

**Committee Report
Planning Committee on 30 November,
2005**

**Item No.
Case No.**

**1/04
05/2757**

RECEIVED: 7 October, 2005

WARD: Dollis Hill

PLANNING AREA: Willesden Consultative Forum

LOCATION: 1-28 Inc, Evans Business Centre, Brook Road, London, NW2

PROPOSAL: Demolition of existing buildings and redevelopment of the site for a mixed-use development of 6 new buildings, comprising 140 flats (Class C3), 54 of which will be affordable housing, 4,120m² of space for commercial use (Class B1) and 130m² of space for community use (Class D1) with associated car-parking and landscaping as accompanied by Sustainability checklist received 7/10/05, Planning statement by Barton Willmore dated October 2005, Design Statement by Carey Jones Architects dated September 2005 and Transport Statement dated October 2005

APPLICANT: Mulgate Investments Ltd

CONTACT: Barton Willmore

PLAN NO'S: AP000 REV A, AP2000 REV A, AP2001 REV A, AP2002 REV A, AP2003 REV A, AP2004 REV A, AS2000 REV A, AE2000 REV A, AE2001 REV A, project number 13840 with drawing numbers L1 revision B, L2, L3 and L4

RECOMMENDATION

Refusal

EXISTING

The application site is located to the west of Brook Road in an area known as the Dollis Hill Estate (also identified as the Evans Business Centre). The application site in total consists of approximately 1.76 hectares of land and is an L-shaped plot.

Within this estate there are 9 units mainly of light industrial or storage use. However there are two units in education use (Menorah High School) and facilities for community use within the site. It is also recognised that currently there are few vacant premises within the estate.

The area surrounding the Dollis Hill Estate is characterised by housing and residential properties. To the south of the site, the former Postal Office Research Station extends over three storeys in height and was converted to residential accommodation in 1999 and is now known as Chartwell Court. Additional residential housing and the formation of Flowers Close was also part of this development. The former Postal Office Research Station building, together with the World War II Gates and Bunker fronting Brook Road immediately east of the application site are Locally Listed.

Two cul-de-sacs typified by single dwellinghouses off Dollis Hill Lane abut the application site to the south and John Kelly High School off Crest Road is located immediately north and west of the site. Allotment gardens also exist to the immediate north.

PROPOSAL

The proposal is for the demolition of the existing buildings and redevelopment of the site for a mixed use development of 6 new buildings comprising of 140 residential units, 54 of which are affordable housing, 4,120sq.m space for commercial use (B1) and 13sq.m of community use (class D1) with associated parking and landscaping.

HISTORY

Members may recall the application site for two reasons. Firstly, a planning application for the redevelopment for housing and a Jewish School for the site (Council reference 04/0716) was refused at your Planning Committee Meeting on 3/6/04. Secondly, an outline planning application for the re-building and expansion of the John Kelly Schools (Council reference 04/3941) into the application site which was approved by the members on 17/3/05.

The refusal of the redevelopment for residential is now subject to an appeal by public Inquiry which is to be heard in June 2006.

POLICY CONSIDERATIONS

The following are the policy considerations relevant to this application:

Adopted Brent UDP 2004

Strategy

STR1 – Development for business, industry and warehousing-uses will be protected and promoted in Strategic & Borough Employment Areas. Outside these areas, housing will be priority alternative land-use unless indicated other wise in the Plan. Affordable housing will be particularly priority where it would help achieve a mix and diversity of residential development in the Borough.

STR3 – In the interest of achieving sustainable development (including protecting greenfield sites), development of previously developed urban land will be maximised (including from conversions and changes of use).

STR14 - New development will be expected to make a positive contribution to improving the quality of the urban environment in Brent by being designed with proper consideration of key urban design principles relating to: townscape (local context and character) urban structure (space and movement), urban clarity and safety, the public realm (landscape and streetscape), architectural quality and sustainability.

STR18 - A minimum of 9,600 additional dwelling units (including conversions and change of use) shall be provided, subject to the maintenance of a quality environment, between 1997 and 2016.

