

PRE-APPLICATION REPORT TO COMMITTEE

Planning Committee on **10 August 2016**
Item No
Case Number **16/0402/PRE**

SITE INFORMATION

RECEIVED: **2016**

WARD: **Dudden Hill**

LOCATION: Warranty House and Garden Centre, Dudden Hill Lane,
NW10 1 DD

SCHEME: Proposed demolition of all existing buildings and construction of four buildings between five and nine storeys comprising 136 residential units (48 x 1 bed, 48 x 2 bed and 40 x 3 bed) and 596sqm community/retail floorspace (Use Classes D1/A1/A3), with associated basement car park comprising 44 car parking spaces, 240 cycle parking spaces, modified vehicular access, landscaping, amenity space, plant and ancillary works.

APPLICANT: Harley Property Investments and DPMM Enterprises Ltd

CONTACT: DP9 Ltd

PLAN NO'S: n/a

**LINK TO DOCUMENTS
ASSOCIATED TO
THIS APPLICATION** No plans as this is a pre-application item. Members will view a presentation at Committee.

SITE MAP
This map is indicative only



DEVELOPMENT DETAILS

Ref: **16/0402/PRE**

Location: Warranty House and Garden Centre, Dudden Hill Lane, NW10 1DD

Ward: Kilburn

Description: Proposed demolition of all existing buildings and construction of four buildings between five and nine storeys, comprising 136 residential units (48 x 1 bed, 48 x 2 bed and 40 x 3 bed) and 596sqm community/retail floorspace (Use Classes D1/A1/A3), with associated basement car park comprising 44 car parking spaces, 240 cycle parking spaces, amended vehicular access, landscaping, amenity space, plant and ancillary works.

Applicant: Harley Property Investments and DPMM Enterprises Ltd

Agent: DP9 Ltd

Case Officer: Gary Murphy (South Area Team)

BACKGROUND

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

This is the first time the proposed development is being presented to Members. Prior to this the applicants have been engaged in a lengthy period of pre-application discussion with Council Officers and the Greater London Authority (GLA). It should be noted that the scale of the development now being proposed would not be referable to the GLA. Following the conclusion of earlier pre-application discussions planning applications 16/0775 and 16/0776 were submitted concurrently in February 2016, and proposed the following development:

16/0775

Proposed demolition of all existing buildings and construction part three / part five / part six and part seven storey buildings comprising 134 residential units (44 x 1 bed, 44 x 2 bed and 41 x 3 bed flats, and 5 x 3 bed townhouses) and 540sqm community/retail floorspace (Use Classes D1/A1/A3), with associated basement car park comprising 88 car parking spaces, 228 cycle parking spaces, new vehicular access, footways, landscaping, amenity space, plant and ancillary works.

16/0776

Proposed demolition of all existing buildings and construction of part three / part five / part six and part seven storey buildings comprising 133 residential units (44 x 1 bed, 45 x 2 bed and 39 x 3 bed flats, and 5 x 3 bed townhouses) and 516sqm community/retail floorspace (Use Classes D1/A1/A3), with associated lower ground car park comprising 44 car parking spaces, 226 cycle parking spaces, new vehicular access, footways, landscaping, amenity space, plant and ancillary works.

Although broadly similar to one another the main differences between the two applications relate to the number of residential units, the proposed level of affordable housing in each, the inclusion of a basement car park and the proposed number of parking spaces.

In consideration of these applications officers have raised concern with elements of both the above schemes and this pre-application submission is the Applicant's response to those concerns.

PROPOSAL and LOCATION

Proposal

The proposed development is seeking full permission for the demolition of all existing buildings on site and its redevelopment comprising of:

- Ground floor commercial floorspace for A1/A3/D1 uses, within Block A only (596sqm)
- Four buildings, of between five and nine storeys, accommodating 136 residential units.
- Associated car parking, with 44 on-site spaces and 240 cycle parking spaces.
- Amendments to existing vehicle access
- Associated amenity space, landscape works and tree planting

Proposed residential mix

Building	A	B	C	D	Total
1 bed	8	18	11	11	49 (36%)
2 bed	14	14	13	7	50 (37%)
3 bed	12	5	18	5	37 (27%)
Total	34	37	42	23	136

Site and Surroundings

The site is located on the western side of Dudden Hill Lane, approximately 5 minutes walk from Dollis Hill Jubilee Line Underground Station. Adjacent to the south of the site is an Esso petrol filling station and directly opposite a large self storage warehouse building. The site is broadly triangular in shape and bound to the north by an area of vegetation and railway embankment sloping down to the railway line, to the south is a similar area of vegetation before the site slopes down to railway lines. The open areas of vegetation which border the site to the north, west and south form part of a locally designated wildlife corridor and Sites of Borough (Grade I) Nature Conservation Importance (SINC). There is a significant fall in levels east – west across the site, falling away by approximately 10m as you move away from Dudden Hill Lane.

