

JD/OC/P7338  
16 September 2019

Director of Planning  
London Borough of Brent  
Regeneration & Environment,  
Civic Centre,  
Engineers Way,  
Wembley, HA9 0FJ

Dear Sirs,

**Town & Country Planning (Environmental Impact Assessment) Regulations 2017  
1-8 Capitol Way, Colindale NW9 0HN**

We write on behalf of our client (Neat Developments and Royal London Asset Management) to request a formal 'Screening Opinion' under Regulation 6 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 ("EIA Regulations") in relation to the proposed redevelopment of land at 1-8 Capitol Way and adjoining land, London, NW9.

**The Development Site**

The Site is compiled of two plots (referred to as 'Plot 1' and 'Plot 2'), separated by Capitol Way, with a combined area of approximately 1.74 hectares (ha).

**Plot 1** (approximately 1.562 ha) is located at National Grid Reference TQ 20211 89839 and is bordered to the south by Capitol Way, the west by Stag Lane, the north by commercial units along Carlisle Road and to the east by TNQ residential led mixed-use development and trade trade/retail units.

Plot 1 is predominantly occupied by a vacant warehouse and office building. The buildings have been vacant for more than 5 years. Within the site, but outside the warehouse the east and south is concrete hardstanding, and the area to the west fronting Stag Lane is largely grassed but also contains a small open electricity substation to the north-west corner. The topography of Plot 1 is relatively flat and varies from 49.35 to 50.19m AOD (metres above ordnance datum). Existing vehicular access to Plot 1 is from Capitol Way on the southern boundary of the site.

**Plot 2** (approximately 0.1783 ha) is located at National Grid Reference TQ 20189 89735 and is bordered by Capitol Way to the north, Stag Lane to the west and the south and east by a VW/Skoda sales and service centre.

Plot 2 is currently occupied by an area of hardstanding and some unmanaged scrubland between the existing commercial property's perimeter fence and Stag Lane's east pavement. There are several

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1-8 Capitol Way – EIA Screening Letter  
16th September 2019

trees situated within this area of scrubland on the west and northern boundary of Plot 2. These trees are under a tree preservation order (TPO) 16/001 which took effect provisionally from 1st February 2016. Existing vehicular access to Plot 2 is from Capitol Way on the northern boundary of the plot.

#### **Wider Context of the Development Site**

The Site is approximately 240m west of the A5 Edgware Road highway at its nearest point, 500m west of Silk Stream, 634m north-east of Roe Green Park, 846m south of Burnt Oak London Underground Limited (LUL) station, 1.04km west of Colindale LUL station, 1.23km east of Queensbury LUL station, 1.27km north-east of Kingsbury LUL and the M1 motorway is 2km east of the Site.

Land uses surrounding the Site include residential, commercial and quasi industrial uses.

There is extensive area of low rise inter war housing to the west fronting onto Stag Lane, as well as the large residential-led mixed use development known as TNQ to the south-east of the Site. The development comprises 460 residential units and circa 6,000sqm of ground floor retail space. Four residential properties are also located immediately adjacent to Plot 1's north-west boundary on the corner of Stag Lane and Carlisle Road.

A variety of commercial uses also lie in close proximity to the north, east and south, and primarily these are either trade retail use or B1 (a) (b) and (c) uses. Within the Capitol Way area are also four large supermarkets and associated car parking are located 150m east of the Site. Stag Lane Medical Centre (NHS General Practice) and a place for Sikh worship is located 90m south-east of the Site.

Several schools and education centres are in the surrounding area, include: The Village School (270m south of the Site); Roe Green Infant and Junior School (500m to the south-west); Kingsbury High School (520m to the south-west); and Beis Yaakov Primary School (555m south-east).

#### **Site and Local Designations**

- The Site achieves a Public Transport Accessibility Level (PTAL) rating of 2/3 (poor/moderate).
- The site is not located within an archaeological priority area (APA).
- The Site is not located within a Conservation Area, nor is directly adjacent to a Conservation Area and there are no scheduled ancient monuments or listed buildings on the Site.

