

Our Ref: 22248/MM/TH/JH
Your Ref: PP-11338299
Email: thumphries@firstplan.co.uk
Date: 22 July 2022

Planning Department
London Borough of Haringey Council
Level 6, River Park House
225 High Road,
Wood Green
London
N22 8HQ

Dear Sir/Madam,

PLANNING APPLICATION FOR CONTINUED TEMPORARY USE OF SITE AS A COMMERCIAL KITCHEN FACILITY WITH DELIVERY, CONSISTING OF 8NO. COMMERCIAL KITCHEN UNITS AND 5NO. ANCILLARY UNITS AT UNIT 21, CRANFORD WAY, HORNSEY, LONDON, N8 9DG

We are instructed by our client, Roofoods Ltd (T/a Deliveroo Editions), to submit the enclosed planning application for the above address. The proposed works relate to the temporary use of the site as a commercial kitchen facility with delivery for a period of 5 years. The application has been submitted via the planning portal under reference PP-11338299.

The use of the Site as a commercial kitchen facility with delivery currently benefits from temporary planning permission, which is due to expire on 19.12.2022 (ref: HGY/2017/3207). The site has operated without issue since this consent and this application seeks to extend the period of operation to ensure the continued operation of the site.

According with national and local validation requirements, the application is supported by the following documents:

- Completed Application Forms incl Certificate B;
- Completed CIL Form 1;
- Site Location Plan (ref: PL01);
- Pre-Existing Plan (ref: PL-03a)
- Existing Plans (refs: PL02a & PL04a)
- Elevations (refs: PL05a, PL06a & PL07a)
- Noise Impact Assessment, prepared by Sharps Redmore; and
- Transport Statement, prepared by Transport Planning Associates.

The requisite fee of £2,310 has been paid online via the planning portal, together with the £32.20 admin fee.

Permission is sought for a temporary consent. Part 5, Paragraph 40(11) of The Community Infrastructure Levy Regulations 2010 confirms that when calculating CIL, the definition of 'building' in the regulations does not include (inter alia) *"a building for which planning permission was granted for a limited period"*. Accordingly, it is considered that a CIL payment is not required in this instance.

Background Information

The site comprises a triangular shaped former industrial yard located to the south of Tottenham Lane in Crouch End, Hornsey. Prior to Deliveroo's occupation in 2017 it consisted of a vacant area of hardstanding bounded by perimeter walls. It is situated directly to the rear of two industrial units fronting Tottenham Lane, identified as Nos. 17-21 and 23-25 Tottenham Lane.

The site is accessed from a non-designated access road off Tottenham Lane for which Deliveroo have a right of access. The road borders the site to the south and east and provides access to the site itself via two double gated entrances.

To the east of the site is Cranford Way, on the other side of which there is a large storage warehouse and the railway south of Hornsey Train Station beyond. To the south is a further warehouse building and to the west is an electricity substation. The site is therefore situated within an established industrial area with all neighbouring properties understood to be within business and industrial uses.



Figure 1. Aerial view of site

The closest residential properties are located circa 60 metres to the north, on the northern side of Tottenham Lane (across the road), and circa 60 metres to the west, on the eastern side of Rathcoole Avenue and screened from the site by neighbouring development.

Planning History

An application (ref: HGY/2006/0722) was granted in August 2006 for the *“Erection of 4 storey building comprising manufacturing warehouse for joinery at upper ground and first floor levels, offices and meeting rooms at 2nd and 3rd floor levels and parking in basement.”* An application (ref: HGY/2006/1917) to discharge conditions 8, 13 and 14 of this application was later withdrawn meaning the permission has lapsed.

More recently an application (ref. HGY/2017/3207) was granted in 2017 for the:

“Installation of 10no. commercial kitchen units and 3no. ancillary units to form a commercial kitchen facility (use class B1c) for a temporary period of five years.”

In coming to this decision, the case officer was of the view that due to the nature and scale of the proposed use, it was considered to comprise an industrialised food preparation and dispatch / sale activity, and would fall within a B1(c) use class accordingly. The case officer went on to consider that there would not be a detrimental impact on the amenity of the surrounding area, with the use operating reduced hours until 2300 daily.

