

COMMITTEE REPORT

Planning Committee on
Item No
Case Number

14 March, 2018
05
17/4878

SITE INFORMATION

RECEIVED	14 November, 2017
WARD	Kenton
PLANNING AREA	Brent Connects Kingsbury & Kenton
LOCATION	1 Nash Way, Harrow, HA3 0JA
PROPOSAL	Change of use of ten A1 supermarket parking spaces to car wash and valeting operation (sui generis) including erection of a canopy and cabin (Amended description 3.1.18)
APPLICANT	Waves Consultancy
CONTACT	
PLAN NO'S	Please see condition 2
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><u>When viewing this on an Electronic Device</u></p> <p>Please click on the link below to view ALL document associated to case https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_137229</p> <p><u>When viewing this as an Hard Copy .</u></p> <p>Please use the following steps</p> <ol style="list-style-type: none">1. Please go to pa.brent.gov.uk2. Select Planning and conduct a search tying "17/4878" (i.e. Case Reference) into the search Box3. Click on "View Documents" tab

RECOMMENDATIONS

That the Committee resolve to GRANT planning permission and that the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

1. Time limit (3 years)
2. Approved Drawings and Documents
3. Hours of operation of the car wash
4. Approval of a site specific noise survey
5. Details of lighting

Informatives

1. Requirement for a trade effluent consent
2. Hours of operation
2. London Living Wage

And that the Head of Planning is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee.

SITE MAP

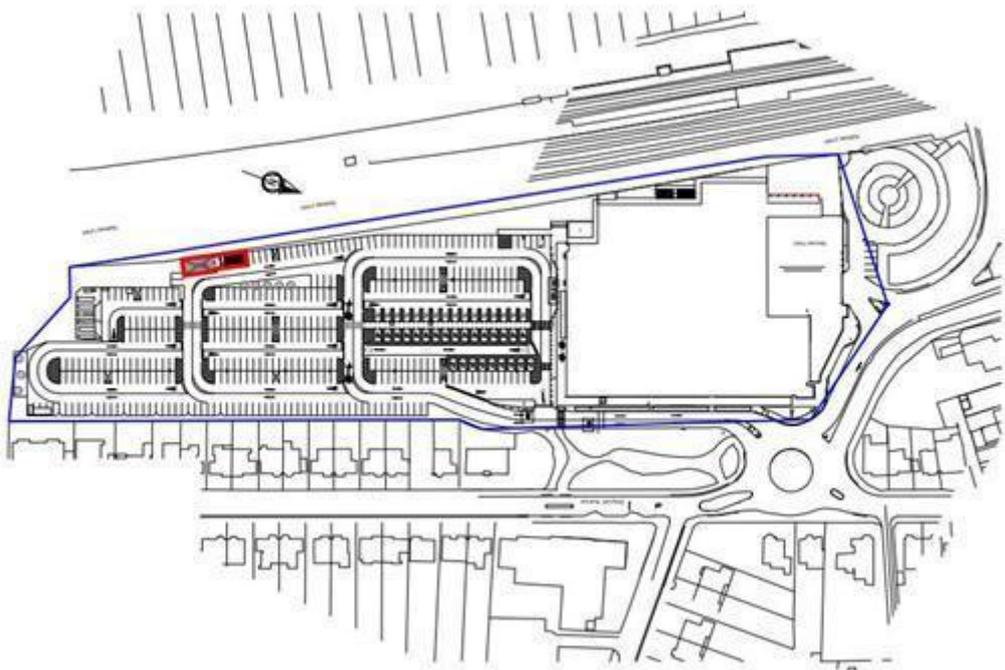


Planning Committee Map

Site address: 1 Nash Way, Harrow, HA3 0JA

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This map is indicative only.



PROPOSAL IN DETAIL

The proposal is to change the use of the nine parking spaces to a hand car wash and valeting operation, including the installation of a cabin and erection of a canopy. A number of advertisements and signs are proposed, and a separate application has been made in respect of these for advertisement consent.

EXISTING

The site consists of a row of nine car parking spaces within the car park serving the Sainsburys supermarket at 1 Nash Way, which is located to the south of Kenton Road. The Sainsburys supermarket and its car park are within the designated Kenton Town Centre.

The car park consists of a strip of land to the south of the supermarket building, bounded to the west by a railway line, and to the east and south by the rear gardens of residential properties on Draycott Avenue. The car park includes a system of internal access roads serving a total of 363 parking spaces, together with trolley bays dispersed throughout the car park and a number of large recycling containers located on its western boundary. The site is located on the western boundary of the car park, against the railway line.

