

# COMMITTEE REPORT

Planning Committee on  
Item No  
Case Number

19 June, 2019  
08  
19/0888

## SITE INFORMATION

RECEIVED	11 March, 2019
WARD	Dudden Hill
PLANNING AREA	Church End Neighbourhood Forum
LOCATION	3 Cygnus Business Centre, Dalmeyer Road, London, NW10 2XA
PROPOSAL	Change of use from a light industrial use (Use class B1c) to MOT service centre (Use class B2).
PLAN NO'S	1/2; 2/2; 3/3 (submitted 2/5/19)
LINK TO DOCUMENTS ASSOCIATED WITH THIS PLANNING APPLICATION	<p><b><u>When viewing this on an Electronic Device</u></b></p> <p>Please click on the link below to view <b>ALL</b> document associated to case <a href="https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_144300">https://pa.brent.gov.uk/online-applications/applicationDetails.do?activeTab=documents&amp;keyVal=DCAPR_144300</a></p> <p><b><u>When viewing this as an Hard Copy</u></b> .</p> <p><b>Please use the following steps</b></p> <ol style="list-style-type: none"><li>1. Please go to <a href="https://pa.brent.gov.uk">pa.brent.gov.uk</a></li><li>2. Select Planning and conduct a search tying "19/0888" (i.e. Case Reference) into the search Box</li><li>3. Click on "View Documents" tab</li></ol>

# RECOMMENDATIONS

Approve

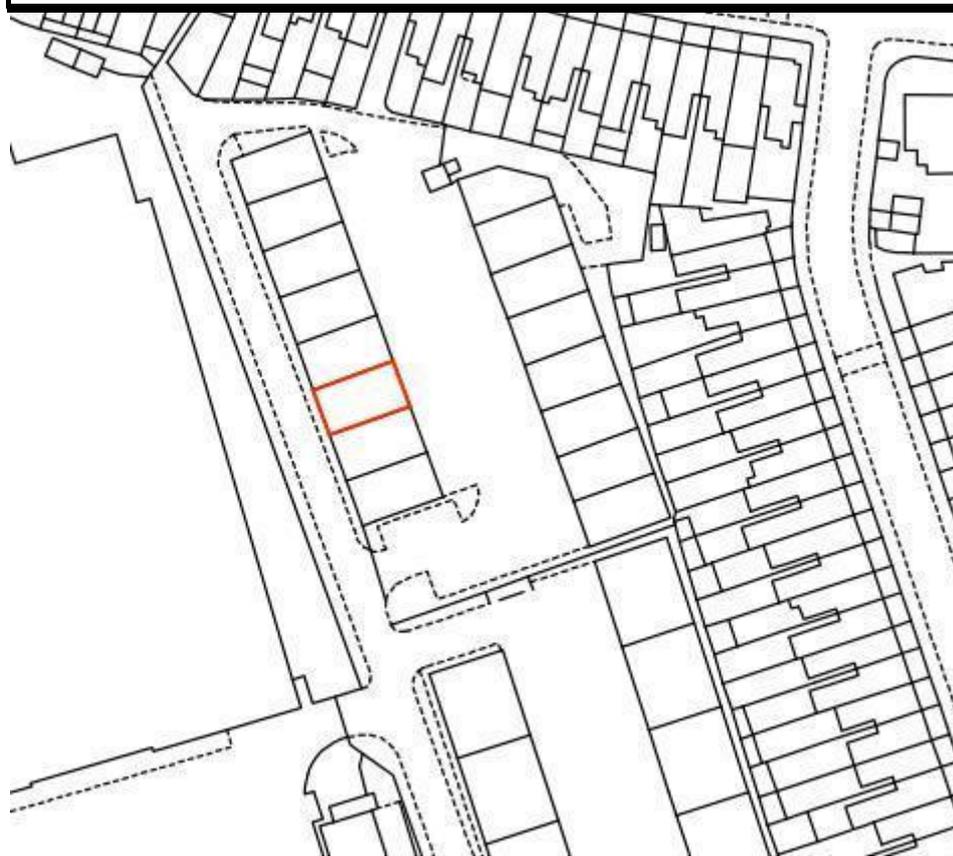
## SITE MAP



### Planning Committee Map

Site address: 3 Cygnus Business Centre, Dalmeyer Road, London, NW10 2XA

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This map is indicative only.

## PROPOSAL IN DETAIL

The current application seeks permission for the change of use from light industrial use (Class B1c) to an MOT service centre (Class B2).

