

 **Planning Committee Map**
Site address: 107-109 Ealing Road, Wembley, HA0 4BP
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This map is indicative only.

RECEIVED: 17 February, 2012

WARD: Alperton

PLANNING AREA: Wembley Consultative Forum

LOCATION: 107-109 Ealing Road, Wembley, HA0 4BP

PROPOSAL: Proposed demolition and reconstruction of existing two-storey retail unit in order to create a three-storey retail unit incorporating a new shop front, new basement, new second floor providing 965 sqm of gross floor space including, A1 retail, ancillary storage, office and staff facilities, covered refuse storage area, new trees and an 8 metre servicing bay to the rear.

APPLICANT: Mr N Mehta

CONTACT: A & N Architects Ltd

PLAN NO'S:
(See Condition 2 for the approved plans)

RECOMMENDATION

Approve

EXISTING

The application site is located on the eastern side of Ealing Road which is designated as a London Distributor Road. The site is within the Ealing Road Town Centre and currently comprises numbers 107-109 Ealing Road, a double fronted retail unit. The first floor of the building is partly in use as a solicitors office, along with a self-contained two-bedroom flat . The area is mixed in character with a variety of commercial uses sitting alongside residential properties.

The site is not within a Conservation Area, nor is it a Listed Building.

DEVELOPMENT SCHEDULE

The table(s) below indicate the existing and proposed uses at the site and their respective floorspace and a breakdown of any dwellings proposed at the site.

Floorspace Breakdown

USE

Number	Primary Use	Sub Use
1	Shops	

FLOORSPACE in sqm

Number	Existing	Retained	Lost	New	Net gain
1	641		641	965	324

TOTALS in sqm

Totals	Existing	Retained	Lost	New	Net gain
	641		641	965	324

Mayoril CIL multiplier is £35 per SQM of total net gain floorspace, therefore Amount Payable is £11,340.00.

PROPOSAL

Part demolition, alteration and reconstruction of existing two-storey retail unit in order to create a three-storey retail unit incorporating a new shop front, new basement, new second floor providing 965 sqm of gross floor

space including A1 retail, ancillary storage, office and staff facilities, covered refuse storage area and an 8 metre servicing bay.

HISTORY

11/2862 – Application Withdrawn

Proposed demolition of existing 2-storey building fronting Ealing Road and erection of replacement 3-storey building, with basement level, for retail use (Use Class A1).

POLICY CONSIDERATIONS

National Planning Policy Framework (NPPF) - 2012

The following policies and standards contained within the Council's Adopted Unitary Development Plan 2004 are considered to be relevant to consideration of the application.

Brent's Unitary Development Plan 2004

STR11 - the quality and character of the Boroughs built and natural environment is protected

BE2 – Townscape: Local context, and character

BE3 - Urban structure, space and movement

BE4 - Access for disabled people

BE5 – Urban Clarity and Safety

BE6 – Public Realm Landscape Design

BE7 – Public Realm Streetscape

BE9 – Architectural Quality

BE12 - Sustainable Design Principles

H20 – Flats over and adjoining buildings in Shopping Centres

H22- Protection of Residential Amenity

TRN3 - Environmental impact of traffic

TRN4 – Measures to make Transport impact acceptable

TRN11 – The London Cycle Network

TRN20 – London Distributor Roads

TRN22 – Parking Standards Non-residential Developments

TRN34- Servicing in New Development

TRN35 – Transport access for disabled people & others with mobility difficulties

SH19 – Rear Servicing

SH21- Shopfront Design

SH31 - Development of Ealing Town Centre

LDF Brent Core Strategy 2010

CP5 – Placemaking

CP16 – Town Centres

Supplementary Planning Guidance (SPG) 17 - "Design Guide for New Developments".

Supplementary Planning Document - S106 Planning Obligations.

SUSTAINABILITY ASSESSMENT

Not applicable as this not classed as a 'major' development.

CONSULTATION

13 March 2012 – 71 properties consulted.

Three letters of objection have been received raising the following issues:

- *The development will block light to properties at the rear of the site (Westbury Avenue).*
- *Would lead to a loss of privacy to properties at the rear.*
- *The increase in height would harm the character of the area and change the face of Ealing Road.*
- *Noise from the construction works would cause disturbance.*

Landscape - Officers weren't directly consulted. They did advise during pre-application discussions what species would be appropriate for planting new trees along the back edge of the site.

Environmental Health –

Are of the opinion that there is potential for light into the neighbouring building being reduced, due to the forward projection of the building.

Highways –

The application site is located on the eastern side of Ealing Road. The site lies within CPZ “E” which operates 08:00 - 21:00 (Mon-Sun), and has good accessibility with a PTAL rating of level 4.