STR19 - New housing development should be located on sites which reduce the need for travel and preference given to the development of previously used urban land.

STR20 - Where suitable and practical, housing development (according to the criteria set out in the plan) on sites capable of accommodating 10 or more units, or 0.3 hectares or over, should include the maximum reasonable proportion of affordable housing consistent with achieving the plan's affordable housing provision levels.

STR 25 – Local Employment Sites will be protected for employment use unless the proposed development for alternative uses complies with detailed policies set down in the plan.

STR 38 - Major regeneration proposals should include proper provision for community facilities to meet the needs of the area.

Built Environment

BE1 – Urban Design Statement should be submitted for all new development proposals on larger sites (0.3 hectares or more), sites likely to have a significant impact on the public realm or major new regeneration projects.

BE2 - Proposals should be designed with regard to local context, making a positive contribution to the character of the area, taking account of existing landforms and natural features.

BE3 - Regard for existing urban grain, development patterns and density in layouts, including spaces around buildings to be functional and attractive, emphasis on corner sites, entrance points and creating vistas and public areas, minimise traffic conflicts, respect established building-lines.

BE4 - Developments open to the general public or used for educational purposes shall include suitable access and facilities for disabled persons.

BE5 - Seeks design layouts to be understandable, free from physical hazards and reduce opportunities for crime, including private and semi-private areas, informal surveillance of public/semi-private areas, front elevations addressing the street with habitable rooms, entrances and other overlooking, back of pavement parking and extensive blank walls to be avoided, well lit entrances overlooked by development and visible from the street, rear gardens not to adjoin public space, parking within view of properties and not accessed by rear gardens, accessways overlooked by development, well lit, away from cover and clear sight lines provided.

BE6 - High standard of landscaping required reflecting the way area will be used, character of locality and surrounding buildings, retention of mature trees and hedgerows, appropriate planting, boundary treatment to complement development, screening of obtrusive development.

BE7 – High quality of design and material will be required for the street environment.

BE9 - Creative and high quality design solutions for new buildings specific to site's shape, size, location and development opportunities and designed to be of a scale/massing/height appropriate to its setting, respect for adjoining development and satisfactorily relate to them exhibiting a consistent/considered application of principles, have attractive front elevations addressing the street at ground level with well proportioned windows and frontage entrance, layout ensuring internal/external spaces are of scale, design and relationship promoting the amenity of the users, providing satisfactory sunlight, daylight, privacy and outlook for proposed and existing residents, use materials of high quality/durability complementary to the surrounding area.

BE12 – Embody environmental design principles, commensurate with the scale and type of development taking account of sustainable design principles.

BE22A – Development which would adversely affect the setting of a listed building will not be permitted.

Housing

H1A - A minimum of 9,600 additional dwelling units (including conversions and change of use) shall be provided, subject to the maintenance of a quality environment, between 1997 and 2016.

H1 - Housing development in the Borough capable of providing 10 or more units gross, or 0.3 ha or more in size should where suitable according to policy H2, include provision for affordable housing on site. The tenure of different elements of a scheme should not be apparent from the siting, design and layout.

H2 - In assessing the scale of affordable housing required of sites above the size threshold, the maximum reasonable proportion of affordable housing will be sought and secured (generally 30-50% of units on suitable sites).

H8 - On developments capable of 10+ units, or of 0.3 Ha irrespective of the number of units, a mix of family and non-family units will be required, having regard to local circumstances and site characteristics. Special regard will be had to affordable housing developments designed to meet the needs of a particular priority group.

H12 - Residential site layout to reinforce/create an attractive/distinctive identity appropriate to its locality, housing facing streets, appropriate level of parking, avoids excessive ground coverage and private and

public landscaped areas appropriate to the character of area and needs of prospective residents.

H14 - The appropriate density should be determined by achieving an appropriate urban design, make efficient use of land and meet the amenity needs of potential residential, with regards to context and nature of the proposal, constraints and opportunities of the site and type of housing proposed.

