

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

3 June, 2015
05
14/1482

SITE INFORMATION

RECEIVED: 24 July, 2014

WARD: Queensbury

PLANNING AREA: Kingsbury & Kenton Consultative Forum

LOCATION: 13 & 13A Carlisle Road, Kingsbury, London, NW9 0HD

PROPOSAL: Change of use of the premises into a food production unit (Use class B2) to include the creation of a multi-vehicle despatch facility, loading bays and alterations to the front pavement

APPLICANT: Nigel Fredericks Ltd

CONTACT: Dawsongroup plc

PLAN NO'S: Please see condition 2.

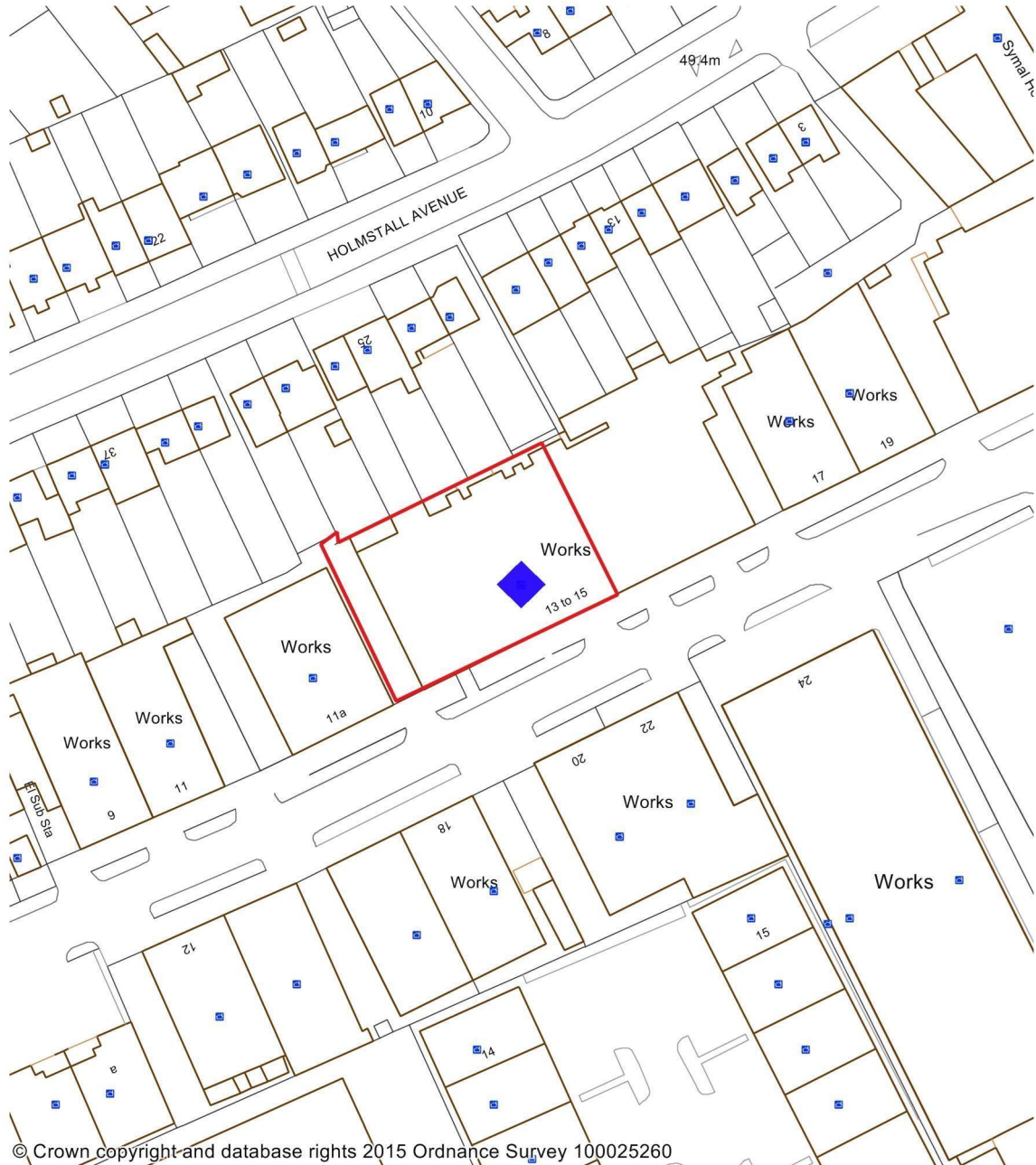
SITE MAP



Planning Committee Map

Site address: 13 & 13A Carlisle Road, Kingsbury, London, NW9 0HD

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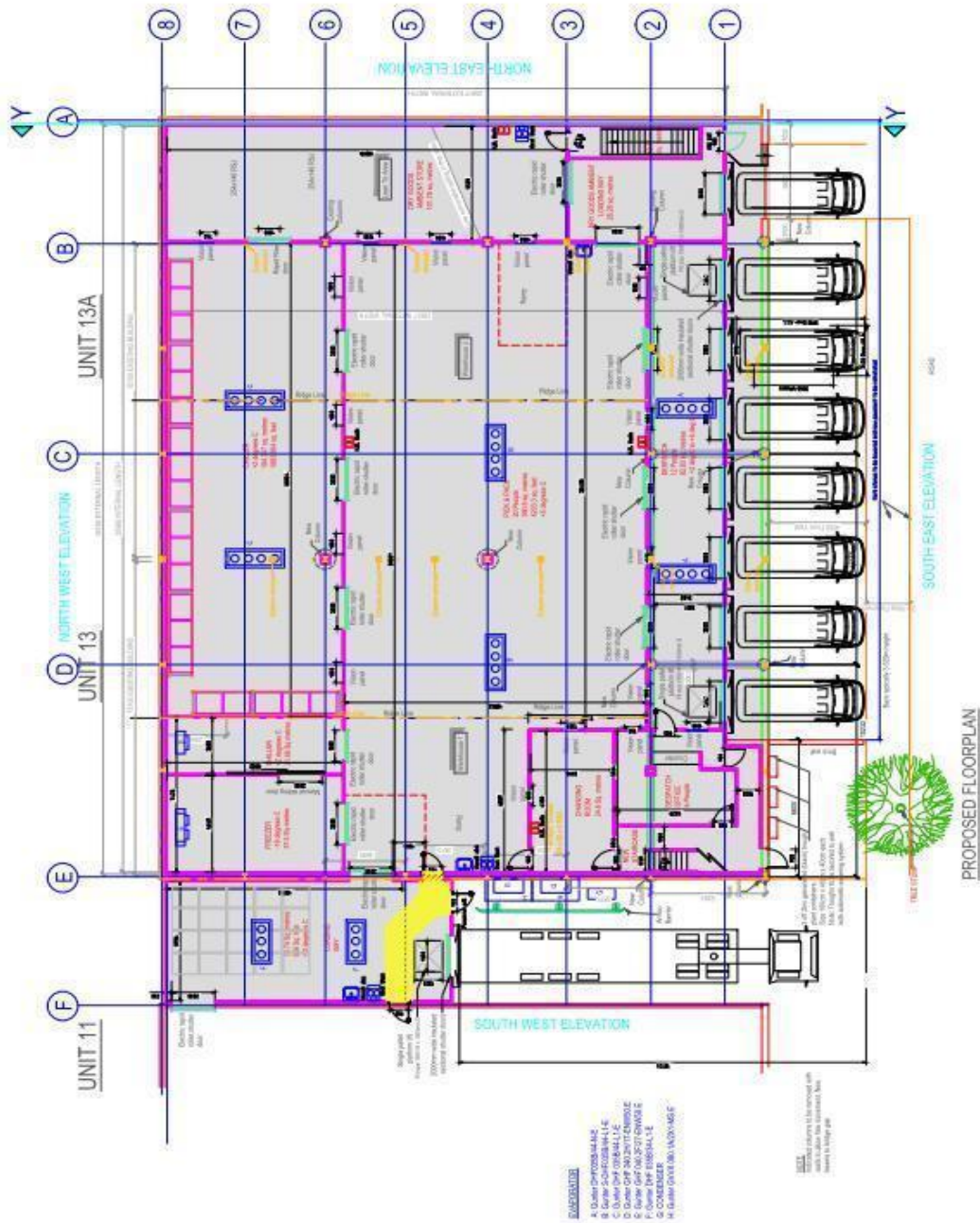