## EXISTING

The application site consists of two-storey industrial/office unit located on the eastern side of Cygnus Business Centre, which itself is situated to the east of Dalmeyer Road. Cygnus Business Centre is a designated Locally Significant Industrial site, and is affected by an Article IV direction which prevents the change of use away from Class B uses under prior approval. The unit is not within a Conservation Area, nor does it affect any listed buildings.

## SUMMARY OF KEY ISSUES

The key planning issues for Members to consider are set out below. Objections have been received regarding some of these matters. 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:** The site is a designated Locally Significant Industrial Site and as such industrial employment uses such as B1, B2 and B8, or associated Sui Generis uses are both permissible and protected. The change of use from Class B1 to Class B2 is therefore acceptable in principle.

**Representations received:** 10 objections have been received. The material issues raised relate to the impact on parking and servicing within the business park. Highways Officers have assessed the application and deem the impact to be acceptable.

**Character and Appearance:** No external alterations are proposed.

**Impact on Neighbouring Amenity:** The site is located within a business park and is not situated near any residential properties. The opportunity for harm on local residents is negligible.

**Parking & Access:** The site has two marked bays along the unit frontage which are deemed to provide a suitable area for cars to be stored before and after being attended to.

**Environmental Health:** Again, due to the site being located within a business park, any environmental concerns relating to noise and disturbances are likely to be typical for a designated Locally Significant Industrial Site.

## RELEVANT SITE HISTORY

**87/1816:** Erection of 16 light industrial units with associated parking and loading areas. **Approved.**

## CONSULTATIONS

Individual notification letters were sent to the occupiers of 18 neighbouring properties. Ten objections have been received. The issues raised can be summarised as follows:

1. Harmful impact on parking provision within the industrial estate
  - Highways Officers have been consulted and raise no objections.
2. Environmental health concerns

- Environmental Health Officers have been consulted and raise no objections.

## **POLICY CONSIDERATIONS**

### **Core Strategy (2010)**

CP17: Protecting and Enhancing the Suburban Character  
CP20: Strategic Industrial Locations and Significant Industrial Sites

### **Local Plan (2016)**

DMP1: Development Management General Policy  
DMP12: Parking  
DMP13: Movement of Goods & Vehicles.  
DMP14: Employment Sites

### **Other**

SPD 1: Brent Design Guide (2018)

## **DETAILED CONSIDERATIONS**

### **1.0 Principle**

1.1 Core Strategy Policy CP20 and Local Plan Policy DMP14 state the Council will protect Strategic Industrial Locations designated for industrial employment uses characterised by use classes B1, B2 and B8, or Sui Generic uses that are closely related, having regard for the provisions of Preferred Industrial Locations and Industrial Business Parks within the London Plan. The Council will protect Locally Significant Industrial Sites for the same range of uses as SILs.

1.2 Despite the application form stating the site is in use an office (Class B1a) an Officer site visit demonstrated the site to actually appear in use as a light industrial unit (Class B1c). Regardless, the change of use to an MOT service centre (Class B2) would not contradict the requirements of Core Strategy Policy CP20, which allows for Class B2 uses. As such the change of use is deemed acceptable. Permission is sought for a B2 use, with MOT specified as the intended use within that use class. As such, other B2 (industrial) uses could take place should permission be granted. Nevertheless, the area has been designated for such uses and this has been designated within the development plan as a suitable location for industrial uses, subject to the remainder of the material planning considerations.

### **2.0 Design**

2.1 Core Strategy Policy CP17 states that the distinctive suburban character of Brent will be protected from inappropriate development. Local Plan Policy DMP1 states that development will be acceptable provided it is of a location, use, scale, materials, detailing and design, and complements the local area. This is supported by SPD1 which offers detailed design guidance.

2.2 No external changes are proposed. The proposal complies.

### **3.0 Highways**

3.1 Local Plan Policy DMP1 states that new development must be satisfactory in terms of means of access for all, parking, manoeuvring, servicing and does not have an adverse impact on the movement network.

### **Car Parking & Servicing**

3.2 Local Plan Policy DMP12 states that development should provide parking consistent with parking standards in Appendix 1 and that additional parking provision should not have negative impacts on existing parking, highways, other forms of movement or the environment.

3.3 Although the planning application describes the unit as being an office (use class B1a), the unit was built as a light-industrial unit (use class B1c) along with the other units in the centre and there is no planning history to suggest that it has been used as an office.

3.4 Either way, the parking standard is the same for both uses and as the site is located to the south of the Dudding Hill railway line, just one space per 800m<sup>2</sup> is allowed for both the existing and proposed uses. The unit is therefore generally too small to be allowed off-street parking, but it already benefits from two marked spaces on the frontage, so retention of these spaces would be acceptable.

