

## **REPORT FOR CONSIDERATION AT PLANNING COMMITTEE**

**Reference No:** HGY/2008/1344

**Ward:** Northumberland Park

**Date received:** 23/06/2008

**Last amended date:** 8<sup>th</sup> November 08

**Drawing number of plans:** 5951-03 rev D & 04 rev C.

**Address:** Brantwood Autos, Brantwood Road N17

**Proposal:** Demolition of existing office/ warehouse building (B8 use) and erection of a new canopy building and boundary fence to create a working area for the dismantling of vehicles/ de-pollution facility (B2 use) and a new customer car park (AMENDED DESCRIPTION)

**Existing Use:** B8 (Warehouse/ Storage)

**Proposed Use:** B2 (General Industrial)

**Applicant:** Brantwood Auto Breakers

**Ownership:** Private

### **PLANNING DESIGNATIONS**

Road Network: Classified Road  
Contaminated Land

**Officer Contact:** Matthew Gunning

### **RECOMMENDATION**

GRANT PERMISSION subject to conditions

### **SITE AND SURROUNDINGS**

The application site is a warehouse and office building located at the corner of Brantwood Road and Willoughby Lane. The adjoining site, Brantwood Autos Car Breakers, is a long established car breakers yard. The application site falls within a 'Defined Employment Area'. To the north of the car breakers yard there is a row of terrace properties which front onto Middleham Road. There is a public footpath running in between the back gardens of these properties and the boundary of the Brantwood Auto's site. The wall and fence along this northern boundary separates the boroughs of Enfield and Haringey.

## **PLANNING HISTORY**

HGY/2008/0316 - Demolition of existing buildings and erection of new canopy to create working area for hand-stripping of vehicles – Approved 08/01/2008

HGY/2007/0862 - Demolition of existing buildings and erection of new canopy to create working area for hand-stripping of vehicles. – Approved 08/01/2008

HGY/2008/0316 - Demolition of existing offices and warehouse / factory and erection of new concrete yard slab with open fronted canopy building to 3 sides to form customer parking area along the Willoughby Lane elevation – Refused 01/04/2008

HGY/2005/0918- Demolition of part of factory premises and chimneys and merger of premises with adjoining auto salvage recycling and de-polluting station and widening of access onto Willoughby Lane on south east corner of site – Approved 19/09/2005

HGY/2004/0435 - Installation of SEDA double de-polluting station in conformity with ELV directive (2000/53/EC) and HWL (2000/532/EC).- Approved 03/09/2004

## **DETAILS OF PROPOSAL**

The proposal is for the demolition of an existing office/ warehouse building (B8 use) and erection of a new canopy building and boundary fence to create a working area for the dismantling of vehicles/ de-pollution facility (B2 use) and a new customer car park.

## **CONSULTATION**

Ward Councillors  
Environmental Health  
Transportation  
Enfield Council  
Environmental Health  
1-4 Malham Terrace  
1-35 Middleham Road  
175 Willoughby Lane

## **RESPONSES**

Two letters of objection have been received from No 5 & No 9 Middleham Road

- Concern about increasing size of this use;
- Still listen to a lot of noise on a daily basis;
- Houses shake as a result of the working;
- The activity on site occurring outside of permitted hours;

- No parking for customers which as a result slows down parking in the vicinity of the site and can make pedestrian movement on pavements difficult;
- Increased movement of vehicles within the yard area, thereby increasing the amount of exhaust fumes and noise;
- The proposal will add to the significant levels of noise.

## **RELEVANT PLANNING POLICY**

PPS4 Industrial Development  
 PPS10 Planning for Sustainable Waste Management  
 PPG4 Planning and Noise

### Haringey Unitary Development Plan (2006)

G1 Environment  
 UD4 Quality Design  
 ENV6 Noise Pollution  
 ENV7 Air, Water and Light Pollution  
 ENV11 Contaminated Land  
 ENV12 Development on or near premises involving use of storage of hazardous substances  
 ENV13 Sustainable Waste Management  
 EMP3 Defined Employment Areas – Employment Locations  
 EMP6 Car Repairs, Workshops, Garages and Car Washes

### Supplementary Planning Guidance

SPG8i Air Quality  
 SPG11 Car Repair Workshops and Garages

## **ANALYSIS/ASSESSMENT OF THE APPLICATION**

### Background

The original car breakers yard use originated on what is shown to be Phase 2 on the submitted drawings. This use has existed for more than 20 years. The site was significantly altered as part of planning application Ref: HGY/2005/0918: which formed Phase 1. As part of this proposal the adjoining site which consisted of an obsolete factory premises was acquired and demolished to merge the sites. This 2005 application also involved the widening of the access onto Willoughby Lane. This application has been fully implemented and has spread the activities associated with this car breakers use across a larger site area.

Planning permission was granted in February 2008 (HGY/2007/0862) for the redevelopment of Phase 2 of the site; which would involve the demolition of the existing buildings and the erection of a new canopy structure to create a working area for the hand-stripping of vehicles. In addition the proposal would involve the resurfacing of this part of the yard.