A number of conditions were attached to the decision notice. This included a restriction on the use for up to 5 years (Condition 1) and a limit on the operating hours to 0900 – 2300 daily (Condition 3). A requirement for the use of the commercial kitchen units within Class B1c only was also attached (Condition 5) and the details of the ventilation system (Condition 4) were approved by the council under ref: HGY/2018/0553.

The site plan, as approved under this consent, is shown at figure 1 below.

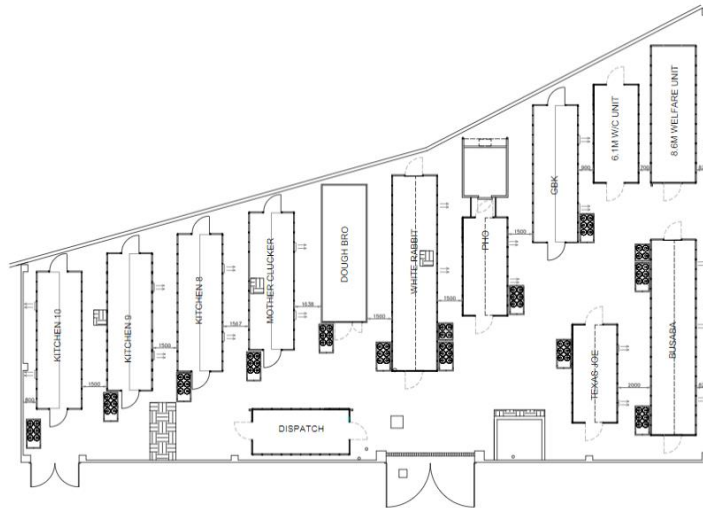


Figure 1. Approved site plan under ref: HGY/2017/3207

Retrospective permission was granted in May 2022 (ref: HGY/2022/0696) for the location of two containers to be used as commercial kitchens on the land adjacent to Access Self Storage for a temporary period of 5 years.

Application Proposals

This application seeks the continued use of the Site as a commercial kitchen facility (Use Class E(g)(iii)) and retention of external kitchen and storage units to facilitate that use. The works proposed represent a renewal of the works approved under ref: HGY/2017/3207. Since this consent the applicant has successfully operated the site however a renewal of the application is required in the light of the existing consent expiring in December 2022.

The proposals are detailed within the architectural drawings prepared by LBF Architects which should be read in conjunction with this supporting planning statement. The application is further supported by technical reports relating to noise and transport.

The description of the proposed development is as follows:

“Continued use of site as a commercial kitchen facility (Class Eg(iii)) consisting of 8no. commercial kitchen units and 5no. ancillary units for a temporary period of five years”

The layout of the site is shown on drawing ref: 2022-053-PL04. The site accommodates 8 micro-kitchen pods, each of which is independent but shares a number of services including storage, W/Cs, general welfare and a dedicated dispatch unit where food from all of the restaurants in occupation is collected by the riders. The use will result in no increase in floorarea to that previously approved (331sqm) although the number of pods leased to the kitchen operators has been reduced from that previously approved, with the remaining 2 pods used for additional storage.

Details of the kitchen units are provided on drawing ref: 2022-053-PL07a. The ventilation system, details of which were approved by the council under ref: HGY/2018/0553, have not changed with each unit supplied internally with a full-length extraction canopy and ventilation louvres on the side elevation to facilitate the kitchen operation.

The operating hours proposed as part of this application will remain as previously approved, between 0900 and 2300 daily. Food is cooked within the kitchen units to order and Delivery riders collect the items to deliver to the customer. There is no public access to the kitchens and no direct sales or orders take place from site – it is all via the Deliveroo website/app.

The on-site Deliveroo Editions team provides a dispatch service and are responsible for managing the interaction between restaurants and riders. In addition, the on-site team are responsible for managing the shared areas and ensuring that everyone on-site complies with the Site rules and regulations. Deliveroo is also responsible for all site maintenance.

