



# Nathaniel Lichfield and Partners

Planning Design Economics

## **SUMMARY**

### **PROOF OF EVIDENCE OF DAVID GURLER**

**(BA Hons BPI DipSurv MRTPI)**

**LOCAL AUTHORITY REFERENCE: HGY/2005/0007**

**APPEAL REFERENCE: APP/5420/A/05/1189822**

#### **APPEAL SCHEME:**

The erection of a concrete batching plant with associated hoppers, conveyors and ancillary facilities

#### **APPEAL SITE:**

Ferne Park Depot, Cranford Way,  
London, N8 9DG

20 November 2005

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## **1.0 QUALIFICATIONS AND EXPERIENCE**

1.1 My name is David Gurtler. I am an Associate Director at Nathaniel Lichfield and Partners. I have been a member of the Royal Town Planning Institute since 1989. I have extensive experience of development proposals having worked both for local government and the private sector. I have been involved in major projects including, BAA's Terminal 5 development and BA's corporate headquarters at Waterside. Nathaniel Lichfield and Partners was requested by the London Borough of Haringey to represent them at the Public Inquiry due to the pressure of the workload on the Head of Development Control West.

## **2.0 INTRODUCTION AND SCOPE OF EVIDENCE**

- 2.1 My main proof of evidence outlines the details associated with the planning application and subsequent appeal against non-determination by London Concrete Ltd. My evidence sets out the three proposed reasons for refusal of the Planning Applications Sub Committee, though my main proof only covers the first two reasons, since the third reason is considered in the proof of evidence from Dani Fiumicelli of Capita Symonds.
- 2.2 In my main proof I seek to demonstrate that there will be a net loss of employment from the Cranford Way Industrial Estate, a Defined Employment Area (DEA), as a result of the proposal.
- 2.3 My evidence also considers the detrimental impact upon the amenities of adjoining residential occupiers arising from the increase and nature of the heavy goods vehicles that will be associated with the proposed development.

### **3.0 KEY PLANNING POLICY ISSUES**

- 3.1 The national, regional and local policy background is set out in my main proof of evidence, as it pertains to the amenity and employment policies referred to in the Planning Applications Sub Committee proposed reasons for refusal. The Unitary Development Plan (UDP) was adopted in 1998. The Revised Deposit Draft UDP (RDDUDP) (September 2004), adopted for development control purposes, has been through a public inquiry and awaits the outcome of the Inspector's report. As such it is a material consideration to which significant weight can be attached.
- 3.2 The emphasis of national, regional and local policies is to tackle deprivation and unemployment and achieve high and stable levels of employment through sustainable methods that are compatible with environmental objectives (protecting, maintaining and improving environmental quality and the amenity of adjoining occupiers).

#### 4.0 EMPLOYMENT REASON FOR REFUSAL

4.1 In considering the employment issues, my proof of evidence sets out the individual components of the Planning Applications Sub Committee second reason for refusal. These are summarised below.

##### **Additional Traffic**

4.2 The Transport Assessment submitted by the appellants' consultants, Bellamy Roberts, indicated that there would be 56 HGV movements per day. This would equate to a 38% increase in HGV movements on the southern part of Cranford Way. Bellamy Roberts predict a total of 76 movements generated by the site each day, equating to a 52% increase in the traffic on this stretch of Cranford Way. Guidelines issued by the Institute of Environmental Management and Assessment indicate that further assessment may be required where increases in traffic flow exceed 30%.

4.3 My proof of evidence includes details of the average number of deliveries for concrete mixer trucks in Greater London as well as those that could be achieved in favourable conditions (summarised in Table 1 below). The increase in HGV movements if these figures are applied equates to 51% and 65% respectively.

<b>TABLE 1</b>	Number of lorries proposed on site	Number of trips per day	Total concrete lorry movements
Bellamy Roberts figures	5	5	50
Greater London average	5	7	70
Favourable conditions	5	10	100

##### **Nature of the DEA**

4.4 Cranford Way is designated as an Industrial Location DEA in the RDDUDP. The site comprises predominantly light industrial, storage/warehousing and ancillary offices.

4.5 Although the RDDUDP indicates that class B2 may be appropriate in Industrial Location DEAs, it recognises general industry could have a detrimental impact on the amenity of neighbouring uses and the environment. With a surplus of industrial land

identified in the Mayor's Draft Strategic Planning Guidance on Industrial Capacity (2003) for the North London Sub Region, the Council considers other sites may be more appropriate for this general industrial use, and that class B2 uses within this DEA would not be appropriate.