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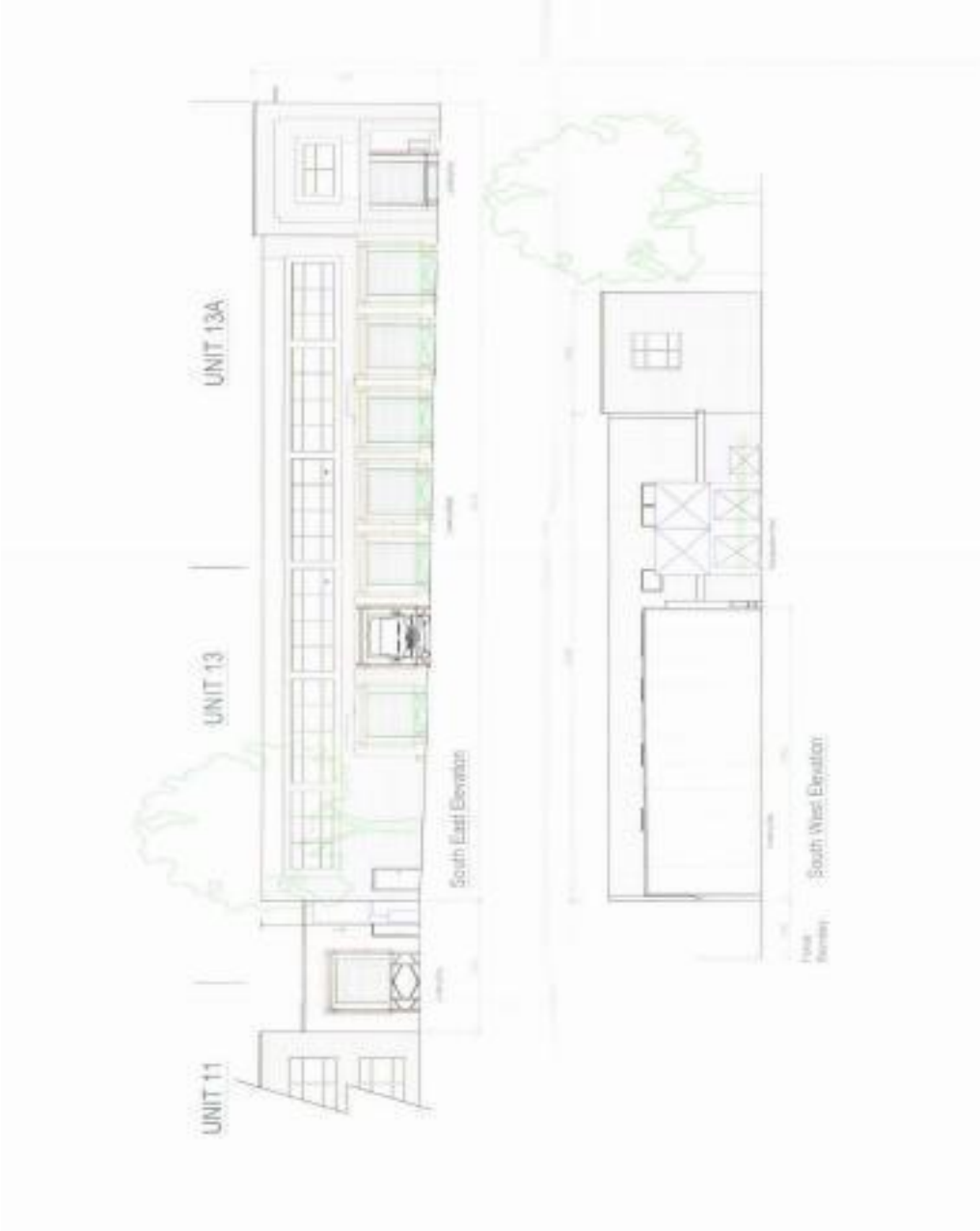
This map is indicative only.