The application site (0.68 hectares) comprises Warranty House, a two storey brick building fronting Dudden Hill Lane. This is currently in use by the NHS as a child and family clinic. To the rear of Warranty House is an area of hard standing currently used for coach parking. The remainder of the site to the rear forms a garden centre and nursery, with some portacabin offices.

On the opposite side of the railway lines to the south is the College of North West London campus. This has a range of buildings that are industrial in nature, and of varying scales. To the north on the opposite side of the railway is a residential development accessed from Southview Avenue off Dudden Hill Lane, this comprises a series of blocks of flats of 3 and 4 storeys height. These railway and green corridors create buffer distances of between 30m and 60m to the nearest residential properties.

Planning History

Applications 16/0775 and 16/0776, are most relevant. The nature of both has been discussed above.

97/0161 – Granted

Change of use from office to clinic.

CONSULTATION RESPONSE

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

Statutory Consultee:-
(Internal)

- Ward Councillors for Dudden Hill and Willesden Green (Brent)
- Transportation (Brent)

- Environmental Health (Brent)
- Landscape Design (Brent)
- Tree Protection Officer (Brent)
- Sustainability Officer (Brent)
- Housing (Brent)
- Urban Design Officer (Brent)
- Planning Policy (Brent)

(External)

- Network Rail
 - Transport for London (TfL)
 - Secure by Design Officer (Met Police)
 - NHS Property division
 - Thames Water
- All existing properties and addresses within at least 100m of the application site.

COMMUNITY ENGAGEMENT

In accordance with planning legislation, the developer has consulted Ward Councillors for Dudden Hill and the local community as part of the pre-application process that preceded the submission of applications 16/0775 and 16/0776. A public exhibition was held (10 and 12 December 2015) and this attracted approximately 30 attendees, a newsletter was distributed to 2670 addresses in the surrounding area and briefing sessions were undertaken with ward councillors and local stakeholders.

The applicants are committed to carrying out further local community consultation prior to the submission of any revised application. This additional consultation is expected to take place over the month of August 2016, and details submitted as part of a Statement of Community Involvement document.

MATERIAL PLANNING CONSIDERATIONS

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

Issue 1

Principle of Development: Loss of and re-provision of D1 use

It is recognised that through London Plan policy 3.1 boroughs should seek to protect facilities that meet the needs of particular groups and communities, and protection of existing social infrastructure is afforded through policy 3.16.

Warranty House is currently used by the NHS as a child and family clinic. In accordance with the policy context the applicant did offer to re-provide the existing facility on site as part of any proposed development. The applicant approached the existing provider of the NHS clinic to confirm whether it would wish to remain on site after its lease expires on 25 March 2018, should it be redeveloped. Correspondence with the NHS trust established the NHS is intending to consolidate its existing estate by 2016 / early 2017 and as such the time needed to redevelop the site would not fit into the NHS's timescales to deliver a Brent / Harrow hub. In light of the service provider confirming its intention to replace the existing facility as part of the consolidation of its wider estate any re-provision of the facility was removed from the proposed scheme.

An alternative form of social infrastructure is proposed, subject to there being demand from a nursery operator, and this has the scope to ensure no loss of D1 use on the site.

The remaining part of the site in use as a garden nursery is not afforded protection under the Development Plan and is a suitable site for residential development, subject to compliance with other aspects of the Development Plan and other material considerations.

Issue 2

Affordable Housing

London Plan policy 3.12 requires borough's to seek the maximum reasonable amount of affordable housing, taking account of a range of factors including local and regional requirements, the need to encourage rather than restrain development and viability. The policy requires borough's to take account of economic viability when negotiating on affordable housing.

The applicant will be required to demonstrate that the maximum reasonable of affordable housing is being provided in this scheme, and this would need to be tested through the submission of a financial appraisal submitted with any future planning application which would be subject to scrutiny by or on behalf of your Officers.

It is anticipated that the offer of affordable housing will not be less than 20%, which is in line with the Applicant's offer for one of the current applications (LPA ref: 16/0776). Should any future application be submitted then this would be robustly tested at application stage to determine what the maximum reasonable proportion of affordable housing is that the scheme can viably deliver and reported to Committee in the usual way.