H15 - Planning permission would be refused where development would under utilise a site.

Transport

TRN1 - Planning applications will be assessed, as appropriate, for their transport impact, including cumulative impacts on the environment and on the road network, and all transport modes, including: public transport, walking and cycling.

TRN2 - Development should benefit and not harm the operation of the public transport network, and should be located where the public transport accessibility is sufficient to service the scale and intensity of the use.

TRN3 - Where a planning application would cause or worsen an unacceptable environmental impact from traffic generated it will be refused, including where the anticipated level of car generation is greater than the parking to be provided on site, the proposal would have unacceptable environmental problems such as noise or air quality, the development would not be easily and safely accessible to pedestrians and cyclists, the proposals would produce unacceptable road safety problems, the capacity of the highway network is unable to cope with additional traffic and/or the proposal would cause a significant increase in the number and/or length of journeys made by the private car.

TRN4 – Measures to improve transportation conditions is considered to mitigate potential traffic impacts.

TRN14 – New highway layouts, visibility splays and accesses to and within development; should be designed to a satisfactory standard in terms of safety, function, acceptable speeds, lighting and appearance.

TRN15 – Creating access for residential developments.

TRN22 - Non-residential parking restricted to no greater than standard, but not below minimum operational level including required disabled parking

TRN23 - Parking for residential development should be to maximum standard, with lower standard for affordable housing.

TRN24 – On street parking controls will be introduced or extended subject to public consultation where commuter and/or other forms of on-street parking has, or will have following development, an unacceptable impact on road safety, emergency services access, amenity or traffic management.

TRN31 – Car parks should be carefully designed to be safe, appropriately screened and landscaped, have convenient pedestrian links to the development, and should not be located or, of a scale, to be visually obtrusive or cause water run off problems.

PS12 – Non- residential institutions (Use Class D1)

PS14 - Residential parking standards.

PS15 - Parking standards for disabled people.

PS16 - Cycle Parking standard

Open space, sport and recreation

OS18 – The provision of suitable play areas for pre-school and junior children to NPFA standards will be sought in residential development over 10 units (or 0.3 Ha in size).

Community facilities

CF3 – The loss of a community use falling within the D1 use class will be resisted unless the facility is appropriately replaced, or adequate compensation is made for its loss, or unless both the site and any

buildings are unsuitable for redevelopment for community uses.

CF6 – Contributions to building new school classrooms and associated facilities will be required where new housing development would worsen or create a shortage of school places.

CF7 – Proposals for new schools should meet a need for additional school places within the Borough (including where there is an insufficient choice of school in Brent). New schools should have an acceptable transport impact.

Employment

EMP9 – Development of Local Employment Sites for uses other than those employment uses identified will not be permitted except where certain criteria are satisfied.

Supplementary Planning Guidance 17

Supplementary Planning Guidance 17 on 'New Development Design Standards' sets out the Council's minimum design standards to ensure that development does not prejudice the amenities of the occupiers of neighbouring properties or the occupiers of the application site.

Supplementary Planning Guidance 19

Supplementary Planning Guidance 19 on 'Sustainable design, construction and pollution control' sets out the principles in achieving sustainable developments.

The Mayor of London: London Plan February 2004

Policy 4B.3 Maximising the Potential of Sites

The Mayor will and boroughs should ensure development proposals achieve the highest possible intensity of use compatible with local context, the design principles in Policy 4B.1 and with public transport capacity. Boroughs should develop residential and commercial density policies in their UDP's in line with this policy. Residential development should conform to the density ranges set out in Table 4B.1. The Mayor will refuse permission for strategic referrals that under-use the potential of the site.

A recent study by London Challenge reviewing school places in London up to 2008 puts Brent second from the top of the list of boroughs with an insufficient number of school places.

SUSTAINABILITY ASSESSMENT

The applicant's sustainability checklist accompanying the application achieves an indicative sustainability rating of 36% which is a fairly positive rating. In accordance with the policy STR 3 and BE12, it is the Council's main objective to achieve a rating that is very positive score that is 50 to 74 for any large scale developments.

