

RECEIVED: 3 August, 2010

WARD: Northwick Park

PLANNING AREA: Wembley Consultative Forum

LOCATION: 86 East Lane, Wembley, HA0 3NJ

PROPOSAL: Installation and display of 4 external signs to car park, consisting of 1 gantry sign facing East Lane (externally illuminated), and 3 x non-illuminated "Euro parking" signs in car park (as amended by plans received on 24/09/2010)

APPLICANT: Tesco Stores Ltd

CONTACT: CgMs Consulting

PLAN NO'S:
Site Location Plan: Car Park Signage (1:1250)
9914-52 Rev. C (1:200)

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 and display of 4 external signs to car park, consisting of 1 gantry sign facing East Lane (externally illuminated), and 3 x non-illuminated "Euro parking" signs in car park (as amended by plans received on 24/09/2010)

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.**

10/2083 - 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). **Current application undetermined - recommended for approval.**

10/2085 - Installation of plant equipment and associated brick enclosure to side of existing building.. **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.**

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 car park signage in support of 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 car-park 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 building's 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.

Members will be aware that there are separate applications on this agenda for proposed plant, physical alterations, for the display of store signage, and an ATM for the same site.

PROPOSED CAR PARK SIGNAGE

This forms one of the advertisement applications and seeks consent for car park signage to be displayed, as follows;

- 3 x non-illuminated car-park signs are to be displayed in locations around the car-park area. Each sign is to be 400mm x 400mm and at a low level so will have minimal visual impact in the locality, nor present any highway safety or traffic issues.
- An externally lit, free-standing gantry sign is proposed facing East Lane, this would be situated on the back edge of the pavement, towards the western end of the site. This sign measures 3.2m high and 1250mm wide and will sit within a galvanised steel frame. It is proposed to be externally illuminated by downlighters, and this should ensure that the sign

does not have any adverse effect on pedestrian or present any vehicle-safety issues. The luminance levels are indicated to be 225 candela m², which is in accordance with SPG7 guidance. The location of this gantry sign should mean that its visual impact is minimised by existing trees in this part of the site, along the site frontage.

The signage, as amended, is acceptable on transportation grounds. Initially it was proposed to erect "welcome" and "good bye" signage either side of the existing access in the south eastern corner of the site. However, it was considered this signage would encourage increased use of a substandard access directly onto a traffic-signal-controlled junction, to the detriment of the free and safe flow of traffic and pedestrians. Furthermore, signage in this location would be likely to result in distraction to passing motorists, further resulting in danger to highway safety. Officers requested that the applicants address this highway objection by removing the said signage, and revised plans received on 24/09/2010 confirm the 4 x "welcome" and "good bye" signage have been omitted from the proposal. By making these alterations, the highways objection has now been removed.

With regards to the gantry sign, there is no objection on transportation grounds to its location, nor to the level of luminance, at 225 candela m² this will be less than 250 candela m² which is the maximum that would normally be considered acceptable in this location outside of a town centre.

The non-illuminated signage is considered to be acceptable, these are positioned away from any vehicle access points and should not present any highways safety issues.

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

As the proposed signage has been kept to a minimum, it is considered the works will respect the character and appearance of the original building, nor will they result in harm to the visual amenities of the surrounding area. The proposal is 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 such, this application does not present any material harm to the existing building or the surrounding occupiers. It is recommended that advertisement consent be granted for the plans as amended.

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
SPG7 '*Shopfronts 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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