AMENDMENTS SINCE SUBMISSION

25/01/18: An ecology survey, lighting impact assessment and light mitigation plans and elevations were submitted. Environmental Health and Ecology officers were consulted.

09/02/18: A site-specific noise assessment was submitted. Environmental Health officers were consulted.

SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Members will need to balance all of the planning issues and the objectives of relevant planning policies when making a decision on the application:

Principle of development: The proposal would provide a new car wash and valeting service within a supermarket car park. It would contribute to economic growth and support the role of Kenton Town Centre, and is acceptable in principle.

Design, scale and appearance: Objections have been received from neighbours regarding the visual impact. However, the physical works proposed would be of a modest scale and height, at a substantial distance from neighbouring properties, and would be in keeping with the utilitarian character of the car park and adjoining railway line.

Local environmental impacts: Objections have been received from neighbours regarding noise impacts. However, the development is not considered to have a significantly greater impact than existing activity in the car park. A site-specific noise survey, lighting scheme and restrictions on operating hours are recommended by condition to ensure that any adverse impacts are minimised.

Ecological impacts: The proposal would be of a limited scale and would not have any significant effects on wildlife in the adjacent Wildlife Corridor.

Flood risk and drainage: Waste water will be drained to a centralised drain, silt trap and interceptor connected to the foul sewer. There are no objections on this basis.

Transportation: The proposal is considered to be acceptable with regards to parking and access. The car park currently provides parking above the maximum standard and the development will not obstruct access and egress into the site.

RELEVANT SITE HISTORY

There is no planning history that is relevant to this application.

CONSULTATIONS

60 neighbouring properties were consulted by letter on 28 November 2017 and a site notice was posted on 29 November 2017.

A total of four objections were received.

A petition having 17 signatories was also received. The 17 signatories were from 9 different addresses. Separate objection letters had also been received from 3 of the 9 addresses. The petition cited an objection on the basis that the proposal would result in significant increases in levels of noise and disturbance from residents. Please see paragraph 7 to 10 (below) for a discussion of this matter.

One neutral comment was received asking to be informed of applications relating to the car park but not expressing a view on the proposal.

The matters raised in the letters of objection are summarised as follows:

Comment	Response
Impact associated with noise from car engines, loud music from cars, noise from people working there. Noise impact from jet washes and valeting machines. Previous jet car wash equipment made continuous loud noise. There are also queries regarding the noise assessment process	Please see paragraphs 7 to 10 of the Detailed Considerations section of this report.
Air pollution from airborne spray containing cleaning chemicals will have adverse impact on health of customers and neighbouring residents, and will leave deposits on neighbouring garden furniture and windows.	Please see paragraph 12
Security concerns / antisocial behaviour / crime	Not considered likely to be materially greater than existing car park use
Unpleasant view of canopy and cabin	The proposal is not considered to result in an duly detrimental impact on the outlook of surrounding occupants given the nature of the use (a car park) and the distance from the surrounding properties. See paragraph 3-6
Impact of additional water flow on existing surface water and foul water drain	Please see paragraph 15
Additional traffic generated. and impact on the number of parking spaces available at Sainsburys	Please see paragraph 17-18
Impact on property values	Impacts on the values of surrounding properties, whether positive or negative, cannot be considered within a planning application.
Additional vermin & rodent problem	No material evidence of this being likely to arise from a car wash use

Internal consultees:

Local Lead Flood Authority: No objection

Environmental Health: No objection subject to conditions

- site specific noise survey required and any necessary mitigation measures [note: a noise survey has now been submitted and has been provided to Environmental Health for their consideration. If they find this to be acceptable then this condition will not be required]
- lighting scheme required to prevent light nuisance to neighbours
- operating hours to be restricted in line with supermarket opening hours.

Environmental Health have no objection to the lighting impact assessment and light mitigation proposals submitted on 25 January 2018, but have not withdrawn the request for a lighting scheme to be submitted by condition. No further comments have been received on the site-specific noise assessment submitted on 9 February 2018.

POLICY CONSIDERATIONS

For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan in force for the area is the 2010 Brent Core Strategy, the 2016 Brent Development Management Policies Document and the 2016 London Plan (Consolidated with Alterations since 2011).