SELECTED SITE PLANS SELECTED SITE PLANS

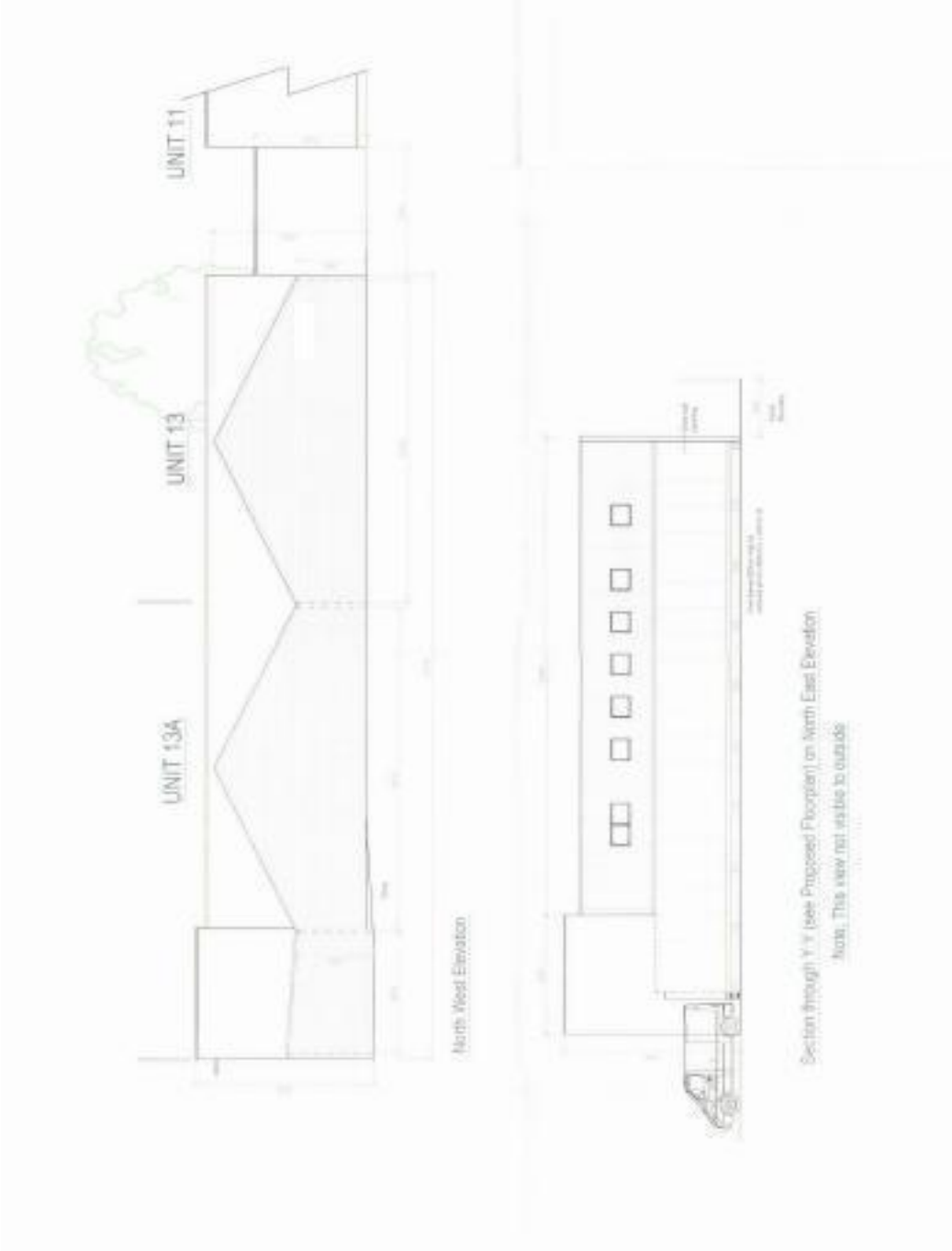
Proposed Floor Plan



Proposed Elevations



Proposed Elevations



RECOMMENDATIONS

Grant consent

, subject to the conditions set out in the Draft Decision Notice.

A) PROPOSAL

The application seeks planning permission for the change of use of the premises into a food production unit (Use Class B2) as well as alterations to include the creation of a multi-vehicle despatch facility, loading bays (including an enclosed area) and alterations to the front pavement.

B) EXISTING

The site is located within the Colindale Locally Significant Industrial Site which is a designated employment area identified within the proposals map.

The site is occupied by a vacant industrial unit located on Carlisle Road with an estimated gross floor area of about 921m². Early Building Control records show that the unit was used as a factory (1953), with the most recent Building Control Records (1993) covering works for alterations to divide a warehouse and alterations to the office facility. The surrounding uses are predominantly industrial employment uses with residential properties to the rear of the site along Holmstall Avenue.

The planning application relates to units 13/13a though it is noted that the applicant also has ownership of the neighbouring unit at 11a which is used for food production, preparing meat, poultry and game for catering clients.