The work associated with Phase 2 was proposed to meet full compliance with the legislation laid down by Central Government (End of Life Vehicles Regulations 2003). This legislation came into full effect in 2007 and entitles free take-back of old vehicles, known as End of Life Vehicles (ELVs). The ELV regulations aims to reduce waste from vehicles (cars and vans) when they are finally scrapped and includes tightened environmental standards for vehicle treatment sites.

The applicant's have indicated that the Phase 2 is now very unlikely to be implemented and instead the activities on this site will be moved onto Phase 3.

A planning application was recently refused for a previous (similar) application for the demolition of the existing offices and warehouse/factory building located at the corner of Brantwood Road and Willoughby Lane.

This previous application was refused permission on the grounds that the design approach to the boundary treatment, comprising of palisade fencing and a metal clad canopy and wall beyond that, was considered to be unsatisfactory and the proposal would result in an over concentration of advertisement hoardings; the cumulative effect of which would create additional clutter contributing to a further deterioration in the appearance of the area.

The issues in regards to the current application are considered to be (1) the design and form of the new structure, (2) changes to the layout of the yard and (3) the effect on local residential amenity.

### Design & Form of New Structure

The proposal will involve the demolition of the existing warehouse/ office building which fronts onto Willoughby Lane and Brantwood Road and the creation of a new concrete yard slab for the hand stripping of vehicles and a customer parking area. A monopitched open fronted canopy will be erected to the three side of the new yard.

The demolition of part of this building in itself does not require planning permission. It is the creation of the new canopy structure, the erection of a new palisade fence and intergrating this site with a car brakers yard, which requires permission. The building on this site was up until recently used for the storage of army surplus clothing.

Strategic Guidance advises Council to reflect the changing needs of industry and to respond flexibly to current and future demands and to identify well serviced and accessible sites. This is reflected in the employment policies, particularly those relating to 'Defined Employment Areas' and 'Car Repairs and Workshops'. Accordingly, there is a strong policy presumption in favour of the proposed development provided that the development would be consistent with the criteria set out in the employment policies and would not be harmful to any other interests.

In replace of this existing building an open fronted canopy structure with mono-pitch roof which faces into the site would be created. This structure will return

around the corner with Willoughby Lane but will be set back further (approximately 20m) along this frontage so as to create a customer car parking area. The elevation of the canopy structure, which will face the road frontages, will be 6m in height and will have a brick base, alternating between 1.05 and 2.1m in height, with cladding above of an olive green colour.

A 3m high palisade fence will be erected along the back edge of the pavement, fronting onto Brantwood Road (2m away from the face of the canopy structure). In between the palisade fence and the elevation of the canopy structure a strip of landscaping (planting of 7 trees) will be created. The palisade fence will wrap around the corner/ frontage onto Willoughby Lane to enclose a new customer car parking area (18 spaces). An area of soft landscaping will be created at the end/corner of this customer car parking area. There will be no advertisement hoardings placed on the elevations of the canopy structure.

### Changes to the Yard

This open fronted canopy created as part of Phase 3 will provide a protected area for the dismantling of vehicles by hand and an area for the removal of fluids necessary prior to the crushing of cars. As outlined above the activities associated with Phase 2 will be moved onto Phase 3. The existing depolluting station, which is located along the western boundary of Phase 2 of the site and which involves the placing of cars on a raised platform and the drilling into their base to discharge operating fluids will be moved to Phase 3.

This open fronted canopy will provide a protected area for the dismantling of vehicles by hand and the removal of fluids necessary prior to the crushing of cars.

### Effect on local amenity

The nearest residential properties to the application site are those along Middleham Road. Middleham Road is within Enfield borough. There have been objections raised by residents along Middleham Road on the potential negative effects of the proposed development on local amenity. Noise associated with the crushing and increased intensity of use; along with the fuel vapour and dust are the main concerns of local residents.

In terms of the intensity of use the number of cars that can be crushed is licensed (60,000 vehicles) by the Environmental Agency. As set out above, the amended layout will result in the noisier dismantling operations (de-polluting station) on the site being moved from Phase 2 to Phase 3. As such the noise presently associated with this de-polluting station and the handstripping of cars will be moved further away from some of the near by properties.

The position of the existing crusher on site will not change. This crusher has built in acoustic attenuation. Bearing in mind that some of the noisier dismantling operations on Phase 2 of the site are being moved to Phase 3, the noise level associated with Phase 3 is not going to be significant and overall will not lead to a further deterioration in the amenity of nearby residents. The moving of activity from Phase 2 to Phase 3 should in fact lead to a reduction in noise transmission to some near by properties.

