

RECEIVED: 16 May, 2006

WARD: Wembley Central

PLANNING AREA: Wembley Consultative Forum

LOCATION: Post Office, 200 Ealing Road, Wembley, HA0 4QG

PROPOSAL: Erection of flat-roofed, single-storey rear extension to provide storage area for retail shop with provision for 1 off-street rear parking/servicing space and space for refuse-bin storage (as amended by revised plans received on 28/07/2006)

APPLICANT: Mr R. Morjaria

CONTACT: Mandac Ltd

PLAN NO'S: 05/018A – Existing and Proposed Floor and Elevation and Block Plan received on 28/07/2006.

RECOMMENDATION

Approval

EXISTING

The proposal relates to a ground-floor confectionary/stationary shop with a post office counter situated on the west side of Ealing Road (London Distributor Road) located within the primary shopping frontage of Ealing Road Town Centre. The shop currently has a two-storey flat roof rear extension and an open rear yard. The first floor of the property above the shop is being used as a flat. The shop is also served by a rear service road with a vehicular access from Bowrons Avenue.

It should be noted that last year an enforcement notice was served on the premises in respect of erection of unauthorised single-storey rear canopy type structure which was being used for storage of fruit and vegetables in connection with neighbouring retail shop at No.194 Ealing Road. The unauthorised rear structure has now been removed from the property and therefore part of the Enforcement Notice requiring the removal of this unauthorised structure has been complied with. The resulting rear yard, however, still appears to be used for open storage of food and crates in connection with No. 194 and 196 Ealing Road which has now merged into one fruit and vegetable shop. Therefore part of the enforcement notice to cease the storage of food in connection with these neighbouring shops has not been complied with. This breach of the enforcement notice is being pursued separately from this application. However, it should be noted that if this application for erection of a new, smaller-sized rear extension with off-street parking/servicing facility together with provision of an area for storage of waste material, is approved and carried out in accordance with the details contained in this application then such enforcement action will not be necessary.

PROPOSAL

Since its original submission the proposal has been amended. The revised proposal now reduces the depth of the proposed single storey rear extension by 0.5m to increase the length of the proposed rear yard from the originally proposed 5.5m to 6m to allow adequate space for parking, servicing and storage of waste materials for the shop. The plan also indicates an area (3.1m long x 2m wide) for storage of waste materials in the rear yard and the proposed extension in relation to its neighbouring shop unit which was not shown on the original plan.

The revised proposal involves the following:

1. Erection of single storey flat roof rear extension with a width of 6.15m, an average height of 3.1m and depth of 7m on the side of No. 202 and 4.4m on the side of No. 198 Ealing Road. The extension would be used as storage for the existing ground floor shop and the proposed (6m long x 6.35m wide) rear yard would provide car parking, servicing and an area (3.1m long x 2m wide) for storage of waste materials for the shop.

HISTORY

The following planning history is most relevant to the proposal:

22/08/2005 Erection of single storey rear extension to shop to be used as storage by the neighbouring retail shop at No. 194 Ealing Road (as amended by fax received on 22/8/2005 – Refused (ref: 05/1356)

14/4/2005 An Enforcement notice in respect of an unauthorised canopy structure at the rear of the premises and use of this structure for storage of food has been served. The structure has been removed the resulting rear yard is still being used as an open storage of food in connection with No. 194 & 196 Ealing Road.

POLICY CONSIDERATIONS

The following are the principal policy issues that should be considered:

1. Whether the proposed extension in terms of its size, siting and design would be in keeping with the scale, design, character and appearance of the existing and the neighbouring premises.
2. Impact on the amenities of the neighbouring occupiers.
3. Provision for off-street parking, servicing and refuse bin storage.

Policy Context

Brent adopted Unitary Development Plan 2004 Policies

Strategic

STR11 - The quality and character of the Borough's built and natural environment will be protected and enhanced, and proposals which would have a harmful effect on the environment or amenities of the borough will be refused.

STR14 New development will be expected to make a positive contribution to improving the quality of the urban environment of Brent, by being designed with proper consideration of urban design principles relating to townscape, urban structure, the public realm, and architectural quality and sustainability.

