

RECEIVED: 3 August, 2010

WARD: Northwick Park

PLANNING AREA: Wembley Consultative Forum

LOCATION: 86 East Lane, Wembley, HA0 3NJ

PROPOSAL: Advertisement consent is sought for the installation of 2 externally illuminated fascia signage to ground floor of building facing East Lane, 1 externally internally illuminated fascia signage to ground floor facing Peel Road and 1 non-illuminated sign to first floor of building (facing Peel Road)

APPLICANT: Tesco Stores Ltd

CONTACT: CgMs Consulting

PLAN NO'S:

Site Location Plan: Car Park Signage (1:1250)

9914-05 Rev. B (1:100)

9914-51 Rev. A (1:100, 1:20 & 1:10)

RECOMMENDATION

Approve

EXISTING

The subject site is a former public house known as "Bootsy Brogans", this 3-storey building is situated on the northern side of East Lane at the junction with Peel Road. The present building is vacant, however, the last use of the ground floor was as a public house (Use Class A4).

This is not in a Conservation Area, nor is the building listed.

Tesco plan to open one of its *Tesco Express* stores on the ground floor. Planning permission is not required to change from Use Class A4 (existing) to A1 retail.

PROPOSAL

This is one of a series of applications for minor works submitted in association with the proposed permitted change from A4 to A1 retail use.

Advertisement consent is sought for the installation of 2 externally illuminated fascia signs to the ground floor of the building facing East Lane, 1 externally internally illuminated fascia sign to the ground floor facing Peel Road and 1 non-illuminated sign to the first floor of the building (facing Peel Road).

HISTORY

10/1756 - Demolition of detached store, erection of a 4-storey rear extension comprising stairwell and access lift, side extension at second floor level, installation of 9 rooflights to side elevations, 1 rooflight to rear elevation, creation of 8 self-contained flats at first-, second- and third-floor level,

provision of 12 off-street parking spaces, a refuse-storage area, cycle-storage area and associated landscaping to site. **Current application undetermined - recommended for approval.**

10/2087 - Replacement of entrance doors, installation of 2 bollards to front elevation and widening of existing door to side elevation of building. **Current application undetermined - recommended for approval**

10/2050 – Installation of ATM. **Current application undetermined - recommended for approval**

10/2100 - Installation and display of 8 external signs to car park, consisting of 4 directional signs, 1 gantry sign facing East Lane (externally illuminated), and 3 "Euro parking" signs in car park. **Current application undetermined - recommended for approval**

84/1623 - Change of use of first floor to office use. **Granted**

84/1553 - Single-storey rear extension. **Granted**

LAWFUL USE

Although the building is currently vacant, as the last use was a public house, with ancillary function room (Use Class A4) and Tesco, the prospective occupiers, would be an A1 retail use, the applicants do not actually need planning permission to occupy the premises. For the information of Members, under planning legislation it is possible to move "back up" the Use Classes Order (e.g. A4 to A1) without consent, but not "down" it (e.g: A1 to A4) without getting permission from the Council.

The first floor of the premises, now vacant, have previously been used as an office (Use Class B1). This was granted in 1984.

POLICY CONSIDERATIONS

Brent UDP 2004

BE2 – Local Context & Character

BE9 – Architectural Quality

BE20 – Advertisements on Buildings

SH21 – Shopfront Design

SPG

SPG 7 – Shopfronts and Shop Signs

Considerations;

Impact on highway safety

Impact on character of area

Impact on surrounding amenities

SUSTAINABILITY ASSESSMENT

N/A

CONSULTATION

75 individual properties were notified by letter (dated 06/09/2010).

Ward Councillors made no representations.

Transportation raise no objection to the plans, as amended.

A petition has been received objecting to the planned opening of a Tesco store, however, the Council is not giving consideration to the principle of a Tesco store through its assessment of these series of applications. Concerns about the planned use fall beyond the remit of this application, or the other related applications for the site which also appear on this agenda.

Specifically, the representations express concern that the premises are to be occupied by a Tesco store and the harmful impact this will have on local businesses. Members are advised that the Council has no control over the use of the ground floor of this building for A1 retail, as a change of use from A4 to A1 is permitted development and planning permission is not required. Under planning legislation it is possible to move "back up" the Use Classes order (e.g. A4 to A1, A2 or A3) without getting permission.

REMARKS

USE & POLICY CONTEXT

The most recent use of the ground floor was as a public house Use Class A4 (drinking establishment).

This application proposes the installation of adverts to support the conversion of the ground floor, to a retail use (A1). The change constitutes permitted development, with A4 uses being able to change "up" the Use Classes Order (eg: to A1, A2 and A3) without the need for consent. The planning history of the site is set down earlier in this report and as such the application is for the proposed display of signage only. For the avoidance of doubt, issues raised in relation to the anticipated A1 use fall outside the remit of this application.