### **Discourage Businesses Locating**

- 4.6 My proof of evidence indicates that at the time of the submission of the first planning application in January 2004, all the units on Cranford Way were occupied. Subsequent to the submission of the first application, units 10 and 11 became vacant, and more recently the cold store at unit 15, Tottenham Lane has closed.
- 4.7 Although the closures may not be directly related to the proposed batching plant, letting agents for units 10 and 11 have indicated that it has been difficult to let the units in the past 18 months, with a number of potential occupiers citing the possibility of a batching plant as a reason for not pursuing a lease on the premises.
- 4.8 Within Cranford Way a number of occupiers have written to the Local Planning Authority, outlining their objections to the proposed batching plant. Their objections include the nature of the traffic generated and the associated dust from the concrete mixer trucks. Details were provided within Appendix 3 of my main proof.

### **Lead to Occupiers Moving Out**

- 4.9 Within the DEA the occupiers of units 9 (Tradewinds), 20 (Seltex), 15 Tottenham Lane (Botswana Meat Commission) and 15A Tottenham Lane (Action for Kids) have indicated that they consider the proposal would adversely affect their businesses as a result of the additional traffic and associated dust.
- 4.10 Tradewinds specifically state that they are actively looking to relocate as a direct consequence of the proposal, whilst Action for Kids stated that they may relocate due to the adverse environmental consequences of additional traffic and associated dust. Tradewinds also state that their agents have been unable to find other occupiers to take over their lease due to the potential for a batching plant locating in the DEA.
- 4.11 The implication for this DEA is that there would be a loss of jobs, with units remaining empty and being difficult to let.

### **Net Reduction of Jobs**

- 4.12 The proposed batching plant will only generate eight jobs on the site. If Tradewinds, leave there would be a net loss of 15 jobs in the DEA. Since the first application, units 10 and 11 have remained vacant (potential for 50-60 jobs) and the Botswana Meat Commission has closed its cold store and will close the associated offices (loss of 38 jobs).
- 4.13 If the appeal is allowed and Action for Kids finds that the increased number of HGVs and the associated dust adversely affects their activities with disabled children, then a further 50 jobs could be lost. The Council consider this net reduction in jobs to be unacceptable given the high unemployment levels within the Borough.

### **Employment Situation and Planning Policies**

- 4.14 My main proof states that the proposed development is contrary to policies within the adopted UDP and RDDUDP, and does not accord with Government guidance, notably PPG4, since it will neither provide economic growth nor make environmental good sense.
- 4.15 The high level of unemployment in Haringey was outlined, with the Borough being one of five London Boroughs (including Barking & Dagenham, Hackney, Newham, and Tower Hamlets), and only eight authorities nationally, where employment rates are below the already low European average of 63.3%. The unemployment level at 7.5% of the labour force, is considerably higher than the rate for London (4.5%) and is over twice as high as the rate for Great Britain (3.2%). The Borough includes six wards which are in the top 13 most deprived wards in the country, and also has significant problems of long-term unemployment.
- 4.16 The need to protect employment within the Borough is therefore a very high priority for the Council, recognised in the Council's Community Strategy (the overarching plan for the Borough) as well as within the UDP and RDDUDP.

## **5.0 AMENITY REASON FOR REFUSAL**

### **Introduction**

- 5.1 My proof of evidence also breaks down the first reason of the Planning Applications Sub Committee reason for refusal into sections, summarised below.