Built Environment

BE2 - Design should have regard to the local context, making a positive contribution to the character of the area. Account should be taken of existing landform and natural features, the need to improve the quality of existing urban spaces, materials and townscape features that contribute favourably to the area's character and improvement or variety within an area of poor or uniform character by creating a new area of distinctive quality on suitable sites. Proposals should not cause harm to the character and/or appearance of an area. Application of these criteria should not preclude the sensitive introduction of innovative contemporary designs.

BE3 - Proposals should have regard for the existing urban grain, development patterns and density and should be designed that spaces between and around buildings should be functional and attractive to their users, layout defined by pedestrian circulation, particular emphasis on prominent corner sites, entrance points and creating vistas, respect the form of the street by building to the established line of frontages, unless there is clear urban design justification. Development layouts should also make explicit the movement framework by prioritising movement by foot, cycle and public transport, minimise traffic conflicts between vehicles, pedestrians and cyclists by ensuring clear delineation of routes and unencumbered entrances and circulation and integrate the proposed development with public transport and car parking facilities.

BE9 - New buildings should have an appropriate design solution specific to the site's shape, size, and location and development opportunities. Scale/massing and height should be appropriate to their setting and/or townscape location, respect, whilst not necessarily replicating, the positive local design and landscape characteristics of adjoining development and satisfactorily relate to them, exhibit a consistent and well considered application of principles of a chosen style, have attractive front elevations which address the street at ground level with well proportioned windows and habitable rooms and entrances on the frontage, wherever possible, be laid out to ensure the buildings and spaces are of a scale, design and relationship to promote the amenity of users providing satisfactory sunlight, daylight, privacy and outlook for existing and proposed residents and use high quality and durable materials of compatible or complementary colour/texture to the surrounding area.

Transport

TRN3 - Proposals that cause or worsen an unacceptable environmental impact from traffic will be refused, including where car generation is greater than the parking to be provided on site in accordance with the standards and any resulting on-street parking would cause unacceptable traffic management problems, the development would not be easily and safely accessible to pedestrians and/or cyclists, additional traffic would have unacceptable consequences for access/convenience of pedestrians and/or cyclists, it produces unacceptable road safety problems, the capacity of the highway network is unable to cope with additional traffic without producing unacceptable congestion especially through traffic, there is a significant increase in the number/length of journeys made by private car.

TRN22 – The level of private non-residential parking should be in accordance with the maximum standards. Their application may be varied depending on the level of public transport accessibility and the contribution the development would make to reducing the use of the private car.

TRN34 – The provision of servicing facilities is required in all development to standard and the loss of such facilities will be resisted.

PS7 – Shops – Maximum of 1 parking space up to 400 sq .m gross floor area.

PS17 Servicing - Shops less than 2000sq.m. gross floor area. 1 Transit size bay for every 2 small units and 1 full sized bay per 1000sq. metres for total floor area. Particular attention paid to refuse collection facilities.

Shopping

SH1 – Improvement of attractiveness of shopping centres, including measures to attract appropriate investment, improve accessibility, the range of facilities and environment. Ealing Road is a main District Centre.

SH19 – The Council will use its powers to provide, retain and, where necessary, improve facilities for rear servicing by vehicles of retail and service outlets.

SH22 – Rear extensions to shops should retain adequate space for rear servicing and secure storage for waste materials.

SH32 – The Council, together with local traders, will examine the feasibility of providing public car parking to the rear of Hayes Road. The Council will, subject to the findings, seek to negotiate with the owners of the land and, where necessary, acquire the land to provide parking facilities. Further opportunities to provide public parking and rear servicing will be sought on redevelopment.

CONSULTATION

The following were consulted on the proposal:

- Nos. 1, 1A & 3 Bowrons Avenue, Wembley.
- Nos. 194A, 196, 196A, 198, 198A, 200A, 200B, 202, 202A, 204 and 204A, Ealing Road, Wembley.
- Ealing Road Residents' Association
- Ward Councillors.

In total 2 e-mails (one from No. 204 Ealing Road and one from Councillor Valeria Brown) have been received.

204 Ealing Road – Raises objections on the grounds that they are having lots of problems relating to driving in and out of their property, rubbish accumulating outside and its effect on the environment. The applicant is renting his rear parking space to Fruit Asia and the forklift truck is causing damage to the rear service road.