The site is on the very edge of an existing Local Centre which is on the southern side of East Lane. Given the buildings history for commercial uses, and the permitted changes that can be exercised to A1, A2 or A3 in the event that planning permission was required it is unlikely the Council would object on policy grounds to a retail use of this size, and in this location.

When considering applications for new retail development the Council is required to follow the Government's 'sequential' approach. This requires new retail floor space to be located within the Council's existing network of defined town, district and local centres. If an appropriate site is not available within a nearby centre then an edge of centre site may be acceptable. As there are no available units of the size required by Tesco within the existing Local Centre and the next nearest Centre is Wembley where they already have an established store it is probable that if planning permission were required for the change of use the recommendation from officers would be to approve.

There are separate applications on this agenda for proposed external alterations, the installation of an ATM, for new and replacement car park signage and for installation of air conditioning units (see relevant history) for the same site.

DESIGN

This forms one of the advertisement applications and seeks consent for shop front signage to be displayed. This should be read in conjunction with the application for physical alterations to the building which also appears on this agenda

- The existing timber fascia sign board facing East Lane is to be repaired and made good and individual lettering is to be fixed to display "*Tesco Express*". The fascia is to be externally illuminated by swan-neck lamps with luminance levels of 300 candelas m².
- Smaller "*Tesco Express*" lettering is to be sited above the main entrance door facing East Lane. This lettering is to be individually pinned onto rails and externally illuminated by swan-neck lamps with luminance levels of 300 candelas m².
- On the Peel Road elevation, an existing high-level sign is to be kept and re-branded to display "*Tesco Express*" and "opening hours". This sign is to be non-illuminated.

- On the Peel Road elevation, externally illuminated "*Tesco Express*" lettering, fixed on rails is proposed. This will be illuminated by swan-neck lamps, at a luminance level of 300 candelas m².

As all the signage will consist of static luminance with 300 candela m², the signage is in accordance with SPG 7: "Shopfronts and Shop Signs".

The Council's Transportation Unit has assessed the proposal and finds the luminance levels to be acceptable. No objection is raised on transportation grounds.

The proposed signage does not harm the character or appearance of the premises, in particular, or the locality in general.

OTHER ISSUES

As far as the future Servicing of the site is concerned, the Transportation Engineer has not considered if this is in compliance with adopted standards as the principle of the use is not sought. In any event the Transportation Engineer has confirmed that the existing East Lane access will allow entry for servicing and delivery vehicles, who would then reverse within the site and exit from the same access.

SUMMARY

The advert proposal needs to be read in conjunction with proposed external alterations to the building. As the proposed external alterations and signage are minor in nature and have therefore been kept to a minimum it is considered the works are sympathetic to, and will respect the character and appearance of the original building. The proposed adverts are therefore considered to be in accordance with policies BE2, BE9, BE20 and SH21 of Brent's Unitary Development Plan 2004 and SPG 7: "Shopfronts and Shop Signs". As this application does not present any material harm to the existing building or the surrounding occupiers, it is recommended that advertisement consent be granted.

There is obviously a level of concern about the proposed occupation of the premises by a retail store of this kind. Whilst Officers can appreciate some of the points raised by third parties and understand the concerns that have been made, the fact is that the use of the building is not for consideration at this time, for the reasons set out above. Consequently, discussions must only focus on what it is that is being applied for.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

Brent Unitary Development Plan 2004
Council's Supplementary Planning Guidance 7: "Shopfronts and Shop Signs"

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
Transport: in terms of sustainability, safety and servicing needs

CONDITIONS/REASONS:

- (1) This permission is granted subject to the requirements of Regulation 14(7)(b) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 which states that every grant of express consent shall operate for a period of five years from the date of consent and is subject to the following standard conditions stipulated in Schedule 2 to the said Regulations:-
- (i) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
 - (ii) No advertisement shall be sited or displayed so as to endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military).
 - (iii) No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air.
 - (iv) No advertisement shall be sited or displayed so as to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
 - (v) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
 - (vi) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
 - (vii) Where an advertisement is required under the Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Following the expiration of the period of five years, to which this permission relates, the advertisement(s) and all fixtures and fittings associated with it (them) shall be removed.

Reason: To conform with the requirements of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

London Borough of Brent, UDP 2004
SPG 7 'Shop fronts and shop signs'

Any person wishing to inspect the above papers should contact Gary Murphy, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5227



Planning Committee Map

Site address: 86 East Lane, Wembley, HA0 3NJ

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