) and method statement (AMS) in accordance with British Standard BS 5837: 2012 –Trees in Relation to Demolition, Design and Construction and outlining the safe retention of TPO trees. These details shall include a scheme for the protection of the retained tree(s), the appropriate working methods within the trees root protection area (RPA) and be in accordance with the works outlined in the construction method statement.

Any such tree(s) which subsequently die, becomes seriously damaged or diseased, or have to be removed as a result of carrying out this development, shall be replaced with a tree of a species and size and in such position, as the Local Planning Authority may require, in conjunction with the general landscaping required herein.

Reason: To ensure that the trees are not damaged during the period of construction, as they represent an important visual amenity which the Local Planning Authority considers should be substantially maintained and kept in good condition.

- 25 Prior to the installation of CCTV equipment, details of any CCTV equipment shall be submitted to and approved in writing by the Local Planning Authority. The CCTV equipment shall thereafter be installed in accordance with the approved details prior to first occupation of the relevant part of the approved development.

Reason: In the interests of safety and security.

- 26 Prior to the commencement of works on the superstructure a drainage strategy detailing any on

and/or off-site drainage works, shall be submitted to and approved by the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason: In order to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

27 A Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London prior to first occupation of the development hereby approved and the plan shall thereafter be implemented in full for the life of the development. The Plan shall include (unless otherwise agreed by the Local Planning Authority):

- Details of the Car Parking Spaces, comprising the location of spaces and the maximum number of car parking spaces within each area;
- The means by which parking spaces are allocated/sold and monitored;
- The location of blue badge parking spaces, the number of spaces within each area and the route between the parking spaces and the uses they serve, including any management measures to assist disabled visitors.

Reason: In the interest of highway flow and safety, disabled access, access and egress and sustainability.

28 Further details (including a cross-section) shall be submitted to and approved in writing by the Local Planning Authority, prior to the construction of the basement, demonstrating the headroom that will be achieved above the aisles within the basement car park, which shall be at least 2.6m is required along all access routes to disabled parking spaces unless otherwise approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.

Reason: In the interest of vehicular flow and safety, disabled access, access and egress and sustainability.

## INFORMATIVES

- 1 The applicant is reminded that controlled discharge rate as part of the flood risk strategy should not exceed 5 l/s.
- 2 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality)
- 3 Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.
- 4 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface

water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

- 5 The Council recommends that the maximum standards for fire safety are achieved within the development.
- 6 The applicant is advised to notify the Council's Highways and Infrastructure Service of the intention to commence works prior to commencement and include photographs showing the condition of highway along the site boundaries. The Highways and Infrastructure Service will require that any damage to the adopted highway associated with the works is made good at the expense of the developer.
- 7 Attention is drawn to the provisions of s151 of the Highways Act 1980, which requires that all construction vehicles leaving the site must be cleansed as necessary to avoid depositing mud and other material onto neighbouring roads.
- 8 Advertisement consent may be required under the Town and Country Planning (Control of Advertisements) Regulations 1990 for the erection or alteration of any
  - (a) illuminated fascia signs
  - (b) projecting box signs
  - (c) advertising signs
  - (d) hoardings
- 9 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).
- 10 Applicants are reminded of hazards caused by asbestos materials especially during demolition and removal works and attention is drawn to the Asbestos Licensing Regulations 1983. Licensed Contractors only are permitted to remove asbestos which must be transferred to a licensed site. For further advice the Brent Council Regulatory Services should be contacted.
- 11 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.

Any person wishing to inspect the above papers should contact Andrew Neidhardt, Planning and Regeneration, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 1902