Councillor Valerie Brown – This application is basically the same as the one that was refused last August, except that it does not state that the extension is to be used by Fruit Asia at 194-196 Ealing Road. It states that “any extension at the rear of properties in Ealing Road should make proper provision for the parking of vans, to enable them to unload, and to relieve the congestion in Ealing Road. Additionally, it should be a condition of any consent granted for any Ealing Road property that there should be no forecourt trading”. In this case if consent is granted there should also be a condition that the rear extension is only to be used in connection with the existing business at No. 200 Ealing Road.

Transportation – There are no objections on transportation grounds to this proposal in principle, subject to a condition that the extension is to be used as an ancillary to the existing unit at No. 200 Ealing Road, otherwise it could result in the loss of existing servicing provision for the existing shop contrary to policy TRN34 of the adopted UDP 2004 and to the detriment of the free and safe flow of traffic in the area.

REMARKS

This is a re-submission following the previous planning application (ref: 05/1356) that was refused under Officers’ Delegated Powers on 23/08/2005 on the following grounds:

- 1 The proposed rear extension to be used as storage by the retail shop at No. 194 Ealing Road is considered to be an inappropriate and over-intensive use of the site that would result in the loss of existing rear parking, servicing and space for storage of waste material for No. 200 Ealing Road and would result in this property (i.e. No. 200) having to carry out their loading/unloading/servicing on a permanent basis from a very busy and heavily trafficked Ealing Road to the detriment of the free flow of traffic and conditions of pedestrian and general highway safety in the area contrary to the Council’s policies SH22, TRN3, TRN22 and TRN34 in the adopted Unitary Development Plan 2004.

This application since the refusal has been amended in the following main respect:

- 1 The ground floor rear extension has been reduced in depth by 0.5m to increase the length of the proposed rear yard to 6m to provide adequate space for rear parking, servicing and space for storage of waste materials for the existing shop.
- 2 The plan now indicates that the proposal would be used in connection with the existing shop (i.e. not for the neighbouring retail shop).

The proposed single storey flat roof rear extension to the ground floor shop unit over part of the rear yard is assessed against the Council’s policies and standards as follows:

Policy SH22 relating to “Extensions to Shops” in the adopted Unitary Development Plan 2004 states :

“Rear extensions to shops should retain adequate space for rear servicing and secure storage for waste materials”

The revised rear extension would comply with the Council’s above-stated Policy SH22 in that the extension set-back 6m from the rear boundary of the site abutting the rear service road would now retain 6m long x 6.3m wide rear yard for parking, servicing and storage of waste materials for the shop. Transportation and it is considered the proposed (6m long x 6.3m wide) rear yard would be of sufficient size to provide one car parking/servicing space (6m long x 3m wide) for a transit size vehicle for the shop. As such the site would continue to comply with the Council’s parking and loading requirements in accordance with the car parking and servicing standards for shops set out in the adopted Unitary Development Plan 2004. However, given that previous planning application (Ref: 05/1356) was submitted for the erection of a rear extension of the shop to be used as a storage by the neighbouring retail shop No. 194 Ealing Road, which would have prevented the use of the remaining service yard by the application property, a condition is proposed to be attached to ensure that the extension parking and servicing is used solely in conjunction with the existing shop at 200 Ealing Road.

Impact on Neighbouring Properties

The proposed rear extension on the north side would abut the side of the existing ground floor rear extension and a detached rear garage at No. 198 Ealing Road (a funeral parlour) which is extended almost up to the back edge of the rear service road and on the south side it would abut the side of a ground floor rear extension at No. 202 Ealing Road which is slightly shorter than the proposed extension and has a slightly longer rear yard for parking and servicing. The extension on the west side would face the side of existing two-storey residential property, No. 1 Bowrons Avenue which is separated by a rear service road in between. No. 1 Bowrons Avenue has been significantly extended at the rear and has no side windows or an access from the rear service road. The rear extension being of the similar height as the existing rear extensions at neighbouring No. 198 and 202 Ealing Road, being shorter in length than the existing rear extensions at No. 198 Ealing Road and of slightly longer in length than the existing rear extension at No. 202 Ealing Road and being set-away approximately 8m from the side boundary of No. 1 Bowrons Avenue is not considered to have any adverse impact on the amenities of the occupiers of these immediate neighbouring properties including flats above the shops which appears to be occupied by the shop owner/occupiers or their staff.