The site has low access to public transport with PTAL 2. There are 6 bus routes available locally within walking distance.

C) AMENDMENTS SINCE SUBMISSION

An acoustic report (MRL Acoustics - Noise Impact Assessment) has been submitted providing the following information:

- (a) 24 hrs background noise survey at the site boundary with the nearest residential properties;
- (b) Assessment of noise impact by reference to the relevant British Standards based on manufacturers data;
- (c) Providing recommendations for any additional noise mitigation.

D) SUMMARY OF KEY ISSUES

Principle of Use: Policy CP20 of Brent's Core Strategy protects LSIS designated for industrial employment uses characterised by use classes B1, B2 and B8, or Sui Generis uses that are closely related. The proposed change of use to B2 is therefore considered to be acceptable in principle.

Design and Impact on Street Scene: The alterations and extension to the building are considered appropriate in the context of this industrial area.

Impact on Neighbouring Amenity: An acoustic report submitted details noise mitigation measures for plant proposed to be secured by condition. The proposed extension defined as part of a loading bay would effectively result in an acoustic insulated barrier between any work and activity which is carried out externally in the yard and the residential properties behind. This would be an improvement on the current situation from a noise perspective and would help to protect the amenity of the nearby residents.

Highways/Transport/Parking: The proposed alterations to the subject building and application site are considered to be acceptable as they would provide sufficient parking and servicing for the proposed use without impacting on the free and safe flow of traffic.

E) 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)
General industrial	0	0	0	995	995
Storage and distribution	921	0	921	0	-921

Monitoring Residential Breakdown

Description	1Bed	2Bed	3Bed	4Bed	5Bed	6Bed	7Bed	8Bed	Unk	Total
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RELEVANT SITE HISTORY

No recent planning history.

CONSULTATIONS

A total of 26 neighbouring owner/occupiers were consulted regarding the application.

A total of 4 representations were received from properties on Holmstall Avenue (to the rear of the site) objecting to the proposal on the following grounds:

Point of objection	Response
1. This location is not suitable for a food production facility or a delivery despatch unit.	The site is located within a Locally Significant Industrial Site (LSIS) where industrial employment uses such as that proposed are considered acceptable. This is elaborated on in paragraph 1-2 of the report below.
2. The proposals will exacerbate existing noise levels and disturbance to residents.	The Council's Regulatory Services department have been consulted on the application to assess such issues and their response is included in the report below. The impact on residential amenity is discussed in paragraph 8-13 of the report below.
3. The stated hours of use are not being adhered to in the existing units. (nb. Hours stated on form are 05:00-18:00 Mon-Fri; 06:00-12:00 Sat)	The hours of use indicated on the application form relate to the units within the planning application, Nos. 13 and 13 A Carlisle Road, not the existing units.
4. Food production will increase the vermin population.	Issues relating to vermin do not fall within the planning remit. Food hygiene standards fall under separate legislation.
5. The proposals will decrease the value of nearby residential properties.	The planning authority has to assess the application before them on its planning merits. Property values are not a material planning consideration.
6. Food production will generate a smell, affecting	The Council's Regulatory Services department have been consulted on the application to assess

living conditions.	such issues and their response is included in the report below. The impact on residential amenity is discussed in paragraph 8-13 of the report below
7. The buildings on the other side of Carlisle Road should be used for food production.	The planning authority has to assess the acceptability of the application before them.

Transportation

The proposed 8 delivery van bays are along the site forecourt. The bays (approx. 6m long) are shown to extend back into the building line and not protrude out onto the public footway. The proposal will result in the loss of 3/4 on street parking spaces however, this is an industrial street and therefore acceptable. This has also been agreed by the Crossover team. Transportation would request that some soft landscaping is provided within the forecourt fronting the 'despatch office, near the street tree. We would also request that some staff cycle parking is provided to comply with PS16 of the UDP-2004.

Regulatory Services

Initial comments set out that the Noise Control Team (NCT) had recently served a notice for the occurrence of noise from night time activity.

A noise report was submitted in response to these comments. Regulatory Services are satisfied with the findings of the acoustic report, which has considered the noise impact from new plant in its assessment.

The noise mitigation recommendations wherein new plant should be fitted as low to the ground as possible and as near to the front elevation as possible to ensure maximum effective screening by the building. It also recommends 200mm Kingspan for walls and floors over the 125mm panels.