Each restaurant partner operating from the Site is separately registered as a food business with the local authority, in addition to the Deliveroo Editions central operation. Partners will not be allowed to trade if they score a Food Hygiene rating of 3 stars or less (unless they are awaiting inspection).

Deliveroo riders principally use a mix of pedal cycles and motorised scooters, with sufficient parking provided onsite. The catchment area for deliveries from the application site is typically 2.5km, and the maximum riding time for the delivery riders to take the food order from the site to the customer is 15 minutes. When not in use during operational hours, bikes and scooters are taken away from the unit by the riders. There is no storage of bikes overnight.

Relevant Planning Policy

The statutory development plan consists of Haringey's Strategic Policies DPD (2017), Development Management DPD (2017), Site Allocations DPD (2017) and London Plan (2021). The National Planning Policy Framework (NPPF) (2021) is also a material consideration.

National Planning Policy Framework (NPPF) (2021)

The NPPF sets out the overarching planning framework for England. It states that the purpose of the planning system is to contribute to the achievement of sustainable development.

Paragraph 38 sets out that Local Planning Authorities should approach decisions in both a positive and creative manner and that they should work with applicants to secure development that will work to improve the economic, social and environmental conditions of an area, thereby setting the precedent that applications for sustainable development should be approved wherever possible.

Paragraph 81 states that:

“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.”

Section 11 provides guidance on making effective use of land, with **Paragraph 120** stating that planning policies and decisions should encourage multiple benefits from urban land and give substantial weight to the use of suitable brownfield land.

The London Plan (2021)

The London Plan is integrated policy framework which sets out the Mayor's strategies into spatial development targets.

Policy GG1 identifies the need to help deliver strong and inclusive communities within which a wide range of economic and other opportunities continue to be supported. **Policy GG2** goes on to emphasise the need to make the best use of land whilst also maximising the development potential of sites. **Policy GG3** sets out a focus on creating a healthy city by promoting active and healthy lifestyles and improving London's air quality.

Policy GG5 relates to growing a good economy and identifies the need to plan for sufficient employment and industrial space in the right locations to support economic development.

Design principles are provided at **Policy D4**, with **Policy D5** requiring development to achieve the highest standards of accessible and inclusive design. **Policy D8** supports development proposals which ensure that the public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain. Landscaping and surface materials should be of a good quality.

Policy E2 sets out that low-cost business space should be supported to meet the needs of micro, small and medium sized enterprises and to support firms wishing to 'start up' or expand. **Policy E4** goes on to place 'last mile' distribution on equal footing with other industrial uses. The supporting paragraph to this policy supports this by recognising that London depends on a wide range of industrial, logistics and related uses (including food and drink preparation) that are essential to the functioning of the economy, for servicing the needs of its growing population as well as contributing towards employment opportunities for London.

Policy T4 identifies the need to consider the impact of development on the local transport network and be supported by a Transport Assessment where relevant. **Policy T5** goes on to require sufficient cycle parking is provided in accordance with Table 10.2 with **Policy T6** identifying the need for car parking to be restricted in line with levels of existing and future public transport accessibility and connectivity. **Policy T7** relates to servicing and requires development to facilitate safe, clean and efficient deliveries and servicing, with deliveries managed to be received outside of peak hours.

Strategic Policies DPD (2013 consolidated with alterations since 2017)

Policy SP0 confirms the council will take a positive approach that reflects the presumption in favour of sustainable development.

Policy SP8 states that the council will protect existing locally significant industrial sites and local employment areas whilst supporting business that need employment land and space. In respect to the Cranford Way LSIS, the policy confirms that the area is protected for "*a range of industrial uses (B1 (b), (c), B2 and B8) where they continue to meet demand and the needs of modern industry and business*".

Policy SP11 confirms that all new development should incorporate high quality design that respects its local context and character.

Development Management DPD (July 2017)

Policy DM1 requires all development to achieve a high standard of design whilst contributing to the distinctive character and amenity of the local area. Development should relate positively to their locality in terms of height and scale.

Policy DM2 requires development to be designed so that it can be used safely, easily and with dignity by all.

Policy DM4 confirms that all proposals should incorporate on-site provision for waste.