CONSULTATION

Consultations were carried out from 14th October to 4th November and a total of 68 named objections and further objections concealing their names were received with respect to the proposal.

Issues raised were;

- increase of anti social behaviour
- uncertainty of the use of the community hall
- overspill of onstreet parking to nearby streets
- scale and bulk of building
- not beneficial to the existing community
- increase in traffic
- Social segregation through separate access
- increase in noise
- land required for adjacent high school

Many of the objections without their address or names were predominately from the parents and pupils of

John Kelly Schools. The main reason for their objection to the proposal was the development would prejudice any expansion of the existing John Kelly Schools which the school have obtained outline planning permission. The Governing body and the head teacher of the schools also raised the same concerns.

REMARKS

The proposal is for the demolition of all buildings on site and for a mixed use development that consists of residential, B1 (business office) use and D1 (community use). The proposal includes 140 residential units with 140 onsite car parking spaces, approximately 3,120sq.m of warehouse type units and approximately 1000sq.m smaller business units/offices with a total provision of 31 car parking spaces. A community facility, a function hall type of building is also proposed with a floor area of approximately 124sq.m.

RESIDENTIAL

There are three residential blocks proposed, each with four floors located at the southern end of the application site. The proposed total number of units is 140 with a limited residential mix of 86x1 bed units and 54x2 bed units in the overall scheme. The layout of the residential units are repeated over each floor and therefore there would not be any stacking issues.

Density

The proposal, which has 333 habitable rooms on a gross residential site area of 1.1 hectares, would result in a density of 302 habitable rooms per hectare or 127units per hectare. This density exceeds that suggested as appropriate in Supplementary Planning Guidance 17 which is 150-240hrh for a location in an area of Low Transport Accessibility. Table 4B.1 of the London Plan February 2004 sets out a density matrix with appropriate ranges related to location, setting in terms of existing building form and massing, and the index of public transport accessibility. This site can be defined as suburban which is a low density development predominately residential dwellinghouses. There is no indicative density threshold within this plan that is applicable to a flat development within a suburban location. Therefore, The London Plan together with the Council's SPG 17 indicates that the proposed density of 302hrh within this location to be an overdevelopment for a location of this nature.

Private residential units

The private residential block takes on a U-shaped building form and is located south western end of the application site adjacent to the adjoining allotment gardens. The proposed access would be from the existing access to Evans Business Centre which is proposed to be shared with the proposed business units at the northern end of the application site, off Brook Road.

The size of each units range from approximately 44sq.m for 1 bedroom unit and 57sq.m to 61sq.m for 2 bedroom units. The minimum dwelling size for a 1 bedroom flat is 45sq.m and 55sq.m (3 people) or 65sq.m (4 people) for 2 bed units. The proposal departs from the minimum standards as set out in the SPG 17 however it is very minor. To counterbalance this and for the scheme to offer satisfactory form of residential accommodation, the level of the proposed amenity space offered to these units should reasonably reflect the minimum requirement. The minimum requirement as stated in the SPG 17 is 20sq.m for residential units and 50sq.m for larger family type units. The 2 bedroom units offer the provision of a balcony however 1 bedroom units have no such provision. The size of the proposed balcony is approximately 4sq.m, deficient of the minimum required. The communal garden spaces for the private residential block is approximately 547sq.m. Taking this into account, the total space offered would equal to approximately 6sq.m for each residential unit.

Affordable residential units

The proposed affordable units are spread over two blocks and comprises 54 residential units, 27units in each block, of which a total of 20 units are 2bed and a total of 34 units are 1 bed units. 38% of the units within the scheme are proposed as affordable housing units. The layout of the affordable units are also repeated on each floor. Therefore, like the private scheme there will not be any stacking issues over the floors.