Landscape and Trees

There is limited scope for landscape enhancement. There is an opportunity to resurface the building frontage and loading bays with a new permeable paving system to replace the existing damaged paving. Details of the type/colour/finish of the paving and any other hard landscaping should be submitted for approval.

No objection to the removal of the tree currently causing pavement damage although there should be replacement planting of two 18-20 girth specimen trees on the opposite side of the road o/s units 14 and 20. The proposed planters will provide an element of interest if correctly planted.

POLICY CONSIDERATIONS

National Planning Policy Framework 2012

Brent's Core Strategy 2010

CP20: Strategic Industrial Locations and Locally Significant Industrial Sites

Brent's UDP 2004

BE2: Townscape - Local Context & Character

BE9: Architectural Quality

TRN22: Parking Standards - Non Residential Development

TRN34: Servicing in New Development

PS6: Parking standard for general industrial and warehouse use (B2 & B8)

PS19: Servicing standard for general industrial and warehouse use (B2 & B8)

EMP13 Bad-neighbour Uses

EMP18 General Industrial Developments

DETAILED CONSIDERATIONS

Principle of Development

1. The application site relates to units 13 and 13A located on Carlisle Road within the Colindale Locally Significant Industrial Site (LSIS). Early Building Control records (1953) show that the unit was used as a factory, with the most recent Building Control Records (1993) covering works for alterations to divide a warehouse and alterations to the office facility. The most recent records therefore indicate that the building has been used as a warehouse which falls within Use Class B8. The proposal is for the change of use of the unit to a food preparation unit which falls within Use Class B2, as well as other physical alterations to the building to accommodate this change.
2. Policy CP20 of Brent's Core Strategy protects LSIS designated for industrial employment uses characterised by use classes B1, B2 and B8, or Sui Generis uses that are closely related. The proposed change of use to B2 is therefore considered to be acceptable in principle. Additionally, the proposal would continue to contribute to local employment levels.

Design and Impact on Street Scene

3. The application site relates to two units within an detached warehouse building. The front of the building is a two storey brick built structure and single storey to the rear with dual pitch roof of similar height to the two storey frontage element. The front elevation of the building consists of large window and door openings, including a roller shutter, for the majority of the building frontage. The building is industrial in nature and is very much in keeping with the surrounding units in the industrial estate.
4. The proposal will reduce the depth of the ground floor of the building in order to accommodate the loading bays. Each loading bay will have a roller shutter to secure the site when they are not in use. This is a typical feature for a building in this type of location and whilst there would be a significant number of them on the subject building it is not considered to detract from the character or appearance of the building, street scene or locality. The proportions and spacing of the shutters and delivery bay openings is even and demonstrates a considered approach to the layout and appearance of the building. The fact they will be set back from the first floor will reduce their prominence and they will appear as a subordinate alteration to the building.
5. The scheme proposes an extension (detailed as a loading bay) between the existing unit occupied by the applicant at No. 11a and the units that form the application site. This is set back sufficiently from the street scene so as not to have any significant impacts on its character or appearance. The extension is set below the two storey elements of the adjoining buildings and would therefore appear as a subordinate addition. The extension is very simple in its design and consequently integrates with the surrounding development in the locality.
6. The proposal leaves very little scope for landscape enhancement, however, there is an opportunity to resurface the building frontage and loading bays with a new permeable paving system to replace the existing damaged paving. Details of the type/colour/finish of the paving and any other hard landscaping will be requested via condition to ensure an appropriate finish to the front of the plot and the street scene.
7. The proposal results in the removal of an existing tree which is sited directly in front of the application site, however, the root system of this tree is not in a healthy condition and consequently the tree does not have a long life expectancy. A condition will be attached to any permission which may be granted requiring replacement planting of two 18-20 girth specimen trees. It is considered that these replacement trees will make a significant, positive contribution to the amenity of the area and street scene resulting in a more practical layout of the site once work has been completed.

Impact on Neighbouring Amenity

8. Whilst the application site is located within an industrial estate, there are residential properties in close proximity to the site located directly to the rear on Holmstall Avenue and the impact of the proposal on residential amenity needs to be considered.
9. Following initial comments received from Regulatory Services, the applicant submitted an acoustic report which has considered the noise impact from the new plant equipment in its assessment. Of particular note are the noise mitigation recommendations wherein new plant should be fitted as low to the ground as possible and as near to the front elevation as possible to ensure maximum effective screening by the building. It also recommends 200mm Kingspan for walls and floors over the 125mm panels. These measures

can be secured via condition to ensure that the development is carried out in the most sympathetic way possible, ensuring the relationship to nearby residential properties is appropriate.