The following are also relevant material considerations:

The National Planning Policy Framework 2012

SPG 17 Design Guide for New Development 2002

All of these documents are adopted and therefore carry significant weight in the assessment of any planning application. In addition, the emerging Draft Brent Design Guide SPD1 has been subject to public consultation and once adopted will supersede SPG17. This document would also carry some weight in the assessment of planning applications, according to its status at the time of the application.

DETAILED CONSIDERATIONS

Principle of development

1. The National Planning Policy Framework expects the planning system to support sustainable economic development and respond positively to wider opportunities for growth, while Policies CP16 and DMP2 support development in town centres.
2. The proposal would provide a new car wash and valeting service within an existing car park that is within a designated town centre. It would serve customers of the Sainsburys supermarket but would also be available to other customers independently, and would provide employment whilst supporting the role of the town centre. The proposal is acceptable in principle, subject to the remainder of the material planning considerations.

Design, scale and appearance

3. The existing car park is of a utilitarian nature characterised by street furniture such as canopied trolley bays, sign posts and lighting columns, with open wire railings on the western boundary providing views onto the railway track and its supporting infrastructure such as steel gantries.
4. The physical works proposed comprise installing a concrete washpad draining to a centralised drain and silt pad to provide a wet wash area, screens on the western and southern sides of the wet wash area, a cabin to provide shelter and facilities for employees, and a canopy to provide shelter over a valeting area.
5. The washpad would be installed to be flush with the existing car park surface, and would not be readily visible from the wider car park area, whilst the screens would be 2m high with galvanised steel frames and clear perspex / dibond inserts printed predominantly in a black colour. The cabin would be of a modest bulk and height, occupying approx one parking space and approx 2.6m in height, and would be of an oyster white colour with black PVC flat roof. The canopy would consist of a cantilevered black PVC roof with a maximum height of approx 3m supported by two 3m high poles against the western boundary.
6. It is noted that objections have been received regarding the visual impact of the canopy and the cabin. However, it is considered that these would have a modest impact in terms of overall bulk and height, would be of neutral colours and would be in keeping with the utilitarian appearance of the car park and adjoining railway line. The site would be approximately 60m distant from the rear garden boundaries of properties in Draycott Avenue and 70m distant from their rear elevations, and it is considered that the impact on the visual amenities of these residents would be minimal given the context of the existing car park.

Local environmental impacts

7. Policy DMP1 supports development that does not unacceptably increase exposure to noise, light and other forms of pollution and general disturbance.

8. Objections have been received from neighbouring residents regarding the noise of car washing and valeting machines, the general noise and disturbance associated with cars queueing for the service (for example from car engines and sound systems) and noise assessment procedures. In terms of general noise and disturbance, it is considered that this would already occur as a result of the supermarket use and the existing activity within the car park associated with it, and that the proximity to the railway line would also generate an element of background noise and disturbance. Use of the car wash and valeting service is likely to take place primarily through linked trips by supermarket customers. Nevertheless, additional noise may be generated associated with the car wash equipment and a noise survey was submitted.
9. The proposal was initially supported by an acoustics report which includes information regarding typical noise generation associated with car wash facilities of this type, including noise monitoring results from other facilities (i.e. elsewhere). This concluded that maximum noise levels are likely to be between 77.1 and 80.1 dB(A) when measured 1 m from the source of the noise. Environmental Health considered the submitted information and did not object to the proposal. However, they have requested a site-specific noise survey to determine the baseline noise condition of the area, proposed noise levels and, if necessary, any proposed mitigation measures. It should be noted that noise levels typically reduce by 6 dB for each doubling of the distance. The car wash facilities are a minimum of 56 m from the nearest residential garden and 65 m from the nearest residential dwelling. Based on this standard assumption, a noise level of 80 dB at 1 m would reduce to 50 dB at 32 m from the proposed car wash (still within the car park) and 44 dB at 64 m from the car wash (approximate location of the rear wall of the nearest houses). As such, there is no reason to believe that satisfactory noise levels cannot be achieved.
10. In response to the recommendation for a condition, the applicant undertook a site specific noise survey and this was submitted to the Council. This included baseline noise survey information and included testing of the noise associated with the proposed use, including the use of 3 vacuum cleaners, 3 compressors and 2 pressure washers. Noise levels were modelled and detailed information has been provided on projected noise levels within the car park. This shows projected noise levels to be at 46.1 dB at the facade of the nearest residential dwellings, reducing to 43 dB with the facade correction required by British Standard BS4142. The noise contour shows levels of 39-42 dB range within the nearest gardens. Having regard to the above British Standard, the report concludes that the car wash is not expected to be likely to cause adverse impact with regard to noise. The further noise report has been forwarded to Environmental Health for their assessment and their comments will be provided via the Supplementary Report if received prior to committee. However, Environmental Health requested this survey as a pre-commencement condition and it is not necessary for it to be submitted and approved prior to determination of the application. The initial noise report demonstrated that satisfactory noise levels are achievable whilst the recommended condition looked to secure more detail in relation to the site specific noise levels and details of mitigation if the noise levels projected within the initial assessment were not achieved. Environmental Health have requested a condition limiting operating hours of the car wash, also to limit the potential noise and disturbance. Operating hours are to be limited to 8:30 am to 6 pm, with shorter operating hours on days where the opening hours are shorter than this (Sunday).
11. The proposal would include a number of floodlights providing light to the wet wash and valeting areas. Given the distances and the proposed height of the lighting, this can be installed in such a way as to ensure that undue disturbance does not arise. However, Environmental Health have recommended that a lighting scheme is secured through condition to protect neighbouring residential properties from light nuisance prior to the commencement of operations, which may include angling or hood-fitting of floodlights to keep glare within the operational area. A light impact assessment and plans showing fencing to the rear to prevent light pollution from affecting properties across the railway track have been submitted. However, Environmental Health consider that further information is required to fully demonstrate that undue levels of light pollution will not occur to properties adjacent to the car park, and consequently a lighting scheme would still be required by condition.
12. Objections have also been raised regarding airborne pollution from cleaning chemicals in the jetwash spray. However, the spray would use only biodegradable detergents similar to domestic washing up liquid. Staff are not required to use protective equipment with regards to inhalation of vapours and there would be no impact on customers' health. Due to the distance from the site to neighbouring properties, and the nature of the site, it is considered that the operation of the jetwash would have a negligible impact on localised air quality.