The parking standard for the existing building is four spaces (none provided). Under UDP standard PS17 a retail unit should provide servicing facilities suitable for a “full-sized” vehicle, and an absolute minimum of a transit sized bay.

The proposed retail premises will provide a total of 926 sqm of floor area, meaning that the maximum permissible car parking will rise to six spaces. This is considered to be a significant increase.

The site itself cannot accommodate car parking, and an increase in parking on Ealing Road would not be acceptable. Any overspill parking will be limited by the existing CPZ which operates every day of the week, which in Transportation's view should provide sufficient mitigation of this issue.

It is not possible to provide servicing for a full-sized vehicle, but for a proposed premises of this size it is reasonable to seek at least facilities for an 8m rigid vehicle. A suitable bay (8m by 3.5m) is provided and the manoeuvring space available will suffice, access is gained via Haynes Road.

The refuse/recycling storage arrangements are considered to be acceptable.

In summary there is no transportation objection, subject to a condition requiring the provision of two Sheffield type cycle stands, within the frontage.

Urban design -

- The scale, height and massing is considered to be appropriate.
- Not enough information has been submitted to demonstrate materials and finish.
- The lack of information about materials makes it difficult to understand this contemporary approach.

REMARKS

Introduction

The application proposes the demolition of existing 2-storey buildings and erection of a contemporary 3-storey building incorporating a larger retail unit, with ancillary accommodation, improved servicing facilities and landscaping improvements.

Floorspace breakdown

Existing (sqm)

Ground Floor - 487 (245 sqm of retail floorspace)
First Floor - 124
Second Floor - 30

Total = 641

Total of retail floorspace = 245

Proposed (sqm)

Basement - 300 (all retail floorspace)
Ground Floor - 438 (231 sqm of retail floorspace)
First Floor - 115 (101 sqm of retail floorspace)
Second Floor - 112 (89 sqm of retail floorspace)

Total = 965

Total of retail floorspace = 721

This results in an increase of 476 sqm of retail floorspace, and an overall floorspace increase of 324 sqm.

Policy issues arising from Proposed Uses

The proposal will lead to a net addition of 476 sqm of retail floorspace. The site is within Ealing Road Town Centre, this means that the sequential approach to development is satisfied as the increase is consolidated within an existing centre, and meets Core Strategy policy CP16.

The loss of the solicitors office on the first floor is not protected by any existing policies. An existing 2-bedroom flat is to be lost, but there is no objection raised to the loss of residential accommodation, without adequate replacement as this proposal does not result in the loss of much needed family sized

accommodation.

Scale, massing & design

The existing buildings are 2-storey's high, and are flanked by similar aged buildings either side, also of this scale. A number of examples are found within close proximity where buildings are higher though, and also more modern in their type of architecture. 99-101 Ealing Road which is at the other end of this terrace is 3-storey's high. Elsewhere on Ealing Road is a 5-storey building, which sits on the site of the former Chequers Pubic House, this has recently been completed on site. And 93-97 Ealing Road which is on the corner with Douglas Avenue is currently under construction having been granted in October 2008, (ref; 08/2151) this was approved by Committee in October 2008 and will see a part 3 and 4-storey building built within 50 metres of the site. These examples highlight the mixed, and changing character of Ealing Road Town Centre, with buildings of varying heights part of this character.

The existing building is 8.7m high, and the proposed building will be 10.5m high. This in itself is not considered to be a significant increase. The new building would project above its neighbours either side, but this is no different to the relationship of 99-101 Ealing Road with 103-105 Ealing Road, or other similiar relationships in the town centre and for this reason it is not considered it would look particularly unusual in its surroundings or out of proportion. A 3-storey building is proposed, and development of this scale is considered appropriate for an urban, "town centre" site such as this.

A larger footprint of building is proposed, this increase will be felt towards the rear of the site, mainly on the ground floor. Existing single storey buildings will be demolished. A minor increase to the footprint is proposed at first floor level.

The architectural approach is contemporary, proposing a fully glazed front elevation which is designed in such a way that it looks like the building is leaning forward. A simple glass canopy is envisaged to identify the entrance to the building. To break up the amount of glazing and to add another interesting element to the building perforated mesh is being proposed, this would wrap around the corner of the building, and it is felt this could add an interesting contrast. The design approach, use of materials increase in scale, and the projecting elements will give this building prominence in the streetscene This approach is felt to be innovative and will introduce an iconic building into this part of the town centre, adding an interesting piece of architecture into the streetscene. The glazing elements wrap around the building onto the side elevation in part, and behind this the building would be finished in brick work on the lower level. A blue/grey colour brick is envisaged. Above the brickwork on first and second floors terracotta cladding tiles are proposed, and this elevation is broken up through the insertion of windows.