To the immediate west of the Site is a locally designated Area of Distinctive Residential Character (policy BE29 of LBB's Core Strategy, 2010).

Further away there are locally listed SINCs (Sites of Importance for Nature Conservation) within 500m of the Site:

- LBB Grade II area surrounding one of Silk Stream's channels, 85m to the south-east;
- LBB Grade II area bordering Westfields College's athletics grounds, 185m, to the south-east; and
- London Borough of Barnet designated Silk Stream (Grade unknown), 385m east of the site.

1-8 Capitol Way – EIA Screening Letter  
16th September 2019

The Silk Stream is a locally designated Site of Borough Importance for Nature Conservation within London Borough of Barnet (as defined by the London Borough of Barnet's Core Strategy 2012).

Two LBB designated areas of Open Space are situated near the Site: Eton Grove (510m west) and Westfield College's athletics grounds (185m south-east).

Two local parks within the London Borough of Barnet are located near the Site: Montrose Playing Field (440m east) and Silkstream Park (470m north-east). Roe Green Park, LBB local park, is 575m south-west of the Site.

The Site is situated within a 'Locally Significant Industrial Site' of the LBB, as defined by LBB's Core Strategy (2010).

The Site is situated within Flood Zone 1 (as defined by the Environment Agency), with a less than 1 in 1,000 annual probability of river flooding (<0.1%). However, the site is located in a Critical Drainage Area (CDA). The Drain London mapping identified several areas of significant risk within this CDA. The main flood risk in this area relates to surface water ponding on Stag Lane and Roe Green.

#### **Site History**

Planning permission was granted on 12/11/2018 for the following development (LPA ref 17/0837):

*'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 development seeks to increase the heights on the consented blocks, alongside the optimisation of internal layouts to increase the provision of residential units.

#### **The Proposed Development**

The proposed development would be a full application for the two sites and the description of development for the new scheme would comprise

*'Demolition of the existing buildings and the redevelopment of the site to provide six buildings ranging between four to twelve 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 502 residential units including a mix of studio, 1, 2, 3 and 4 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.'*

Under the previously consented scheme, 254 car parking spaces were to be included in the basement of the development. The revised scheme is seeking to reduce the basement parking to 113 car parking spaces, which comprises an overall new parking ratio of 0.22 based on 502 units.

1-8 Capitol Way – EIA Screening Letter  
16th September 2019

### **Requirement for an Environmental Impact Assessment**

#### **Schedule 1 Development**

The proposed development does not fall within Schedule 1 of the EIA Regulations and therefore does not automatically require an Environmental Statement to be completed.

#### **Schedule 2 – Urban Development Project**

The scheme does fall within the category of a Schedule 2 section 10 (b) 'Urban Development Project' of the Regulations as more than 150 dwellings are proposed.

The Council must also give consideration to the characteristics of the development, its location and potential impact as set out in **Schedule 3 of the Environmental Impact Assessment Regulations** when determining whether Schedule 2 development is EIA development.

- Characteristics of the development;
- Location of development;
- Types and characteristics of the potential impact.

### **Brief Description of the Possible Effects on the Environment of the Proposed Development**

#### **Biodiversity**

The site does not fall within a nature conservation area.

Flora and fauna on the development site (Plot 1) is currently very limited and the site is not recognised as habitat or resident site for protected species. Plot 2 includes a group of trees and bushes protected via a TPO. The development site is not subject to any national or international designations protecting flora or fauna.

Ecology, and bat surveys will be completed as part of the application submission.

#### **Traffic related impact – Movement and Safety**

The replacement of the circa 10,000sq.m warehouse (albeit vacant) with a mixed use commercial and residential scheme is likely to generate greater vehicular movements than the amount of traffic related movements to the operations on the site if it were occupied as an industrial use. The scheme subject of this EIA Screening is subject to revised parking provision and will generate a differing demand and potentially less parking movements than the existing operations.