Comments on the Objections Received

The proposed rear extension would now enclose part of the existing rear yard with a new improved structure and with a condition restricting the extension to be used in conjunction with the existing shop unit (i.e. No. 200 Ealing Road) would prevent the unauthorised use of the extension by the neighbouring fruit and vegetable shop and would ensure that the remaining rear space is used for car parking, servicing and for storage of waste materials for the existing shop. The proposal would therefore improve the situation to the back of this application property in respect of accumulation of rubbish and its effect on the environment and further damage to this part of the rear service road by forklift drive.

The application is similar to the previous planning application ref: 05/1356 that was refused last August. However, this time round the application is proposed for the erection of ground floor rear extension of a slightly reduced depth to provide storage which is to be used in connection with the existing shop and not for the use as storage by the neighbouring retail shop No. 194 Ealing Road. The proposed rear extension has been reduced in depth to retain an adequate size rear yard, large enough to satisfy the Council's car parking/servicing space for a standard transit size vehicle and area for storage of waste material for the shop. The proposal on Transportation ground is considered to be acceptable. A condition is also attached to ensure that the extension is used in conjunction with the existing ground floor shop unit at No. 200 Ealing Road to ensure that rear yard is retained and provides a car parking/servicing/refuse storage facility for the existing shop.

As the application property is a confectionary/stationary shop with a post office counter and that the proposal is to extend the shop at the rear providing storage for the application property and there has been no significant problems associated with display of goods in the forecourt of the property, condition restricting forecourt trading is considered to be irrelevant and unnecessary.

The approval and implementation of this proposal should lead to the cessation of the use of the existing rear yard as open storage for food and thus improve the rear environment of the shop. The new reduced rear extension, with adequate car parking/servicing and refuse-storage facility would minimise the impact on the amenities of the neighbouring occupiers and adjoining highway. The proposal is therefore now considered to be acceptable on both planning and transportation grounds.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

(1) The proposed development is in general accordance with policies contained in the:-

Brent Unitary Development Plan 2004

Relevant policies in the Adopted Unitary Development Plan are those in the following chapters:-

- Built Environment: in terms of the protection and enhancement of the environment
- Town Centres and Shopping: in terms of the range and accessibility of services and their attractiveness
- Transport: in terms of sustainability, safety and servicing needs

CONDITIONS/REASONS:

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with 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 approved shall be carried out and completed in all respects in accordance with the proposals contained in the application, and any plans or other particulars submitted therewith, prior to occupation of the building.

Reason: To ensure that the proposed development will be carried out as approved so as to avoid any detriment to the amenities by any work remaining incomplete.

- (3) All new external work shall be carried out in materials that match, as closely as possible, in colour, texture and design detail those of the existing building.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the locality.

- (4) The ground-floor extension hereby permitted shall be used in conjunction with the present use of the ground floor of the premises as a single retail shop unit and shall not be separately used and the shop unit shall not be sub-divided, except with the prior written permission of the Local Planning Authority obtained through the submission of a planning application.

Reason: To enable the Local Planning Authority to maintain strict control over the use of the premises in the interests of visual and general amenities of the locality and to ensure adequate servicing is available in the interests of the free flow of traffic and conditions of general highway safety on the neighbouring highways.

- (5) The rear parking/servicing space hereby approved shall be used solely for parking and servicing for the ground-floor shop at this site and it shall not be used as an open storage area of any kind.

Reason: To ensure that rear parking/servicing facility for the shop is available at all times so that the proposed development does not prejudice the free flow of traffic on the adjoining highway and to safeguard visual amenities of the neighbouring occupiers from uses which would be a source of nuisance, by reason of unsightly appearance or the loss of off-street vehicle accommodation, and to ensure the efficient operation of activities within the site.

- (6) The roof of the single-storey rear extension shall not be used for storage or for any other purpose in connection with the use of the ground floor of the premises, shall not be used as private amenity space for the occupiers of the first-floor flats at this site and shall not have any plant or other equipment installed or sited on it, except with the prior written permission of the Local Planning Authority obtained through the submission of a planning application.

Reason: In the interests of the visual amenity and character of the locality.

- (7) The area at the rear of the proposed single-storey rear extension hereby approved for bin storage shall only be used for such purpose to the satisfaction of the Local Planning Authority and it shall not be used as an open storage area of any kind associated with these premises.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection.

INFORMATIVES:

- (1) The applicant must ensure that the treatment/finishing of flank walls can be implemented, before work commences, as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.