The dwelling sizes of the proposed flats in the affordable scheme is also appropriate providing 45sq.m to 65sq.m for 1 bedroom flats and 58sq.m to 66sq.m for 2 bedroom flats. The affordable housing units do not have any provision of private terraces or balconies. There are four separate communal garden spaces which totals up to approximately 600sq.m of open space. This would be equal to approximately 11sq.m for each flat. It can be taken that the combined open space provided for the overall residential scheme would equal to approximately 8sq.m of open amenity space per flat. This is considered to be still less than the minimum requirement. There are other landscape strips around the perimeter of the site however it is considered that these do not offer practical use of the open space and would primarily form landscape buffers along the

boundaries.

The vehicular access for the affordable units is proposed to be a continuation from Flowers Close. This would allow additional 53 cars accessing through this private road.

Provisions for residential scheme

There is sufficient provision for cycle storage and refuse storage spaces for the proposed residential flats. The cycle store is located within each building. The refuse storage space is separate to the residential blocks and is located fronting vehicular accessway within the site. There are two refuse storage spaces for the private residential block which would be approximately 26m away from the main entrance to these units. One larger refuse storage space is located adjacent to the existing pond and would be approximately 20 to 26m away from the main entrances to the units. The location of these storage spaces are also adjacent to parking spaces and the Crime Prevention Officers at the Kilburn Police have also raised concerns to these locations.

The parking areas dominate the application site which surrounds the building footprint. Whilst the proposal attempts to incorporate landscaping and trees in between the spaces it is considered that the overall development lacks in soft landscaping and is dominated by parking spaces which does not encourage pedestrian movements within the site. The parking spaces that are located between the warehouse units and the private residential block are not considered to be suitable in terms of its location and for security reasons. There are 15 residential units which overlook the parking space. However the lack of natural surveillance into the parking area from the development site is a concern and is not considered to be acceptable through secure by design principles. The Crime Prevention Officers have also objected to this parking location.

B1 AND D1 USES

The proposed floor area of the warehouse/business units within the site would replace the equivalent amount of floor space to that is currently occupied in the Evans Business Centre. Therefore there are no major concerns with relation to the loss of employment site as the proposal would reprovide the currently occupied spaces. However there would be loss of the overall employment floor space that is currently available on this application site. The applicant, in their planning statement, state that the current employment on site is approximately 132 people of which 112 are within the B1/B8 and remaining 20 are within D1 use class. The statement also states that the forecast for the proposed employment area is likely to be approximately 201 jobs.

The proposed community function hall that is proposed at the rear end of the site, close to the Flower Close access, would be one and half storeys in height. There is no clear indication of the type of its use and its relationship with the proposed development however it is received to be a multi use function hall.

JOHN KELLY SCHOOLS

As previously reported to your Committee on both the application for the initial redevelopment of the site and for the outline planning application for John Kelly Schools, the site is required for the needed expansion of JK schools and was a primary reason for the refusal for the initial scheme. There is a clearly defined need to expand the John Kelly Girls and Boys Schools adjacent to the estate to meet local needs. The proposed development would add to these needs while prejudicing a proposed solution.

The existing schools have a total number of 1600 pupils, with 240 in the 6th form entry, with this number forecast to grow over the coming years. The demands on these schools are strong for places, spaces and facilities. The existing floor areas, the siting of the schools and the current arrangement of the buildings does not allow for the separate sex school to function properly within the confined site. The 1950s buildings do not offer flexibility to be refurbished to meet the current standards by the DfES.

The need for a significant expansion in the number of secondary school places available in the Borough has also become apparent. There pressures on school capacity arising from both an increase in the school age population and from the increasing popularity of Brent schools, and hence a greater proportion of children from Brent being educated within the borough. The increase in population, and therefore secondary school age children, is projected to increase in the foreseeable future. The various major housing development proposals that currently exist are expected to place an even greater burden on school places in the future. It is going to be necessary, therefore, to maximise the opportunities to extend the number of secondary school places available in the Borough and in particularly this part of the borough where JK school play a vital role in the provision of secondary education.

The clearly established need for rebuilding and expansion of John Kelly schools mean that this is a significantly higher priority for this land, given the lack of suitable alternatives, than housing. The housing development would prejudice the opportunity to expand the John Kelly schools which the school already have obtained an outline planning permission to do so.