Any further update in terms of the affordable housing position will be reported at Committee.

Issue 3

Placemaking, massing and layout

In response to the earlier schemes concerns were set out previously by officers to do with the footprint of buildings, scale of buildings, quality of architecture, the relationship of buildings to one another and the quality of the residential environment around buildings.

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

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

In response to previous feedback the design of the scheme has been evolved further with a view to addressing these concerns. Proposed townhouses have been omitted from the scheme. Four buildings are now proposed (Buildings A – D) and these have been re-massed and reduced in footprint.

A summary of key changes proposed is set out below:

Building A

- This been positioned further north and this increases the separation distance to the petrol garage.
- The vehicle ramped access to the basement parking has been omitted from the ground floor.
- Increased height is proposed, with this now at part five and part nine storeys.
- The architecture has been further developed with a view to giving the building more verticality, and to reduce the mass of the taller elements.
- Pedestrian access has been reconsidered and is now proposed via a dedicated pedestrian only route to the south of this building.

Building B

- At seven storeys the height has not increased but this building been significantly reduced in footprint. The length of this has been reduced and the building set further away from the northern boundary, also the building has been made shallower and an

increased set back from 6m to 9m provided from the petrol garage boundary. Due to the reduction this building is no longer considered to create a barrier block to the rear of the site.

- The architecture has been further developed and the entrances to residential units at ground floor have been revised to give these more of a traditional residential feel. Previous scheme's appeared too commercial in their treatment at ground floor.

Building C

- This is now proposed of reduced footprint, it has been reduced significantly at its western end.
- The design has evolved and the northern façade has been broken down. There is a 'kink' in the elevation which breaks this façade into two distinct volumes to better articulate the mass of this façade. The taller volume has also been reduced in footprint to make this element more slender.
- Lower ground floor, single aspect north facing units have been omitted.
- Increased height is proposed, with this now at part 6 and part nine storeys (including lower ground floor level).

Building D

- The terrace of townhouses previously connected to this has been omitted. The building has been re-massed with greater articulation given to break down the scale of this into two distinct volumes, and it has also been reduced in height by one floor.

The front of the site is in a prominent position at the crest of the hill along Dudden Hill Lane, particularly when viewed from the north. In urban design and placemaking terms it is considered appropriate that the frontage building (Building A) accommodates increased height as this is located fronting onto Dudden Hill Lane, a major arterial route. Moving east – west through the site the levels significantly fall away, by as much as a 10m drop. This presents an opportunity for buildings taller than the existing urban grain, as due to the topography and significant separation distances across the railway lines these will have less of an impact on the townscape and long distance views. That being said there is not considered to be a strong townscape in this location. This is evidenced by the varying scale and nature of existing surrounding buildings and the fact that the application site is somewhat isolated by the railway running to the north and south and the wildlife corridors. These barriers create a natural buffer to buildings on the opposite side of the railway lines in both directions and gives scope to accommodate increased height without unduly impacting on the amenity of surrounding properties. Notwithstanding this the impacts of the scale of buildings proposed will need to be tested through a Daylight and Sunlight assessment, and a detailed townscape and views assessment will also need to be submitted with any future application to consider the impact on the existing built environment.

The quality of the architecture has been further evolved. A consistent approach to materials, fenestration and articulation of elevations is proposed to tie all four buildings together. The taller elements of buildings are proposed to be treated with brick fin details which give greater verticality to the elevations, buildings have been broken down into more than one volume to reduce the massing, depth has been introduced to building facades through articulation and the treatment of the ground floor of buildings A and B have been revised to give a well defined pedestrian entrance in the case of A and more of a residential feel in the case of B. It is officers view that this represents a much improved design and approach to the architecture.

In urban design terms officers considered it critical that Building A was revised to omit the ramped vehicle access down to the basement through the ground floor. This access has now been omitted, with a separate vehicle access provided at grade which takes advantage of the levels change across the site. As a result Building A will have an active frontage onto Dudden Hill Lane.

Issue 4

Landscaping and ecology

The reduction in the amount of building footprint across the site leads to an increase in the quantum of undeveloped space; this enhances the landscaping offer and the setting of

buildings within this landscape. The landscape strategy is to create distinctly different zones by way of a formal zone at the front of the site, as you move through this you enter a semi-formal zone that will have a central plaza, flanked by trees to the north and south, and then moving west across the site into a more informal space which will be a woodland theme with opportunities for recreation and play incorporated. The western end of the site proposes a generous landscaped / amenity space for residents. To link the different zones together a water feature is proposed to run through the site, and this could form an interesting element of the landscape.