The palette of materials proposed are in keeping with the contemporary approach, and further details of these will be approved as a condition of any approval in order to ensure good quality materials are used.

The existing site frontage on Ealing Road consists entirely of a hardstanding forecourt which contributes very little to the streetscene. The proposed design respects the building-line at ground floor level and sees this as an opportunity to upgrading the forecourt setting. New forecourt paving is to be laid, and this will provide level access to the building, as well as improving the setting of the building.

The proposed building provides shop windows which although are not compatible with the traditional shopfronts advocated within Brent's SPG7, are a modern design that compliments the proposed building and its architectural approach. The design provides an active street frontage.

Impacts on adjoining residential development

Objections have been received from third parties living to the east of the site, on Westbury Avenue. They raise concerns that a 3-storey building will result in a loss of light and loss of privacy to their properties, as well as being out of character with the area.

The existing single storey structures extend up to the rear boundary that's shared with residential properties, on Westbury Avenue. Under these proposals the new building would be set further off the boundary, by 2m, and a landscaping strip which will see new trees planted along the edge is proposed in the space in between. As well as providing some much needed landscaping to the area the trees will also assist in providing an attractive visual screen between residential properties east of the site, and the proposed building. At first floor level the building will not project any deeper than the existing footprint, so in that sense neighbours either side would not be impacted any differently. An additional floor is proposed, which owing to its footprint will not have a harmful impact on neighbours either side. Properties to the rear, along Westbury Avenue are a significant distance away, with a distance of 27m being maintained from the first floor of the proposed building to the garden edge. With such generous separation distances involved the proposal does not conflict with SPG17

window-to-window 20m distances, nor does it conflict with the 30 or 45 degree tests also set out within the same guidance. These tests are in place to ensure buildings are of an appropriate size and scale to one another, and to minimise any loss of privacy.

As well as meeting Brent's own tests the proposed development also complies with the 25 degree test, issued by the Building Research Establishment (BRE), and used as a tool on developments to assess whether there will be significant loss of light into a neighbour's habitable room, or garden. The 25 degree test, measured from the middle section of the habitable window considers the impacts of building opposite each other, and compliance with this ensures that the amount of daylight inside a room isn't reduced to unacceptable levels.

Despite residents' fears, loss of privacy is not identified as being an issue by Officers. The first floor of the proposed building is approximately 27m away from the garden edge (same as the existing relationship), with an additional 10m to the rear facing windows on these properties. These distances are far more generous than SPG17 standards would seek. In any event the rear facing windows of the proposed building are serving ancillary back office rooms, and due to the nature of how these would be used in the future it is highly unlikely they would give rise to direct overlooking or loss of privacy.

Parking and servicing

The site lies in a controlled parking zone, with good access to public transport (PTAL4) with proximate rail stations and bus stops. No parking exists currently, and none is proposed for the development. Whilst UDP standards would normally seek up to 6 spaces for a development such as this, the fact that none is provided is not seen as being a concern, and is no different to the existing situation. The reason for this is that the CPZ, which operates locally Mon-Sun will be self policing, this will minimise the impacts of any overspill parking on the surrounding roads. Where parking is available on-street this is available in designated 'pay & display' parking bays, these will help to regulate the levels of parking on street.

The proposal makes provision for an 8m vehicle loading/servicing bay, with safe access provided from Haynes Road. This will satisfy UDP Policy TRN34 and is acceptable for a retail unit of this size, as it is not feasible to service the site by a full sized articulated lorry. This arrangement is supported by Transportation Officer's

Refuse and recycling storage arrangements are found to be acceptable.

Noise

The proposed development does not give rise to any noise related concerns. Objectors have pointed to construction noise as being a source of disturbance. This however is not a material planning consideration. Environmental Health have separate powers which control the hours of operation on site.

Landscaping

The site is lacking in any landscaping whatsoever. The proposals will see an improvement in this situation as it is proposed to plant x 4 Betula Pendula trees along the back edge of the site. These will provide an effective buffer between the rear service yard and the adjoining residential gardens along Westbury Avenue, as well as enhancing the visual amenities of the area, and this is welcomed.

A green/brown roof is also proposed on the part of the building, which will help with rainwater runoff and increase biodiversity on the site. Further details of the system will be dealt with by condition.

Flood Risk

The site is within Flood Zone 1 and is less than 1 hectare in size; therefore no detailed flood risk statement is required.

s106

The net increase in floorspace is less than 500 sqm and for this reason no infrastructure contributions are being sought.

Community Infrastructure Levy – CIL

The Mayor's Community Infrastructure Levy, otherwise known as CIL became effective from the 1st April 2012 onwards.