10. The proposal enables the loading of goods onto the company vehicles to be carried out at the front of the building, adjacent to Carlisle Road, minimising noise towards the rear of the buildings and the rear gardens of the residential properties. Additionally, part of the application is to link the two buildings (11a with 13/13a) via an extension defined as part of a loading bay. This would effectively result in an acoustic insulated barrier between any work and activity which is carried out externally in the yard and the residential properties behind. This would be an improvement on the current situation from a noise perspective and would help to protect the amenity of the nearby residents. The height of the extension does not exceed existing buildings and is not considered to result in any unacceptable amenity impacts.

11. The applicant currently has cooling units located at the rear of the building at No. 11a Carlisle Road. Although not part of this application, it is understood that if planning permission is granted, these existing cooling units would no longer be required with the new ventilation equipment would be mounted on the side of the subject building (No. 13 Carlisle Road) and not at the rear. The new equipment will be of a modern design and of a higher standard which would be quieter when in operation and the siting on the side of the building would increase the separation from the residential properties to the rear.

12. There are currently no planning conditions restricting the hours of use of the subject unit. Given the industrial location of the site and the appropriate nature of the use, it is not considered appropriate to impose such restrictions on this consent.

13. There are a variety of uses in the industrial estate and the applicant has operated as a food production company from unit 11a for a period of over 20 years. It is not considered that the proposed development would significantly change the character of the locality or the nature of use of the site from the existing situation. In terms of odours being produced at the site, it is considered appropriate to request further details of the extraction equipment proposed to be used to ensure that this is dealt with in the most effective way possible in order to maintain the amenity of the nearby residents. This will be secured via condition and will need to be agreed prior to the occupation of the new unit.

Highways/Transportation/Parking

14. The proposal for the change of use of the premises into a food production unit (Use class B2) includes the creation of a multi-vehicle despatch facility, loading bays and alterations to the front pavement. The applicant already occupies No. 11, and the proposal will facilitate an expansion of their business. Carlisle Road is a local distributor road on which on-street parking is generally unrestricted. The road is generally well used during the day, but not at night. Parking and servicing standards for the existing and proposed use is given in standards PS6 and PS19.

15. The car parking allowance for this site is given in Policy PS6, whereby 1 space per 150m² can be allowed due to the relatively poor access to public transport services. The new proposed gross floor space will be 995m² and therefore a maximum of 6 parking spaces can be permitted for this site. In addition to this, the servicing standard Policy PS19 does state that units between 280m² - 2000m² must provide a full sized loading bay. As standards remain unaltered with this proposal, there are no objections in principle to the change of use.

16. However, the proposal includes 8 transit sized vans to be parked within the front forecourt at a 90 degree angle to the highway for the proposed multi-vehicle despatch facility, which will require the kerb to be dropped to provide a 30m wide crossover. The drawing also proposes 1 large 10m rigid lorry parking bay along the service road adjacent to the building. The proposed plans show the 8 delivery van bays along the site forecourt. The bays (approx. 6m long) are shown to extend back into the building line and not protrude out onto the public footway which is considered acceptable. The proposal will result in loss of 3/4 of on street parking spaces, however, this is an industrial street and the loss is considered acceptable. This has also been agreed by the Crossover team of the Transportation department. Therefore the proposed alterations to the subject building and application site are considered to be acceptable as they would provide sufficient parking and servicing for the proposed use without detrimentally impacting on the free and safe flow of traffic.

17. Transportation have requested that staff cycle parking is included in order to satisfy PS16 of the UDP. A condition will be attached to any permission which may be granted requiring details of secure, theft and weather proof bicycle parking to ensure that these standards are met.

Summary

18. The proposal is considered to be consistent with the relevant policies of Brent's Core Strategy 2010 and Brent's Unitary Development Plan 2004. As such it is recommended that the proposal be approved subject to the imposition of suitable conditions.

CIL DETAILS

This application is liable to pay **£2,995.91*** 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): 995 sq. m.