The applicants will need to demonstrate with any future application that the quantum of amenity space and children's play space accords with local standards and London Plan requirements.

The proposals will not encroach into the designated wildlife corridors alongside the north and south boundaries. Significant new tree planting to the site boundaries is proposed, which has the scope to create an effective buffer, and also the potential to enhance the designated SINC areas adjacent. The existing site is covered predominantly by hard surfacing, and the proposed landscaping/planting would improve upon this. Any future application will need to be supported by a detailed ecology assessment of the existing and surrounding site conditions in order to comply with the Development Plan.

Issue 5

Transport – access, parking and servicing

Access:

The proposal seeks to provide vehicle access to the site by utilising the existing access close to the northern boundary, with some minor modifications to the kerb radii required to accommodate larger vehicles. Any crossover works would be secured via planning condition or through a Section 278 agreement. Access to a lower level basement car park will be accessible at grade via Dudden Hill Lane due to the gradient of the site. This access will be also be shared by servicing vehicles and emergency and refuse vehicles.

Pedestrian access has been separated and is proposed via a dedicated access at the southern end of the site, which is preferable in terms of legibility and safety.

Parking:

Parking for 44 cars is proposed within a lower ground floor basement; this will include provision for 15 disabled spaces. Of the proposed spaces, two will be allocated as staff parking for the proposed nursery, and a further bay is likely to be designated for use by Zipcar as an on site Car Club space (subject to confirmation).

Given the proposed intensification of the use of the site one of the material considerations is the impact of the proposed scheme on parking conditions locally. A development of the scale proposed will attract a maximum parking standard of approximately 170 spaces. The number of proposed spaces (44) would fall well below and therefore the impact of any overspill parking on traffic flow and high safety requires consideration. Parking demand amongst flats is generally assumed to average 75% of the maximum allowance (50% in the case of affordable housing), so based on a proportion of 20% affordable housing (as previously proposed) a total of 112 cars are estimated to be owned by future occupiers of these flats, leaving 76 vehicles needing to park in the area.

Saved UDP policy TRN23 does allow on-street parking to be counted towards parking standards, but only along the site frontage on local access roads that are sufficiently wide and are not already heavily parked. In this case, Dudden Hill Lane is a London Distributor Road so does not meet the criteria for on-street parking.

As parking cannot be safely accommodated on Dudden Hill Lane, with it being a London Distributor Road with extensive double yellow lines along it, appropriate mitigation is required to prevent excessive overspill parking.

To this end the applicants agree in principle to a 'permit free' approach, whereby future residents would not be eligible for parking permits to park on street on surrounding roads within the year round Controlled Parking Zone (CPZ). The Councils Transportation officer has confirmed that such an approach can be supported due to the presence of a CPZ locally, and the site's proximity to Dollis Hill Underground station, and Willesden bus garage which provides seven bus services. This permit free approach would provide sufficient mitigation against the potential for overspill parking to occur, and would need to be secured through a s106 agreement. Some parking is proposed on site which is welcomed and arrangements for the allocation of spaces are expected through a Car Parking Management Plan.

Cycle parking for 240 is proposed, this will be accessible, covered and secure parking to accord with standards.

A Travel Plan will need to be approved and implemented that will set targets to encourage non-car modes of access to the site, it is anticipated that this would cover the commercial uses also. It would need to set out in detail how a nursery use can be operated in such a way to manage the setting down and picking up activity. It is envisaged that the parents would share the site access, leading to a circulation/manoeuvring space for setting down and dropping off. In order for this to work in practice it is likely that any nursery operator would need to have staggered start and finish times so that set down and pick up can be staggered accordingly. The ability to set down and pick up within the site will prevent such activity from taking place on street.

The Councils Transportation officers will provide formal comment on the proposed parking strategy should any future application be submitted, and they will advise if this strikes an appropriate balance between providing some parking on site for future residents and mitigating the impact of any overspill parking. Their position to date has been one of support to the approach hereby set out.

Servicing:

Emergency and refuse vehicle access arrangements will largely be as existing where access can be gained towards the northern boundary.

A designated on-site circulation / manoeuvring space will be located to the west of the proposed retail unit (Building A). This space will provide mini-roundabout style facilities in order that cars and small to medium sized vans are able to turn on site and leave in forward gear without the need to reverse.