The Planning Act 2008 gave powers to the Mayor of London which allow a London wide CIL to be charged on eligible developments in order to help fund strategic infrastructure projects. The Mayor has now decided to charge CIL in order to raise approximately £300m which will be put toward London's share of the Crossrail

funding package agreed with central Government. This means that all eligible developments granted planning permission from 1 April 2012 will be liable to pay Mayoral CIL regardless of when the application was submitted to the Council or any resolution to grant planning permission by the Council's Planning Committee.

Mayoral CIL has been set at £35 per sqm on developments involving an increase in floorspace over 100sqm, and this proposal would qualify as chargeable development. On the basis of the additional floorspace being created which is 324 sqm.

Accordingly the scheme would attract a minimum CIL amount of £11, 340 (324sqm x £35 per sqm).

Summary

The proposed development would see the introduction of an interesting, contemporary building into Ealing Road Town Centre. Officer's are comfortable with the scale of the development, and it is considered that this will have an acceptable impact on the amenity of surrounding occupiers.

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

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
Environmental Protection: in terms of protecting specific features of the environment and protecting the public
Housing: in terms of protecting residential amenities and guiding new development
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
Community Facilities: in terms of meeting the demand for community services

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 drawing(s) and/or document(s):

AR-P1
AR-P2
AR-P3
AR-P4,revB
AR-P5,revB
AR-P6,revB

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

(3) The yard area shown on the approved plans as 'loading bay' shall be retained and shall be used only for the purposes of parking and loading/unloading of servicing vehicles in association with the use of the building. No outside storage is prohibited in this part of the site.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highways and to maintain specified servicing area.

- (4) The landscape works and planting shown on the approved plans shall be carried out:-
(a) prior to the occupation of any part of the development
(b) and a protective barrier shall be provided parallel to the designated loading bay and the landscaping strip

Any planting that is part of the approved scheme that within a period of *five* years after planting is removed, dies or becomes seriously damaged or diseased, shall be replaced in the next planting season and all planting shall be replaced with others of a similar size and species and in the same position, unless the Local Planning Authority first gives written consent to any variation.

Reason: To ensure a satisfactory appearance and setting for the development and to ensure that the proposed development enhances the visual amenity of the area.

- (5) All unloading/loading of servicing vehicles shall be carried out to the rear and accessed via Haynes Road only.

Reason; To ensure the proposal does not prejudice the free flow and safe movement of traffic along Ealing Road.

- (6) Further details of the illumination levels of any signage shall be submitted to and approved in writing by the Local planning Authority prior to installation on site.

Reason; To safeguard the amenities of neighbouring occupiers and in the interests of highway safety.

- (7) Any part of the building shall not be sub-divided or otherwise altered without the prior approval of the Local Planning Authority.

Reason: To ensure that no separate use commences, that servicing standards are met and that no aspect of the approved use is inappropriately intensified without the approval of the Local Planning Authority.

- (8) No structures, either temporary or permanent are permitted to be erected on the front forecourt, and this area is not permitted to be used for trading purposes either in association with the main building or independently, or for outside storage, unless otherwise agreed in writing by the Local Planning Authority.

Reason; In the interests of maintaining the visual amenities of the area.

- (9) Further details of any external lighting on site, including illuminance levels shall be submitted to and approved in writing by the Local Planning Authority prior to installation on site.

Reason; To safeguard the amenities of neighbouring occupiers and in the interests of highway safety.

- (10) A sample board shall be submitted including details of materials for all external work. This shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. Thereafter the work shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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

- (11) Further details of the green/brown roof system to be installed shall be submitted to and approved in writing prior to installation, along with a site wide landscape maintenance plan.

Reason; To ensure a satisfactory standard of development.

- (12) A minimum of 2 secure cycle parking spaces shall be provided on the front forecourt prior to occupation, and thereafter these facilities shall be retained fully.

Reason: To ensure satisfactory facilities for cyclists.

INFORMATIVES:

- (1) The provisions of The Party Wall etc. Act 1996 may be applicable and relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. An explanatory booklet setting out your obligations can be obtained from the Communities and Local Government website www.communities.gov.uk
- (2) This grant of planning permission does not give express consent for the display of adverts. Prior consent may be required under the Town and Country Planning (Control of Advertisements) Regulations 1990 for the erection or alteration of any
- (a) illuminated fascia signs
 - (b) projecting box signs
 - (c) advertising signs
 - (d) hoardings
- (3) The applicant is reminded that this is considered to be development which is liable to the Mayor's Community Infrastructure Levy, otherwise known as CIL. The CIL levy is calculated at £35 per sqm, of net additional floorspace and the levy is due to be paid upon material commencement of the development.

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