The development site is located in Public Transport Accessibility Location of 2/3. The Applicant acknowledges that the development will give rise to some traffic, noise and air pollution within the vicinity of the development but that the impact is unlikely to be significant when taking into account the existing situation, accessibility, and the current lawful use of the site. Therefore, whilst there will be vehicle movements generated by the development, this amount is not considered to be likely to have significant impacts on highway capacity and the proposal will not require any significant improvement works to the local highway network.

A Transport Statement will be completed to support the planning application.

1-8 Capitol Way – EIA Screening Letter  
16th September 2019

### **Pollution and Nuisances**

An EIA is unlikely to be required by reason of contamination unless high levels of contamination are expected to arise.

It is considered that there is a very low risk of contamination associated with the forthcoming proposal, and that any such contamination would be at a low level, both with regards to ground conditions and water for the redevelopment of this site and thus it is not considered to be large enough, complex or unusual enough to require an EIA.

The site falls within an urban environment in close proximity to main arterial roads; the impact of traffic generation and resultant potential impacts on air quality and noise will be taken into consideration and mitigated against in the redevelopment of the site and mitigated against as required. The development will not release significant pollutants or hazardous, toxic or noxious substances into the air and the proposed use is not predicted to have a significant effect upon air quality or traffic generation in the area which would require an EIA.

Air Quality, Noise and Light Pollution Statements will be submitted in support of the application.

### **Archaeology and Architectural Context and Heritage Assets**

The site is not identified within an archaeological priority area. The site has already been subject to significant urban development. An archaeological desk-top assessment will be completed and if required a watching brief / on site recording during the development construction can be done to ensure any historical and /or archaeological artefacts will be recorded and/or protected.

A townscape and visual impact assessment will be completed, to support the application. As such it is therefore considered that there are no buildings of architectural or historic interest that are likely to be affected in any significant way so as to warrant an EIA.

### **Population and Human Health**

Although it is considered unlikely that the proposed development would result in significant adverse health impacts, a number of the stand-alone assessments will consider the proposed development's indirect or secondary impacts on health and well-being, namely, the:

Land Contamination Assessment;  
Wind Micro-Climate Assessment;  
Noise Impact Assessment;  
Air Quality Assessment  
Daylight, Sunlight and Overshadowing Assessment; and  
Transport Assessment.

Furthermore, a CEMP would be prepared to manage the construction of the proposed development and would address the following issues related to health and well-being:

Public safety;  
Amenity and site security;  
Noise and vibration controls; and  
Air and dust management.

The CEMP's implementation would be secured by means of an appropriately worded planning condition.

1-8 Capitol Way – EIA Screening Letter  
16th September 2019

Accordingly, it is considered that the proposed development would not give rise to significant environmental effects in relation to health and wellbeing.

### **Water Resources**

As noted above the Site is situated within Flood Zone 1 (as defined by the Environment Agency), with a less than 1 in 1,000 annual probability of river flooding (<0.1%). The site is located in a Critical Drainage Area (CDA). The Drain London mapping identified several areas of significant risk within this CDA. The main flood risk in this area relates to surface water ponding on Stag Lane and Roe Green. There are no other water resources including surface waters, such as rivers, lakes/ponds, coastal or underground waters on or around the location which could be affected by the development, particularly in terms of their volume and flood risk and the proposed development is not predicted to have a significant effect upon water resources in the area so as to require an EIA.

### **Landscape and Visual**

There are no areas or features on or around the site which are protected for their landscape and scenic value, and/or any non-designated / non-classified areas or features of high landscape or scenic value on or around the location which could be affected by the development.

To the immediate west of the Site is a locally designated Area of Distinctive Residential Character (policy BE29 of LBB's Core Strategy, 2010).

It is not anticipated that the scheme will give rise to any demonstrable impact on the character of the residential area. As noted above a townscape and visual impact assessment will be completed, to support the application.

### **Land Use**

The application site comprises a vacant warehouse. The employment density existing on the application site is therefore considered to be negligible solely relating to security of the site. During the demolition and construction works of the proposed development, temporary employment opportunities would be created, with an associated increase in spending in the local and regional area. However, it is anticipated that the associated effects would not be significant due to the scale of the proposed development and the transient nature of construction industry.