### **Additional Lorry Movements**

- 5.2 Based on the 56 HGV movements predicted, the appellants' traffic consultants, Bellamy Roberts, indicate that the increase in the volume of traffic on Tottenham Lane would not be significant, and that the junction capacity of Cranford Way could accommodate the additional vehicle movements. As has been noted in the previous section, if the Greater London average or favourable conditions occur, the number of HGV movements could be significantly greater at 70-100 mixer truck movements per day, which when the other vehicle movements are added could be 96-126 movements per day. Bellamy Roberts record 331 HGVs on Tottenham Lane in their 12 hour day, thus the potential increase in HGV movements would equate to between 23% and 32%.
- 5.3 My proof of evidence described the existing situation for residents on Tottenham Lane and Church Lane who already experience harm to their amenities in the form of noise and general disturbance from the heavy traffic using the one way system. With the additional concrete mixer trucks exiting Cranford Way, climbing the hill in Tottenham Lane and passing within 6-10m of their front windows, the amenities of residents and pedestrians in these roads would be disturbed further.
- 5.4 The nature of concrete deliveries is that there are peaks and troughs, with climatic conditions also playing a role. From experience and observation, it is likely that the five concrete mixer trucks will leave the site within the first 45 minutes, causing disturbance to residents at this relatively peaceful time of day. As the day progresses the arrival and departure times of vehicles will become more staggered, though there will be periods when a number arrive and leave in close proximity. If the weather has been inclement, then concrete pours may have halted, consequently when conditions improve there is often a surge in demand, with the site becoming more congested and residents likely to experience more disturbance within a short time period.

5.5 Invariably concrete mixer trucks track out concrete residue, dust and grit. Reference to a former appeal in Wandsworth showed that “even small increases in current HGV traffic flows would have a significant cumulative effect on the living conditions of residents.”<sup>1</sup>

### **Disturbance to Residents Amenities**

5.6 My proof of evidence noted that Cranford Way Industrial Estate is predominantly occupied by light industrial (class B1) or warehouse/distribution (class B8). Class B1 comprises offices, research and development and any industrial process which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. Change of use from either class B1 or B8 to general industry (class B2) would require planning permission. With the proximity of residential properties in Uplands Road, Rathcoole Avenue, Rathcoole Gardens, Tottenham Lane and Church Lane, the LPA would consider the impact on the amenities of occupiers of these residential premises as a material consideration.

5.7 I believe that the sustained and vociferous opposition from local residents and businesses to the proposed batching plant (including petitions with over 2000 signatures, 115 individual letters of objection to the application as well as 155 to the first application) is an indicator that the impact on the amenities of the area will be unacceptable.

5.8 The baseline levels of dust are already likely to be elevated due to the presence of busy urban roads and the Cranford Way Industrial Estate, whilst the mixer trucks are likely to exacerbate the situation further through deposits of gritty particles, aggregate and concrete slurry on the adjoining roads.

5.9 With the high levels of traffic in the one way system at Tottenham Lane and Church Lane, the additional HGVs will add to congestion. The heavy loads, together with the nature of the load, could increase the amount of noise, dust and fumes in this already polluted area.

5.10 Although it may not be possible to quantify these impacts upon the amenities of residents in the area, in terms of either air pollution or noise standards, the impacts

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<sup>1</sup> Planning Inspectorate Ref: T/APP/H5960/A/02/1084148 paragraph 17  
LON2005\R10442-03 (Summary Proof of Evidence)(Final)

need to be considered as part of the overall picture of general disturbance to the occupiers of the adjoining and neighbouring residential areas.

- 5.11 My proof of evidence also recognises that the southern part of Cranford Way is heavily used and can become blocked or congested. With tight delivery schedules, it is probable that the concrete mixer trucks will use the 'western loop' of Cranford Way, running along the back gardens of nos. 2-94 Uplands Road. Given that these properties have only small gardens, and some of them (nos. 76-94) are situated below the level of Cranford Way, the passage of concrete mixer trucks along the 'western loop' will inevitably result in a significant loss of amenity to the occupiers of these residential properties.

## **6.0 SUMMARY AND CONCLUSIONS**

- 6.1 The appellants have stressed the suitability of the site in terms of being served by a railhead and being located partially within a DEA. However, I believe that the overriding concerns about the proposed development in terms of the overall impact upon the amenities of occupiers of the estate, surrounding residential areas and employment within the DEA, have not been overcome.
- 6.2 I consider that these other material considerations, namely: the adverse impact upon the existing and potential occupiers of the Cranford Way Industrial Estate; the net loss of employment; the detriment to amenities of residential occupiers in the area (particularly Uplands Road, Tottenham Lane and Church Lane) and the noise implications (covered in the proof of evidence of Dani Fiumicelli), far outweigh the advantages of a batching plant being introduced into the area.
- 6.3 I therefore urge the Inspector to dismiss the appeal.
- 6.4 Should the Inspector be minded to allow the appeal, I consider that the permission should be subject to conditions which will be necessary in order to ensure that the amenity of the adjoining businesses and residential occupiers is not significantly harmed as a result of the proposed development.