Use	Floorspace on completion (Gr)	Eligible* retained floorspace (Kr)	Net area chargeable at rate R (A)	Rate R: Brent multiplier used	Rate R: Mayoral multiplier used	Brent sub-total	Mayoral sub-total
General industrial	995	921	74	£0.00	£35.15	£0.00	£2,995.91

BCIS figure for year in which the charging schedule took effect (Ic)	224	224
BCIS figure for year in which the planning permission was granted (Ip)	258	
Total chargeable amount	£0.00	£2,995.91

*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.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 14/1482

To: Mr David Quinn
Dawsongroup plc
Fulwood Industrial Estate
Export Drive
Sutton-in-Ashfield
Nottinghamshire
NG17 6AF

I refer to your application dated 17/04/2014 proposing the following:
Change of use of the premises into a food production unit (Use class B2) to include the creation of a multi-vehicle despatch facility, loading bays and alterations to the front pavement and accompanied by plans or documents listed here:
Please see condition 2.

at 13 & 13A Carlisle Road, Kingsbury, London, NW9 0HD

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:

Signature:

Head of Planning, Planning and Regeneration

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.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

- 1 The proposal is considered to relate acceptably to the character and appearance of the locality and would not have a detrimental impact on the amenity of nearby residential properties, or the free and safe flow of the highway. The proposal is therefore considered acceptable.

The proposed development is in general accordance with policies contained in the:-

Brent Core Strategy 2010
Brent Unitary Development Plan 2004

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

Built Environment: in terms of the protection and enhancement of the environment
Employment: in terms of maintaining and sustaining a range of employment opportunities
Transport: in terms of sustainability, safety and servicing needs

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

B3 Location Plan, B3 Site Plan, 3384A 14 rev02, 3384A 15 rev00, 3384A 16 rev00; MRL Acoustics:Nigel Fredricks Ltd (Noise Impact Assessment)

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

- 3 Works to provide the vehicular crossover and the marking out of the loading bays shall be completed prior to occupation and maintained thereafter.

Reason: In the interests of the free and safe flow of traffic and general conditions of highway safety.

- 4 Details of materials for all external work of the loading bay extension to the side of the existing building shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The details shall include the use of 200mm thick Kingspan 100CS panels to walls and roof provide an acoustic screen. The work shall be carried out in accordance with the approved details.

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

- 5 Details of the provision of a minimum of 4 secure cycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority within 3 months of commencement of development. Thereafter the development shall not be occupied until the cycle parking spaces have been laid out in accordance with the details as approved and these facilities shall be retained.

Reason: To ensure satisfactory facilities for cyclists.

- 6 Prior to the occupation, full details of the proposed replacement trees shall be submitted to and

approved in writing by the Local Planning Authority. All tree planting shall be carried out in accordance with those details within the first planting season following occupation. The replacement trees should be planted with a minimum stem girth of 18-20cm and should be sited on the opposite side of the road outside units 14 and 20.

If within a period of five years from the date of the planting of any tree or plant, that tree or plant, or any tree or plant planted in replacement for it is removed, uprooted or destroyed or dies or becomes seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless otherwise the Local Planning Authority gives its written consent to any variation.

Reason: To ensure satisfactory landscape treatment of the site in the interests of visual amenity.

- 7 Prior to the commencement of works on the area of hardstanding to the front of the plot, details of the type/colour/finish of the paving and any other hard landscaping should be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory landscape treatment of the site in the interests of visual amenity.

- 8 (a) Prior to installation, revised details of the location of refrigeration plant as detailed in the Acoustic Report, demonstrating that the plant is positioned as low to the ground and near to the front elevation as feasible, shall be submitted to and approved in writing by the local planning authority. The plant shall be installed in full accordance with the approved details prior to occupation of the development.

(b) Prior to occupation, further details of proposed extraction system to manage odours shall be submitted to and approved in writing by the local planning authority. Details shall include the location, manufacturers specification and noise impact assessment by reference to BS 4142:2014 (or any standard superseding this). The extraction system shall be installed in full accordance with the approved details prior to occupation of the development.

(c) Prior to installation, full details of any further plant or extraction systems not detailed within the Acoustic Report shall be submitted to and approved in writing by the local planning authority. Details shall include the location, manufacturers specification and noise impact assessment by reference to BS 4142:2014 (or any standard superseding this). The plant shall be installed in full accordance with the approved details prior to occupation of the development.

Reason: To safeguard the amenities of the adjoining occupiers.

INFORMATIVES

- 1 The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk

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