

**Committee Report
Planning Committee on 13 October, 2010**

**Item No. 20
Case No. 10/2238**

RECEIVED: 19 August, 2010

WARD: Wembley Central

PLANNING AREA: Wembley Consultative Forum

LOCATION: 284 Ealing Road, Wembley, HA0 4LL

PROPOSAL: Change of use from shop (Use Class A1) to betting office (Use Class A2)

APPLICANT: William Hill Organisation Ltd

CONTACT:

PLAN NO'S:
(see condition 2 for details)

RECOMMENDATION

Approve subject to conditions.

EXISTING

This proposal relates to a travel agents "Travel Connection", situated on Ealing Road opposite the junction with Mount Pleasant. The flat above is currently accessed from the rear. This site is not within a Conservation Area, nor is it a Listed Building. The unit is not within a designated shopping frontage within Brent's Unitary Development Plan. The unit is serviced by an access lane to the rear.

PROPOSAL

Change of use from shop (Use Class A1) to betting office (Use Class A2).

HISTORY

10/2386 - pending

Installation of a new shopfront and 2 new air-conditioning units to ground-floor rear elevation, replacement rear door and blocking-up of existing rear window

10/2305 - pending

Installation of replacement externally illuminated shop fascia sign and a projecting sign

09/2169 - 27/10/2009

Installation of new shopfront to premises to provide entrance to ground-floor shop and first-floor flat

02/0224 - 08/10/2002 - Dismissed

Installation and display of 1 x double-sided free-standing advertisement display unit

31/12/1996 - 96/1948 Granted

Erection of single-storey rear extension to existing retail shop

POLICY CONSIDERATIONS

Brent's Unitary Development Plan 2004

- *BE2 Local Context & Character*
- *BE9 Architectural Quality*
- *TRN3 Environmental Impact of Traffic*
- *TRN22 Parking standards – non-residential developments*
- *TRN34 Servicing in new Development*
- *SH19 Rear servicing*
- *SH7 Change of use from retail to non-retail*
- *SH18 Other shopping parades*

Brent's Core Strategy 2010

- CP1 Spatial Development
- CP16 Town Centres and the sequential approach to development
- CP20 Strategic and Borough Employment Areas

CONSULTATION

Internal

Highways: The site has good access to public transport, PTAL level 4. No objections subject to conditions regarding the retention of the shown servicing bays, retained clear from obstructions.

External

20 letters sent to neighbouring occupiers of the shops and residential units above the shops. The Alperton Community School were notified of the application on 16/09/2010. One objection letter has been received to date, but Members should note that the consultation period does not lapse until 07/10/2010. Any additional comments received will be reported in the supplementary.

The objection letter raises the following matters:

- A betting shop will have an adverse impact on the character of the area, leading to people loitering by the parade, leading to rising crime levels.
- It is not appropriate to give a gambling license to a premises within 10m of Alperton Community school.
- An 18-signature petition to the licensing application has been submitted, copies of this and the objection raised by the school headmaster have been submitted to the planning department.
- A similar application was refused at numbers 173-179 Ealing Road (officer note - no planning record of this application can be found).

REMARKS

The application proposes Change of use from shop (Use Class A1) to betting office (Use Class A2.)

Principle of change of Use

The proposed use as a betting office is considered appropriate for a shopping parade as designated within policy SH6 of Brent's Unitary Development Plan. Policy SH7 guides that in general, when considering a change of use from retail to non-retail, the following factors should be considered: servicing, location in relation to other non-retail uses, and proportions of retail: non-retail frontage, whether the use enhances the range of services provided and whether the proposal is an extension to an existing business or not.

The parade of shops that the site is within, is not designated as a protected parade. The parade has been surveyed as:

No.	Use	Use Class
290	Mini market	A1
288	Phone shop	A1
286	Halal butchers	A1
284	Vacant	Vacant
282	Pharmacy	A1
280	Sweets shop	A1
278	Pizza and grill take-away	A5
276	Cash and carry shop	A1
274	Chicken cottage	A5

The parade therefore has a range of Use Classes currently, and the change of use of the site will not adversely affect this. Policy SH18 permits the change of use from retail in “other” shopping parades such as the site to appropriate uses. The use of this unit as A2 is not contrary to Core Strategy policies CP1, CP16 and CP20.

In relation to the flat above the unit, the proposed change of use from A1 to A2 will not introduce any worse noise and disturbance levels than that already experienced by the present retail use. Hours of use are stated within the application form to be 07:00-22:30 Monday to Saturday and 08:00-22:00 on Sundays. These hours are not considered excessive. Accordingly a condition is recommended which agrees these hours to prevent later opening which could adversely impact neighbouring residential properties.

Parking/ servicing

The applicants have been asked to demonstrate how their rear servicing layout provides for waste/refuse-storage areas, secure cycle storage and space for servicing a transit-sized vehicle in compliance with policies TRN11, SH19 and TRN34. Publicly available cycle-parking is available close to the site which is considered acceptable. No car-parking is provided on the site. However, the capacity of the building would not require more than one off-street parking space to satisfy standards. Given that these standards are maximum levels, the lack of any parking provision is not considered to raise concerns.

Response to objectors

Objectors have raised concerns regarding the proposed use resulting in an increase in crime and anti-social behaviour. An A2 Use Class, such as the proposed betting shop, is considered to be appropriate within a shopping parade. The occurrence of anti-social behaviour within such areas cannot be controlled by planning legislation but is rather a matter for the police. The unit is also subject to a licensing application, and Members should note that under licensing controls the Council may consider whether a betting shop raises public safety issues. In addition, licensing assessments can consider the site’s proximity to the Alperton Community College and implications for the potential use of the premises by school children. These matters should not be considered as part of this planning application as it is the case that they are considered by other statutory controls.