In terms of the other ancillary uses on the site there is an existing tyre changing service which the applicant's point out was already part of the business profile of the original car breakers yard but has moved from the former Brantwood Road entrance to the Willoughby Lane entrance (as part of the Phase 1 development). In terms of part of the site being used as a car pound by Transport for London(TFL), the applicant's have a contract with TFL which would be considered ancillary to the 'End of Life Vehicles' use of this site.

Condition 4 of HGY/2005/0918 restricts the hours of operation of the car breakers yard (not before 0800 or after 1800 hours on Monday to Friday, and not before 0800 or after 1500 hours on Saturdays and not at all on Sundays or Bank Holidays); while condition 5 of the same consent restricts the hours of operation of the car press (not to be operated before 0900 or after 1700 hours Monday to Friday and not at all on Saturdays, Sundays or Bank Holidays).

The creation of a customer car park will help to prevent unauthorised car parking and congestion in the immediate vicinity of the site.

The proposed development is considered to be in accordance with policy EMP6 which seeks to site such uses within Defined Employment Areas and with Policy ENV7 which requires development that may cause pollutants to be located in Defined Employment Area.

## **SUMMARY AND CONCLUSION**

The existing use on site is long established and provides important benefits in terms of recycling and reuse of end-of-life vehicles. Bearing in mind the existing pattern of activity/ operations on site, it is considered that the proposed change of use of this adjoining offices and warehouse/factory site and the changes to the layout of the use, which will result in some of the noisier dismantling operations on the site being moving to this new part of the site, the proposal will not have an additional adverse impact on the amenity of surrounding occupiers by reason of noise, smell or other nuisance. As such the proposal is considered to be in accordance with Policies UD4 'Quality Design', ENV6 'Noise Pollution', ENV7 'Air, Water and Light Pollution', ENV13 'Sustainable Waste Management', EMP3 'Defined Employment Areas' and EMP6 'Car Repairs, Workshops, Garages and Car Washes' of the adopted Haringey Unitary Development Plan (2006) and Supplementary Planning Guidance SPG11 'Car Repair Workshops and Garages'. Given the above this application is recommended for APPROVAL.

## **RECOMMENDATION**

GRANT PERMISSION subject to conditions

Registered No. HGY/2008/1344

Applicant's drawing No.(s) 5951-03 rev D & 04 rev C.

Subject to the following condition(s)

1. The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.

2. The development hereby authorised shall be carried out in complete accordance with the plans and specifications submitted to, and approved in writing by the Local Planning Authority.

Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.

3. The construction of the surface water and foul drainage system shall be carried out in accordance with details to and approved by the Planning Authority before the development commences

Reason: To prevent pollution of the water environment.

4. The construction of storage facilities for oils, fuels, or chemicals shall be carried out in accordance with details submitted to and approved in writing to the Local Planning Authority before development is commenced.

Reason: To prevent pollution of the water environment.

5. All work associated with the landscaping shall be carried out before the end of the first planting and seeding season following completion of the development.

Any trees which within a period of 5 years of its planting either dies, becomes seriously diseased, damaged or removed shall be replaced in the next planting season with another of similar size.

Reason: To ensure a satisfactory appearance to the development.

6. The car parking spaces shown on the approved drawing (5951-03 Rev D) shall be provided prior to the commencement of the use of the site as a working area for the dismantling of vehicles/ de-pollution facility and shall not be used other than the parking of employee and customer vehicles in connection with the development hereby permitted.

Reason: In the interests of road safety and the free flow of traffic.

7. Within 3 months of the completion of this development the site area denoted as Phase 2 shall cease to be used as a working area for the dismantling of vehicles and a de-pollution facility and shall be reinstated in accordance with details approved in writing by the Local Planning Authority.

Reason: To protect the amenities of the area.

8. No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days unless previously approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of nearby residential properties

INFORMATIVE: This consent shall be read in conjunction with the consent for the Brantwood Auto Breakers site, planning reference HGY/2005/0918; in particular Condition 4 of this permission regarding hours of operation.

INFORMATIVE: This permission is granted without prejudice to the necessity to obtaining consent under the Town & Country Planning (Control Of Advertisements) Regulations 1989.

## REASONS FOR APPROVAL

The existing use on site is long established and provides important benefits in terms of recycling and reuse of end-of-life vehicles. Bearing in mind the existing pattern of activity/ operations on site, it is considered that the proposed change of use of this adjoining offices and warehouse/factory site and the changes to the layout of the use, which will result in some of the noisier dismantling operations on the site being moving to this new part of the site, the proposal will not have an additional adverse impact on the amenity of surrounding occupiers by reason of noise, smell or other nuisance. As such the proposal is considered to be in accordance with Policies UD4 'Quality Design', ENV6 'Noise Pollution', ENV7 'Air, Water and Light Pollution', ENV13 'Sustainable Waste Management', EMP3 'Defined Employment Areas' and EMP6 'Car Repairs, Workshops, Garages and Car Washes' of the adopted Haringey Unitary Development Plan (2006) and Supplementary Planning Guidance SPG11 'Car Repair Workshops and Garages'.