Ecological impacts

13. The adjoining railway embankment is a designated wildlife corridor and Policy DMP8 prevents development that compromises its biodiversity function.
14. An ecological report and light impact assessment have been submitted to assess the potential impact of light spill from the proposed floodlighting on nearby wildlife habitats. This notes that the site is an area of existing hard standing with low ecological value, that light spill onto the railway embankment would be similar to the light levels generated by the existing car park lighting, and that the floodlighting would only be used as necessary during the operating hours of the car wash, with no impact on light levels during the night. The submitted information has been considered and the proposal is unlikely to cause any significant effects on wildlife in the surrounding area.

Flood risk and drainage

15. Although the site is in Flood Zone 1, the adjoining railway line and some areas of the car park are susceptible to surface water flooding. A Flood Risk Assessment has been submitted, outlining the proposal to install a centralised drain, silt trap and interceptor to connect to the existing Sainsbury's foul sewer. This would ensure that water is drained within the site. The Council's drainage engineer has no objections but has advised of the need for the applicant to apply for a Trade Effluent Consent from Thames Water. The applicant will be reminded of this within an Informative.

Transportation

16. Parking and servicing standards for the existing supermarket are given in Appendices 1 and 2 of the Development Management Policies 2016.
17. The supermarket has a total gross floor area of 6,663sqm (including 495sqm first floor offices), with a retail floor area of 3,457sqm. Therefore the maximum parking standards would allow up to (approx.) 222 parking spaces. The car park provides over 300 spaces, accessed from the roundabout at Nash Way / Draycott Avenue, which exceeds the maximum parking standards. This is an existing supermarket and there is no policy requirement to reduce the level of car parking to the maximum standards. However, the proposed car wash would result in the loss of ten parking spaces, which would be acceptable given that there is significant surplus parking above the maximum standard. The car wash would be situated on the southwestern edge of the car park and therefore would not obstruct access/egress into the car park. It is expected that many of the users of the car wash travel to the supermarket to undertake their shopping and would therefore already be using the car park. However, given the scale and nature of the proposed use and the scale and nature of the existing supermarket and its car park, additional traffic would not be considered to materially impact the local highway (in terms of congestion etc) even if users of the car park were not shopping at the supermarket.
18. The drainage arrangements would ensure that silt water is not discharged into the main sewer connection and onto the car park carriageway, as discussed in the drainage section above.

Conclusion

19. The proposal is considered to comply with policies and guidance and it is recommended that planning permission is granted subject to conditions.