Summary

Brent’s Unitary Development Plan 2004 and Core Strategy 2010 policies and supplementary guidance seek to ensure that development does not cause harm to interests of acknowledged importance. The application complies with local planning policies and is considered acceptable.

RECOMMENDATION: Grant Consent

REASON FOR GRANTING

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

CONDITIONS/REASONS:

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning on 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 permitted shall be carried out in accordance with the following approved drawings:

Site Location Plan (1:500)
FINAL/L/NL/607/02 B

Reason: For the avoidance of doubt and in the interests of proper planning.

- (3) The proposed A2 use shall not operate outside the times of 07:00 to 22:30 hours from Monday to Saturday and 08:00 to 22:00 hours on Sundays, unless otherwise agreed in writing by the Local Planning Authority

Reason: To safeguard neighbouring residential amenity

- (4) The use hereby approved shall not commence until the transit-sized servicing bays and waste/recycling area indicated on the approved plan have been provided and this servicing area shall be maintained free from obstruction and available for servicing vehicles, and not used for storage purposes (whether temporary or permanent), unless prior written approval has been obtained from the Local Planning Authority.

Reason: To ensure that vehicles being loaded or unloaded are parked in the designated loading areas, so as not to interfere with the free passage of vehicles or pedestrians along the public highways.

INFORMATIVES:

None Specified

REFERENCE DOCUMENTS:

Brent's Unitary Development Plan 2004
Brent's Core Strategy 2010

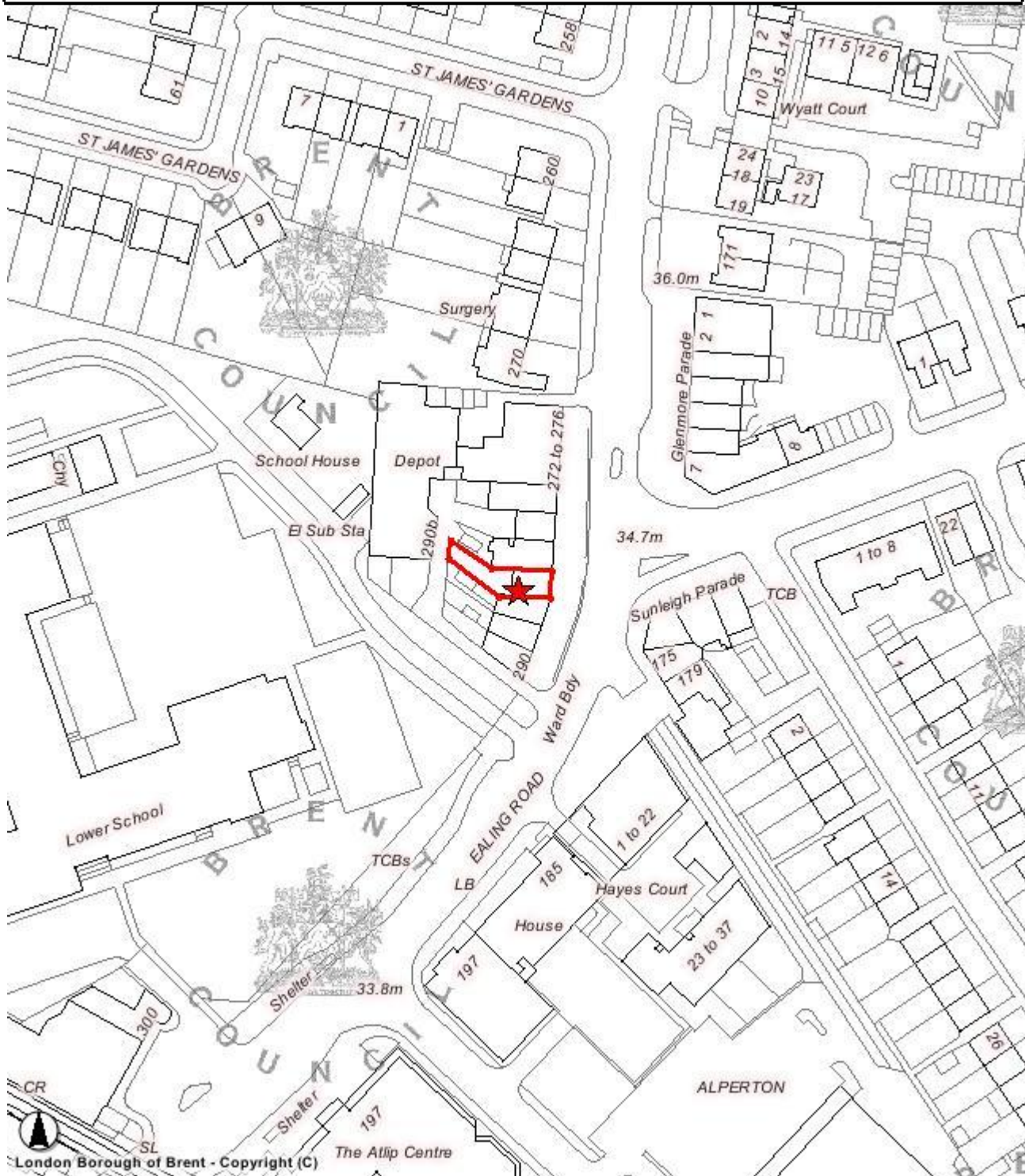
Any person wishing to inspect the above papers should contact Amy Wright, The Planning Service, Brent House, 349 High Road, Wembley, Middlesex, HA9 6BZ, Tel. No. 020 8937 5222



Planning Committee Map

Site address: 284 Ealing Road, Wembley, HA0 4LL

Reproduced from Ordnance Survey mapping data with the permission of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Brent, DBRE201 2005



This map is indicative only.