The Council also have commenced the process of preparing Development Plan Documents as part of its new LDF. One of these DPDs is to be a schedule of Site Specific Allocations. The Council is currently consulting upon the options for development at Dollis Hill Estate as part of the Issues and Options consultation stage of the new plan preparation process. It is intended that Preferred options for site development will be drawn up for formal consultation in April 2006.

The proposed residential development would result in the loss of site for the critically needed expansion of the existing John Kelly Technical Colleges. The proposed form of the residential development is an over intensification and over development of the site which also provides poor standard of residential accommodation and amenity for the future occupiers.

The proposal is therefore considered, like the initial proposal for the redevelopment of the site, that the proposed scheme is not consistent with the relevant Adopted UDP policies and therefore it is recommended that this proposal be refused for the reasons expanded on this report.

RECOMMENDATION: Refuse Consent

CONDITIONS/REASONS:

- (1) The proposed residential development is considered to be premature and would prejudice the opportunity to expand the adjacent John Kelly schools resulting in additional pressures on local land supplies. The subject site being the only available land within the Borough to maximise the opportunity for an expansion of a local school site where the facilities are drastically deficient for the number of existing pupils and for the growing school population will be eliminated as a result of the proposed development. It will also add to the pressure on the increasing demand for school places in the future, where the education resources are exhausted within Borough of Brent and therefore these shortcomings will increase with the consequent negative impact on school standards contrary to policies CF7 and CF8 of Brent Unitary Development Plan 2004.
- (2) The proposed residential development is an intensified overdevelopment of the site which results in lack of social inclusion, poor provision of amenity, lack of outdoor amenity space, lack of landscaping to the future occupiers of the development. The proposed residential site layout with its excessive hard surfacing and its vehicular accessways and parking spaces dominating the entire site would not provide satisfactory suburban environment which does not positively contribute to the built environment of the surrounding locality. The proposal also fails to adopt safer by design principle and be of a scheme that promotes sustainable development contrary to policies STR 3, STR14, STR 18, STR19, STR20, BE2, BE3, BE5, BE6, BE9, BE12, H1A, H2, H8, H12, H14 and OS18 of Brent UDP 2004, Supplementary Planning Guidance Note 17 and 19, policies within The Mayor of London: London Plan 2004.
- (3) The private and affordable housing element of the scheme is not considered acceptable in terms of the percentage, mix of unit sizes and tenure. More specifically, the scheme fails to provide an acceptable number of larger family units for which there is a definite need within the Borough. As such, the application is contrary to policies H1 & H8 of the adopted Brent Unitary Development Plan 2004.
- (4) The density of the development at 302 habitable rooms per hectare is considered too high for this suburban site with low level of public transport accessibility and the quality of design is not sufficient to accommodate this. As such, the proposal fails to comply with policies BE2, BE3, BE9 & H14 of the adopted Unitary Development Plan 2004, Supplementary Planning Guidance no.17 and Table 4B.1 of the London Plan, February 2004.

- (5) The proposed development would result in the loss of the employment land for housing for which there remains a demand and would have an impact to the existing local job opportunities within the Borough and also contrary to policy STR1, STR25, CF3 and EMP9 of Brent Unitary Development Plan 2004.
- (6) The proposed development fails to provide a replacement of the existing community facilities and would therefore result in the substantial loss of the community facilities (D1) on site. This would have detrimental impact on the existing stock of community facilities within the Borough and in particular to the area within the vicinity and also contrary to policy CF3 of Brent Unitary Development Plan 2004.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

- Brent Unitary Development Plan 2004.
- Supplementary Planning Guidance 17 for New Development.
- The Mayor of London: London Plan February 2004
- Letters of objection