Policy DM23 refers to environmental protection. In respect to air quality, proposals should be designed to improve or mitigate the impact on air quality. In terms of noise, proposals for potentially noisy development must suitably demonstrate measures to mitigate its impact.

Policy DM31 sets out that the council will require that developments with high trip generating characteristics will be located where public transport accessibility is high and that a transport statement is provided where necessary. **Policy DM32** relates to parking and sets out that development proposals will be assessed against the car parking and cycle parking standards set out in the London Plan.

Policy DM37 requires development to maximise the use of employment land and floorspace. Proposals for the intensification, renewal and modernisation of employment land and floorspace will be supported where the development is of a suitable use, is designed to allow for future flexibility, makes adequate provision for on-site servicing and makes a demonstrable improvement in the use of the site for employment services; including the quality and density of jobs to be accommodated and contribution to economic objectives and outcomes set in the local plan.

Site Allocations DPD (July 2017)

Policy SA2 and the accompanying Table 1 / Figure 1.3 confirms that the site is located within a locally significant industrial site.

Planning assessment

The key planning considerations associated with the proposal are considered to be as follows:

- The principle of the development;
- Amenity considerations;
- Transport and highways; and
- Design considerations.

When assessing the proposed development it is important to note that there is a live consent for the proposed operation, approved under ref: HGY/2017/3207. The acceptability of the works in this location has therefore already been confirmed by the council, with this application solely seeking to renew the current consent to allow the continued use of the site by the applicant beyond the expiry date of 16.12.22.

Principle of the proposed development

Policies GG1, GG2 and GG5 of the London Plan identify the need to deliver strong and inclusive communities and maximise the development potential of sites. With regards to the economy, this includes planning for sufficient employment and industrial space within the right locations. Policy E2 goes on to promote support for micro, small and medium sized business. At a local level Policy SP8 sets out that the Cranford Way LSIS is protected for a wide range of industrial and business uses, with Policy DM37 setting out that proposals for

the intensification, renewal and modernisation of employment land will be supported where the development is of a suitable use for the location.

The application proposal seeks to continue the use of the land to site 13no. mobile units (8no. kitchen units and 5 back-of-house units hosting the dispatch, storage, rider welfare and W/C facilities). The layout of these units will remain the same as that approved under ref: HGY/2017/3207.

The site is located within a designated LSIS and the proposal will continue to support a complementary, active, employment generating use on a previously vacant brownfield site. Accordingly it continues to represent a very sustainable form of development, which is supported at all levels of planning policy. Indeed, the proposed development has resulted in a significant investment by Deliveroo and supports circa 26 local jobs together with a local service for nearby residents and workers. There are therefore clear economic benefits to the scheme.

It is still the intention of the landlord to redevelop the site at a future date. The proposal will therefore ensure that the site remains as an important contributor to the local economy whilst not prejudicing any future redevelopment proposals that come forward. Notwithstanding this, the site benefits from an existing industrial use and the proposed development is therefore a compatible light industrial use within Use Class Eg(iii). Indeed, as set out in Local Policy SP8 the area is protected for industrial and commercial use. The proposal to utilise this industrial site for a modern and innovative industrial use is therefore supported by this.

There will continue to be no public access to the units and the kitchens will only serve takeaway demand generated via the Deliveroo app. Accordingly, the concept will not discourage customers wishing to visit 'sit down' restaurants or draw trade away from takeaway units in town centre locations where people purchase hot food as part of a 'linked trips' with other shopping or leisure facilities or on their way to and from their place of work.

Given the above and the fact that the use is for a temporary period of five years, it is considered that the development is acceptable in terms of land use policy.

Amenity considerations

Local Policy DM23 directs that development must not have a detrimental impact on the amenity of surrounding residential properties. In this regard the nearest residential dwellings are understood to be those situated circa 60m to the north and screened from view via neighbouring development. Given the nature of the proposed use, the key amenity matters are considered to be regarding noise and odour.