REFERENCE DOCUMENTS:

1. Adopted Unitary Development Plan 2004
2. 2 e-mails (one from Councillor Valerie Brown and one from owner/occupier of 204 Ealing Road)

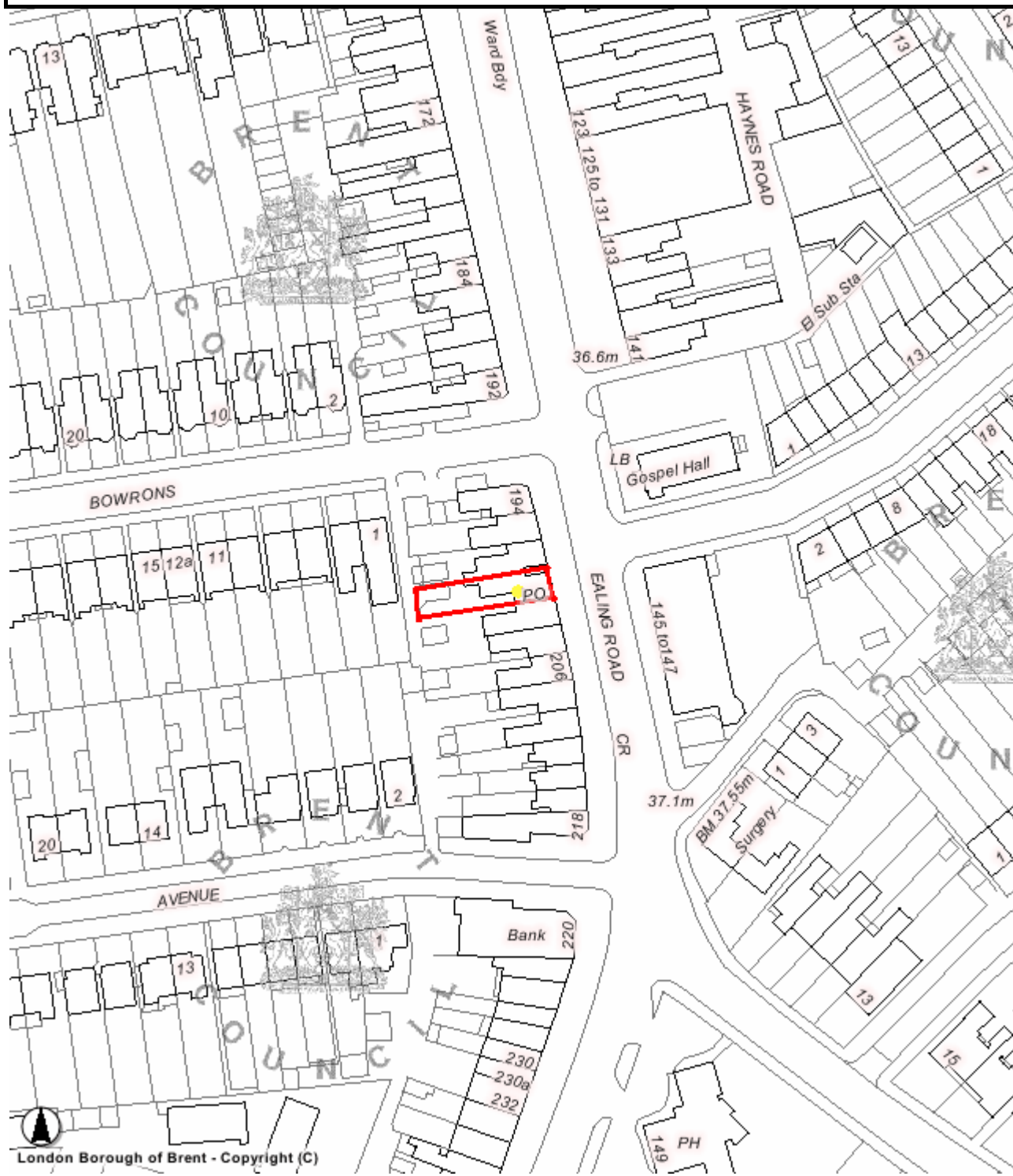
Any person wishing to inspect the above papers should contact Mumtaz Patel, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5244



Planning Committee Map

Site address: Post Office, 200 Ealing Road, Wembley, HA0 4QG

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