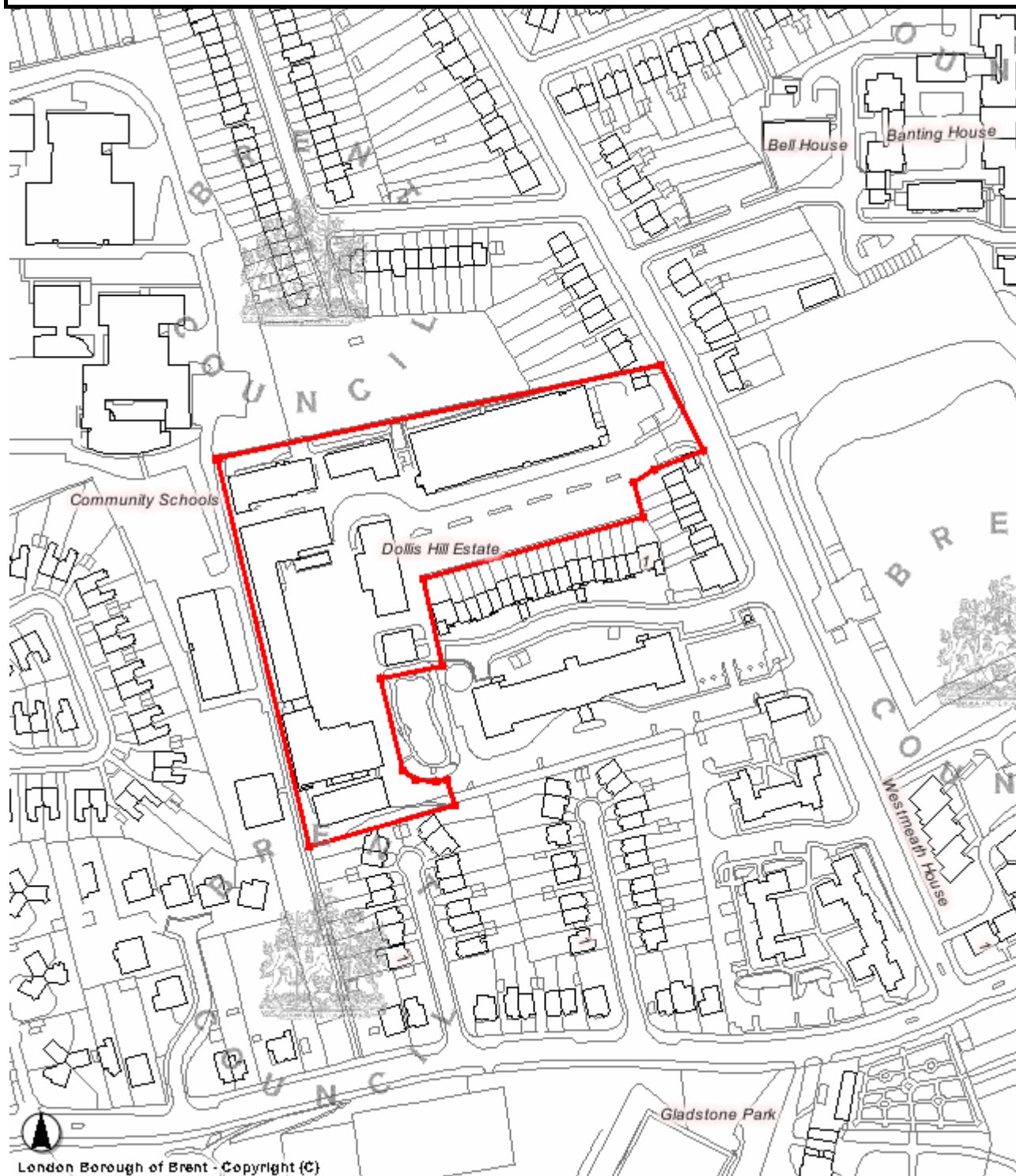
Any person wishing to inspect the above papers should contact Jane Jin, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5231



Planning Committee Map

Site address: 1-28 Inc, Evans Business Centre, Brook Road, London, NW2

Reproduced from Ordnance Survey mapping data with the permission of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Brent, DBRE201 2005



London Borough of Brent - Copyright (C)

This map is indicative only.