Upon completion (estimated 2023), the proposed development would deliver 4,051 m<sup>2</sup> of new commercial floorspace which would introduce new permanent employment opportunities and the potential for increased local spending within the local area.

The proposed development would deliver up to 502 residential units homes including 35% being delivered as affordable (by habitable room), which would provide benefit in respect of local housing provision and increased spending in the local area.

### **Land Stability and Climate**

The location of the development is not susceptible to earthquakes, subsidence, landslides, erosion, or extreme /adverse climatic conditions which could cause the project to present environmental problems.

The site is located within Flood Zone 1 and is in excess of 1 ha in area (Flood Zone 1 delineates areas identified as at low risk of flooding from fluvial/ tidal sources). In addition, the site is located in a Critical Drainage Area (CDA).

1-8 Capitol Way – EIA Screening Letter  
16th September 2019

A Flood Risk Assessment will be produced. The FRA will assess all aspects of flood risk both to the Proposed Development itself and also in relation to the potential effect on people and property elsewhere within the surrounding catchment.

### **Cumulative Impact**

The potential for significant effects on the environment as a result of the accumulation of the proposed development with other development has been taken into account, as required under the EIA Regulations. Relevant schemes with the potential for significant cumulative effects have been identified and noted on the Surrounding Context and Cumulative Developments Plan. The attached plan identifies schemes that are:

- within 1 km of the Site; and
- with valid planning permission (or pending decision); and
- which provide 10,000m<sup>2</sup> GEA or more of new floorspace; or
- which provide less than 10,000m<sup>2</sup> GEA but which introduce sensitive receptors to the area.

The proposed redevelopment of Plot 1 and Plot 2 Capitol Way is not considered to be likely to cause any significant impact when considered cumulatively with the other identified sites so as to require an EIA. The mitigation required for the scheme is considered to relate solely to localised impacts which are not significant environmentally and that can be identified and addressed through supporting specialist reports for the planning application.

In view of the existing use of the site, the character of the surrounding area and the scale and form of the proposals, the development is considered to only give rise to issues of local importance which are not significant environmentally.

Given the above considerations, we are of the opinion that the proposal is not EIA development. This is based on the assessment that the proposal is unlikely to have significant effects on the environment and therefore an Environmental Statement is not required in accordance with the EIA Regulations. We are satisfied that the potential impact of the development can be properly and fully assessed by the series of detailed specialist reports listed in the attached schedule. We seek your agreement to the scope and detail of this information to be provided and your agreement that an EIA is not therefore required.

We look forward to receiving the Council's formal screening opinion within three weeks of receipt of this letter. We trust this letter and enclosures are sufficient for your purposes. Nevertheless, please do not hesitate to contact the undersigned should you wish to discuss the matter or you require any further information.

The Applicant will provide sufficient environmental information with its application for planning permission to satisfy the requirements of the LBB and other statutory consultees.

This will include:

- Operational Waste and Recycling Management Strategy (Residential and Commercial Uses);
- Air Quality Assessment;
- Noise and Vibration Assessment;
- Transport Assessment and Travel Plan;

1-8 Capitol Way – EIA Screening Letter  
16th September 2019

- Flood Risk Assessment and Conceptual Surface Water Drainage Strategy;
- Daylight / Sunlight / Overshadowing Study;
- Wind (Microclimate) Assessment;
- Tree Survey / Arboricultural Assessment;
- Preliminary Ecological Appraisal;
- Landscape Strategy;
- Lighting Scheme;
- Townscape, Views and Heritage Assessment;
- Sustainability Assessment; including an 'Energy Demand and Renewables Option Assessment'.
- Utilities Statement.
- Basement Construction and Methodology Statement

Yours faithfully

*Jan Donovan*

For and on behalf of  
Rolfe Judd Planning Limited

Cc Neat Developments

Enc

- Site plan and redline boundary
- Cumulative Sites list/map