#### Servicing

3.5 Appendix 2 of the Local Plan states B1 Business use developments should provide service space only for 8m rigid service vehicles, as opposed to maximum sized (i.e.10m) rigid vehicles at each location.

3.6 Both the existing and proposed uses require servicing by 8m rigid vehicles (small recovery trucks in the case of the proposed use). The existing roller shutter door provides suitable servicing facilities.

3.7 For a car servicing and MOT testing centre, provision also needs to be made for cars awaiting attention or collection. In this respect, just one service bay is indicated and as the application form suggests that just one member of staff will work there, it is assumed that one only one bay will be provided at the outset. The unit could comfortably accommodate a second bay if the business expands though. Either way, the two marked parking bays along the unit frontage would provide a suitable area for cars to be stored before and after being attended to.

#### Neighbour Objections

3.8 Officers acknowledge that there have been a number of objections to the proposal due to the impact of an unlawful MOT centre at Unit 3 and the harm this has caused on parking and access to the neighbouring units.

3.9 Due to this, Highways Officers visited the site on Monday 29th May. Parking within this part of the estate all appeared orderly in general, with vehicles using marked parking spaces and not obstructing the spine road through the centre.

3.10 The business at Unit 4 (which has two workbays) was in operation and staff were attending to a car parked in front of application Unit 3. All four parking spaces in front of Units 3 and 4 were occupied, as were most of the spaces in front of the other units (1-16), but it is impossible to know whether any parking in front of other units was associated with Unit 4. A Euro Car Parts van also made a delivery to Unit 4 during the visit and stopped on the spine road in front of Unit 4, but this did not cause any particular problem.

3.11 Given the site's remoteness from the nearest public highway (High Road), Highways Officers maintain their position of having no objections on highways grounds to the proposal, as it is highly unlikely to result in any overspill parking in High Road or significant extra traffic movements.

3.12 That is not to say that Unit 4 is not causing parking problems, but this is a private matter between them and their neighbours. The other businesses can take action to prevent abuse of their own parking, such as by installing lockable drop-down bollards. It should also be noted that the behaviour of the business at Unit 4 does not automatically mean that Unit 3 would cause similar issues. Moreover, Enforcement action has now been started against the unlawful use of Unit 3.

#### Cycle and Refuse Provision

3.13 Policy 6.9 of the London Plan requires at least one long stay bicycle parking space per 500 sqm of floorspace and one short stay per 1,000 sqm of floorspace.

3.14 The unit is too small to require any bicycle parking under London Plan standards.

3.15 No details have been provided of refuse storage provisions. However, there is sufficient space within the premises to accommodate likely need.

### **4.0 Environmental Health**

4.1 Local Plan Policy DMP1 states that development is acceptable providing it does not unacceptably increase exposure to flood risk, noise, dust, contamination, smells, waste, light, other forms of pollution and general disturbance or detrimentally impacting on air or water quality.

4.2 Environmental Health Officers have been consulted and with the site being within an industrial area, are content that provided the hours of use are daytime only and between Monday to Saturday then there are objections to the application. There are houses on Brenthurst Road and Denzil Road however with the existing uses of the units in Cygnus Business Centre and the shelter that the units will provide from the MOT centre to the housing and no significant issues with noise from the site affecting residential are envisaged. As such, given the employment designation of the site and the relationship with the nearest residential uses, it is not considered necessary or reasonable to control operating hours through condition. Should excessive noise disturbance occur, it would be appropriate to deal with this as a statutory nuisance. The proposal complies with Local Plan DMP1.



Application No: 19/0888

To: Mr Al-Hairi  
logcreation.co.uk  
63 London Road  
Wembley  
HA9 7ET

I refer to your application dated **09/03/2019** proposing the following:

Change of use from a light industrial use (Use class B1c) to MOT service centre (Use class B2).

and accompanied by plans or documents listed here:

1/2;  
2/2; 3/3 (submitted 2/5/19)

at **3 Cygnus Business Centre, Dalmeyer Road, London, NW10 2XA**

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: 11/06/2019

Signature:

A handwritten signature in black ink that reads "Alice Lester".

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

Core Strategy (2010)  
Local Plan (2016)  
SPD 1: Brent Design Guide (2018)

Relevant policies in the Adopted Development Management Plans are those in the following chapters:-

CP17: Protecting and Enhancing the Suburban Character  
CP20: Strategic Industrial Locations and Significant Industrial Sites  
DMP1: Development Management General Policy  
DMP12: Parking  
DMP13: Movement of Goods & Vehicles.  
DMP14: Employment Sites

- 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 drawings:

1/2;  
2/2; 3/3 (submitted 2/5/19)

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

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