When considering the impact of the operation on neighbouring amenity, it is important to note that the site comprises of an existing industrial yard surrounding on all sides by non-sensitive commercial and industrial uses and the site has been in use for the proposed use following temporary consent in 2017 since when no complaints have been received. Furthermore, there is already considerable background noise associated with the adjacent railway just south of Hornsey Train Station and associated with the various industrial uses at Cranford Way, which includes a builders merchants, Joinery warehouse and self-storage depots.

Odour

Each kitchen unit is fitted with ventilation louvres in order to enable them to be used as kitchens. Given the size and form of the units, a low-level extract is the only available option. Accordingly, odour mitigation measures have been installed to ensure that there is no impact on local amenity. The system used is the same as that approved under ref: HGY/2018/0553 and should therefore continue to be considered appropriate.

Noise

In addition to the odour mitigation, noise abatement measures are also installed onsite. As part of this application a new noise assessment has been carried out by Sharps Redmore to determine whether the use continues to be acceptable in this regard. They have concluded that:

“The noise impact from the proposed plant has been predicted at the nearest noise sensitive receptors to the site and assessed against the typical requirements of the London Borough of Haringey.

The predictions demonstrate that cumulative noise from the proposed plant should be acceptable to the London Borough of Haringey Council at all nearby receptors and at all times, without the need of mitigation measures.

Predicted noise from the delivery scooters are ‘low impact’ according to BS 4142:2014 and will not increase the internal noise levels within the nearest dwelling.

Therefore, noise from the proposals should not be a reason for refusal of planning permission.”

Summary

In the light of the above, it is concluded that the proposed development has not caused a detrimental impact to the surrounding area in terms of noise or odour, in accordance with Policy DM23. It should therefore be considered entirely acceptable in this regard.

Highways considerations

In highways terms, the site is accessed from a gated access road off Tottenham Lane to the north which runs parallel with Cranford Way. Access to the site itself is via two gated entrances on the western side of the access road. Both the road and site entrances are considered entirely suitable for the proposed operation and acceptable in terms of highway safety in accordance with Policies T4 and DM31. Sufficient parking is also provided onsite in line with London Plan standards.

The site has been operational since the original consent in 2017, during the review of which the council considered the use to be appropriate. To confirm its continued acceptability, a supplementary technical note has been provided by TPA. This concludes that:

“The development proposals are considered to be suitable for the site / location and not have any material detrimental impacts upon the highway network or its users, therefore there are considered to be no highways based reasons for refusal of the application.”

Design considerations

There is a clear requirement in local and London-wide policy that development should achieve the highest standards of design whilst contributing to the distinctive character and amenity of the local area.

The principle of the design of the works has already been considered acceptable by the council in the determination of planning ref: HGY/2017/3207. No alterations to this are proposed. Nonetheless consideration has been given to the design of the proposed works in the context of the latest planning policy.

The proposed kitchen pods have been purpose built and of a contemporary design. They are non-permanent structures and are located in a yard that is located within a designated industrial location surrounded by industrial and commercial premises.

Furthermore, the site is screened from the nearest residential properties, which are identified as those along Tottenham Lane, and is not in the setting of a listed building or conservation area.

Given the above the proposal is considered to continue to conform to the character of the area and will not adversely affect any neighbouring uses. It should therefore be considered acceptable in terms of Policies D4, D5 and SP11.

Summary and conclusions

This application seeks a renewed temporary consent for the use of the site as a commercial kitchen with delivery, facilitated through the use of temporary units installed onsite. The works proposed reflect those previously approved by the council under planning ref: HGY/2017/3207.

The proposed development has clear planning benefits, supporting a number of jobs in an easily accessible location and ensuring the continued use of the site to provide a service to local residents. Furthermore, the operation is sensitively designed to protect the amenity of the surrounding area, as is reflected by the findings of the technical reports submitted with this application. Accordingly, the proposals continue to be consistent with national, regional and local planning guidance.

In the light of the above, the application proposals are consistent with all of the relevant planning policies and guidance at national, regional and local planning levels. The application should, therefore, be considered acceptable by the council.

I trust that you have sufficient information in order to validate the application, however should you have any queries then do not hesitate to contact me. Otherwise, I look forward to discussing the application proposals with you in due course.

Yours Sincerely



TIM HUMPHRIES
Associate