Larger vehicles, which are likely to be infrequent visitors to the site will also be able to utilise the circulation turning space via a three point turn or similar.

The entire site is expected to generate approximately 10 – 12 deliveries per day, with negligible deliveries associated with the retail and commercial elements of the site. This will result in approximately 1 activity per hour, and will be largely undertaken by small to medium sized vehicles able to utilise on site turning facilities. It is also the case that there will be on site concierge staff who will be made aware of all activities to be undertaken by large vehicles to ensure this can be undertaken in a safe manner.

It is envisaged that a Car Parking Management Plan be secured by condition, and a Delivery and Servicing Management Plan be submitted in support of any future application.

Issue 6

Density

London Plan policy 3.4 seeks to optimise housing potential taking into account local context, character, design principles and public transport capacity. In accordance with the London Plan density matrix (table 3.2) the application site, which is in an Urban setting, with a PTAL 2 to 3 would be appropriate for accommodating 200 – 450 hr/ha, or 45 to 170 u/ha.

The proposed scheme would result in a density that does exceed the above range as development is proposed to be in the region of 617 hr/ha or 204 units / ha. However the

London Plan Density Matrix should not be applied mechanistically when assessing schemes and this approach is widely recognised. London Plan paragraph 3.28 states that account should also be taken of other factors relevant to optimising potential which can include local context, design and transport capacity, as well as social infrastructure, open space and play.

The location of the site and its isolated nature with immediate boundaries defined by landscaped buffers and railway lines, the level of separation from the site to the nearest neighbouring buildings, the site topography and the varying existing context and character of different buildings and uses, together with the close proximity to transport infrastructure (Dollis Hill Underground and further afield Willesden Bus Garage both within walking distance) are important determining factors when considering residential density.

Issue 7

Quality of proposed residential accommodation

The outlook from building B, in an easterly direction has been significantly improved. The building has been reduced in footprint and re-located to achieve a separation of 9m to the eastern boundary. This boundary is shared with the Esso petrol garage, and is a material improvement on the previous separation of 6m. This will ensure that sufficient outlook can be achieved within the site, will reduce the potential for harm from the neighbouring petrol garage use. Furthermore it presents the opportunity for a corridor of trees to be planted to provide a buffer and this now forms part of the revised proposals.

Single aspect north facing units that were at lower ground of building C have now been omitted. It is understood that there are no single aspect north facing units within the scheme, though this is something that will need to be confirmed in any future application.

The applicant shall also need to confirm that all units comply with the Mayor's Housing SPG, and that the requirements for wheelchair adaptable and wheelchair accessible homes are satisfied.

A Daylight and Sunlight Assessment shall be submitted to demonstrate the levels that are to be achieved for units within the site, in view of the heights proposed and the relationships between individual buildings.

Where facing elevations of different buildings that contain habitable windows are less than 20m apart there will need to be a carefully considered design response to this to mitigate against any privacy issues, and to justify the proposed layout in planning terms. This will require further consideration.

The legibility of pedestrian entrances has improved in respect of buildings A and B. Ground floor units within building B have their own entrances, accessed from the central plaza, with provision for defensible space directly outside. These changes are welcomed.

PLANNING OBLIGATIONS

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

- Affordable Housing - Final proportion to be subject of a detailed financial viability assessment.
- Employment and training opportunities during construction
- Car-Parking Permit Free development to remove the rights of residents to apply for parking permits in the surrounding roads in the vicinity of the site
- Join and adhere to Considerate Constructors scheme
- Energy - Achieve a 35% reduction in CO2 emissions beyond the 2013 Building Regulations and to provide a carbon off-set contribution of (amount to be agreed) to be used towards on / or off-site improvements related to carbon reduction to off-set any shortfall below the target 35%.

- Submission and approval of a commercial and residential Travel Plan to score a PASS rating under TfL's ATTrRuTE programme prior to first occupation, to include provision of a subsidised Car Club membership for future residents and to fully implement the approved plan for the lifetime of the development thereafter.
- Undertaking of any highway works through an agreement under S38/S278 of the Highways Act 1980 (N.B. the precise nature of highway works necessary to be confirmed at application stage).

Community Infrastructure Levy (CIL)

This would be development that is liable for Mayoral and Brent CIL. The level of liability that this would attract will be confirmed at a later stage when the precise quantum and form of proposed development is known.

CONCLUSIONS

Members should note the above development is still in the pre-application stage and that additional work remains to be carried out prior to the submission of any subsequent planning application.