

LONDON BOROUGH OF BRENT

**EXECUTIVE**

**14<sup>TH</sup> SEPTEMBER 2004**

FROM THE DIRECTOR OF ENVIRONMENT

FOR INFORMATION / ACTION

NAME OF WARD  
DOLLIS HILL

**REPORT TITLE : WATERLOO ROAD :  
PETITION FROM TANKRIDGE RESIDENTS ASSN.**

FP REF: ES-04/05-263

**1.0 SUMMARY**

- 1.1 The premises at 51-57 Waterloo Road and 150a,b,c,d & e Coles Green Road are industrial/storage premises which lie within the Staples Corner Strategic Employment Area, which is one of the main industrial/employment areas in the north of the borough.
- 1.2 In the early hours of Friday morning, 30<sup>th</sup> April 2004 residents were awakened to the sound of explosions when a fire broke out apparently in premises at the corner of Coles Green Road and Streakesfield Road and fanned by a strong north wind, it spread from Federal Motors in Waterloo Road and a carpet warehouse to the warehouse of Rustins, paint manufacturers. The nine premises destroyed included Rustin's paint warehouse at 51, Waterloo Road ; its established manufacturing plant at 43-47 Waterloo Road however survived and remains in production.
- 1.3 A petition was received on 10/06/04 from the Tankridge Residents Association "to stop the firm of Rustins rebuilding their factory". Residents consider the housing of so many chemicals to be dangerous.

**2.0 RECOMMENDATION**

- 2.1 To note the concerns of local residents and request officers to take these into account in respect of any future planning application to rebuild the warehouse.

**3.0 FINANCIAL IMPLICATIONS**

- 3.1 None specific.

#### **4.0 STAFFING IMPLICATIONS**

- 4.1 There are no specific staffing implications identified, apart from the normal time given to pre-application discussions, consideration of any future planning application and consultation with local residents.

#### **5.0 ENVIRONMENTAL IMPLICATIONS**

- 5.1 Staples Corner is a major employment area for the Borough where B1, B2 and B8 uses abound and are appropriately located. Industry was located here in the 1920's cheek by jowl with residential and the site specific proposals in the UDP - TP5 and TP6 - try to address problems of servicing traffic by providing the framework by which at some future time residential and servicing traffic might be separated.
- 5.2 At the fire-damaged site, the existing building fabric and layout are generally out-moded and further investment should be encouraged to provide modern buildings with adequate facilities for servicing, parking and environmental improvement.
- 5.3 The destruction of buildings by fire, however much regretted, provides this opportunity.

#### **6.0 LEGAL IMPLICATIONS**

- 6.1 The Council has no power as such to debar Rustin's from rebuilding their warehouse. However, a planning application to rebuild would be needed. A Fire Certificate to store hazardous materials and Permit from Environmental Health covering the whole process of paint manufacture would be required as explained below.
- 6.2 The legal requirements that guide the administration of the Planning process are set out in the Town and Country Planning Act 1990. This places particular responsibilities on the Council to control development within the Borough and to produce forward plans and guidance for the control of future development.
- 6.3 The need for supplementary planning guidance is outlined and recommended in central government publication "Planning Policy Statement 1" as a way of covering detailed issues that support and supplement the policies within the Council's UDP. They are a helpful tool for both developers and the Council alike. Planning Policy Guidance Note 17 (Design Guide for new development), produced by the Council, addresses such issues as design and layout of buildings and boundary treatment.
- 6.4 Supplementary Guidance are not statutory documents in the same way as the UDP, but are a material consideration to be taken into account when determining individual applications. In this respect Supplementary Guidance should be given more weight if it has been prepared with public consultation.

#### **7.0 DIVERSITY IMPLICATIONS**

- 7.1 Officers believe that there are no diversity implications.

## 8.0 DETAIL

- 8.1 A petition with 83 signatures was received by Environmental Services on 10th June 2004 regarding the fire damaged warehouses on Waterloo Road. The residents within the proximity of the site are petitioning against the rebuild of Rustin's warehouse due to the nature of the business.
- 8.2 Whilst the concerns of residents are understood, they imply certain misunderstandings which need to be corrected. Your planning officers have visited the existing factory premises and viewed the site of the fire which now provides the opportunity to replace outmoded single storey factories in the area. However, the Council has no power as such to debar Rustin's from rebuilding their warehouse. This would though require a planning application to be made and the issues raised by residents should be considered in determining any such application. The Council has adopted advice on design layout contained in Supplementary Planning Guidance SPG17. Such guidance makes adequate provision for buffer zones and separation between buildings by the creation of landscaping zones and car parking/ non-inflammable open areas. In addition, certain permits and certificates are required by Rustin's as explained below.
- 8.3 In the early hours of Friday morning, 30<sup>th</sup> April 2004 a fire broke out apparently in premises at the corner of Coles Green Road and Streakesfield Road and fanned by a strong north wind, spread from Federal Motors in Waterloo Road and a carpet warehouse to the warehouse of Rustins, paint manufacturers. This soon turned into a "major incident" and the various emergency services and Council officers attended the scene between 00.49hrs and 15.00hrs. The fire continued to smoulder on Bank holiday, Monday 3<sup>rd</sup> May. The nine premises destroyed included Rustin's paint warehouse at 51, Waterloo Road which has a frontage of 37.35m. and a length of 53.5m. Rustin's established manufacturing plant at 43-47 Waterloo Road survived and with its labour force of 96 remains in production.
- 8.4 Provision for where B1, B2 and B8 uses are best located in the Borough is set out in the policies of Brent's adopted Unitary Development Plan. Staples Corner has for long been established as a Strategic Employment Area for general industrial uses.
- 8.5 The Council's Environmental Health Unit is responsible for the authorisation by permit of the process and its emissions of paint manufacture. Fire Certificates for the storage of hazardous substances are the responsibility of the Fire Brigade and Health & Safety Executive and Rustin's have confirmed that such fire certificates have been obtained. As a result of the fire, the Environment Agency has agreed to work with Rustin's (and others) to advise on environmental issues for the regeneration/ rebuild of the site. Members should also note that the Health and Safety Executive, who were involved in providing advice following the fire incident, would also be engaged in this process.
- 8.6 The fire appears to have started in 150 Coles Green Road, a warehouse/ industrial building which was subdivided into five units through which the fire spread to reach the remainder of the Waterloo Road frontage. The closure of the site for forensic investigation and the different ownership interests involved have delayed proposals to redevelop the site. In the meantime, Rustin's have leased an alternative storage building and your officers have had preliminary enquiries about re-building. In the absence of a planning application that would be reported to the Planning Committee, the residents' petition is reported to the Executive with your officers' recommendation as to how the Executive should resolve this matter.

## **9.0 BACKGROUND INFORMATION**

### **Details of Documents**

The (Town and Country) Planning Act 1990

Petition

Report on planners' site visit

Major incident timeline.

Major incident de-brief.

Environment Agency de-brief.

Any person wishing to inspect the above papers should contact Geoff Hewlett or Jane Jin, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex HA9 6BZ,  
Telephone: 020 8937 5223

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