DRAFT DECISION NOTICE



Brent

DRAFT NOTICE

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

DECISION NOTICE – APPROVAL

Application No: 17/4878

To: Mr Bonnett
Waves Consultancy
4 College Mews
London
SW18 2SJ

I refer to your application dated **14/11/2017** proposing the following:

Change of use of ten A1 supermarket parking spaces to car wash and valeting operation (sui generis) including erection of a canopy and cabin (Amended description 3.1.18)

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

at **1 Nash Way, Harrow, HA3 0JA**

The Council of the London Borough of Brent, the Local Planning Authority, hereby **GRANT** permission for the reasons and subject to the conditions set out on the attached Schedule B.

Date: 02/03/2018

Signature:

Alice Lester
Head of Planning, Transport and Licensing

Notes

1. Your attention is drawn to Schedule A of this notice which sets out the rights of applicants who are aggrieved by the decisions of the Local Planning Authority.
2. This decision does not purport to convey any approval or consent which may be required under the Building Regulations or under any enactment other than the Town and Country Planning Act 1990.

DnStdG

SUMMARY OF REASONS FOR APPROVAL

1

- 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):

SYHA30JA-PL-001 Existing site plan
SYHA30JA-PL-002 Proposed site plan
SYHA30JA-PL-003 - Proposed block plan
SYHA30JA-PL-004 - Proposed layout plan
SYHA30JA-PL-005 Rev B - Hand car wash layout elevations
SYHA30JA-PL-006 - Hand car wash cabin
SYHA30JA-PL-010 - Hand car wash canopy
SYHA30JA-PL-011 Rev A - Hand car wash section
SYHA30JA-PL-012 - Wash screen section
SYHA30JA-PL-008 - Cabin signs
SYHA30JA-PL-009 - Wash screens
SYHA03JA-PL-013 - Hand car wash layout light mitigation
SYHA03JA-PL-014 - Proposed layout plan light mitigation
Design and access statement
Acoustics report on the typical noise generation of a Waves car wash facility
Ecological Scoping Survey
Lighting Impact Assessment

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

- 3 The use of the site as a car wash shall not take place other than (whichever is the shorter period on the relevant day):
- Between the hours of 08:30 and 18:00; and
 - Within the opening hours of the main retail premises/supermarket within the area outlined blue within drawing SYHA30JA-PL-002

Reason: To protect the amenity of the neighbouring residential premises.

- 4 Prior to development commencing, a site specific noise survey shall be carried out to determine the baseline noise condition of the area and the survey method, results and any proposed mitigation measures shall be submitted to and approved in writing by the local planning authority prior to commencement of the development.

The report shall include a comparison of the background noise data with the proposed noise levels (individual and cumulative) of all noise emitting equipment to be in operation at the facility. Where operational noise levels are found to exceed background noise levels, noise from operational equipment, when calculated or measured as an LAeq, 5min with Fast weighting at the façade of a noise sensitive receptor, shall not exceed the LA90, 1 hour, measured at the façade of a noise sensitive receptor by more than 3dB(A). The rating level shall also include the 5dB acoustic feature correction to account for the characteristics of the noise. If noise levels do not comply with these requirements, the submission shall include necessary mitigation measures or procedures.

The development and operation of the facility shall be carried out in accordance with the approved details.

Reason: To ensure noise levels do not unduly impact nearby residents, in accordance with Policy DMP1 of the Development Management Policies 2016.

- 5 Prior to installation of external lighting, a lighting scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall demonstrate that neighbouring residential properties will not be unduly affected by light nuisance and shall include measures such as angling or hood-fitting of floodlights where necessary to achieve this. The lighting shall not be installed or operated other than in accordance with the approved details.

Reason: To ensure that the development does not result in undue levels of light nuisance to neighbouring residential properties, in accordance with Policy DMP1 of the Development Management Policies 2016.

INFORMATIVES

- 1 The applicant is reminded that a Trade Effluent Consent will be required to operate the development as proposed, and that this will need to be obtained from Thames Water prior to the use commencing.
- 2 For the avoidance of doubt, the hours of operation as controlled by condition 3 are restricted to the shorter of either the opening hours of the supermarket or the hours of 08:30 to 18:00.
- 3 Brent Council supports the payment of the London Living Wage to all employees within the Borough. The developer, constructor and end occupiers of the building are strongly encouraged to pay the London Living Wage to all employees associated with the construction and end use of development.

Any person wishing to inspect the above papers should contact June Taylor, Planning and Regeneration,
Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ, Tel. No. 020 8937 2233