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**REFUSED**

**TOWN AND COUNTRY PLANNING ACT 1990: DECISION NOTICE**

Mr Abdulmajid Popalzi  
G.B Express Cars  
18 Wembley Road  
Surrey  
TW12 2QE  
United Kingdom

Your ref: 205 Waldegrave Rd Please contact: Planning Support  
Our ref: DC/SGS/14/3364/FUL Please telephone: 020 8891 1411

Letter Printed: 27 November  
2014

**FOR DECISION DATED**  
27.11.2014

Dear Sir

**Applicant:** Mr Abdulmajid Popalzi

**Agent:**

**WHEREAS** in accordance with the provisions of the Town and Country Planning Act 1990 and the orders made thereunder, you have made an application received on **6 August 2014** and illustrated by plans for the permission of the Local Planning Authority to develop land situated at:

**205 Waldegrave Road, Teddington, TW11 8LX**

for

**Change of use from A1 (office use) to Minicab office or Private Hire Business from this site.**

NOW THEREFORE WE THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF RICHMOND UPON THAMES acting by the Council of the said Borough, the Local Planning Authority HEREBY GIVE YOU NOTICE pursuant to the said Act and the Orders made thereunder that permission to develop the said land in accordance with the said application is hereby **REFUSED** subject to the reasons and informatives summarised below and listed on the attached schedule:-

**SUMMARY OF REASONS AND INFORMATIVES**


**CONDITIONS:**

U78305 Reason for Refusal 1  
U78306 Reason for Refusal 2

**INFORMATIVES:**

U85635 Drawing Numbers

Yours faithfully



Robert Angus  
Development Control Manager

## SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION 14/3364/FUL

<b>APPLICANT NAME</b> Mr Abdulmajid Popalzi 18 Wembley Road Surrey TW12 2QE United Kingdom	<b>AGENT NAME</b>
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**SITE:**

205 Waldegrave Road, Teddington, TW11 8LX, .

**PROPOSAL:**

Change of use from A1 (office use) to Minicab office or Private Hire Business from this site.

### DETAILED REASONS

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**U78305 Reason for Refusal 1**

The proposal would result in the loss of a retail shop and its replacement with a use which would not contribute to the vitality and viability of this Key Shopping Frontage in a small shopping area. The proposal would therefore be contrary to policy DM TC 3 of the Richmond upon Thames Development Management Plan 2011.

**U78306 Reason for Refusal 2**

The proposal is likely to result in parking congestion and highway safety issues as well as noise and disturbance to local residents and in the absence of evidence to the contrary the proposal would be contrary to policy, particularly policies DM TC 3, DM TP5 and DM DC 5 of the Richmond upon Thames Development Management Plan 2011.

### DETAILED INFORMATIVES

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**U85635 Drawing Numbers**

For the avoidance of doubt the Drawing(s) No(s) to which this decision refers are as follows:- Site Plan and Floor Plan received on 19th August 2014

END OF SCHEDULE OF REASONS AND INFORMATIVES FOR APPLICATION 14/3364/FUL

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14/3364/FUL  
205 WALDEGRAVE ROAD  
TEDDINGTON

TEDDINGTON WARD

Contact Officer:

A VEDI *S. Graham-Smith*

[http://www2.richmond.gov.uk/PlanData2/Planning\\_CaseNo.aspx?strCASENO=14/3364/FUL](http://www2.richmond.gov.uk/PlanData2/Planning_CaseNo.aspx?strCASENO=14/3364/FUL)



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**Proposal:** Change of use to Minicab office or Private Car Hire Business.

**Applicant:** Mr A Popalzi

**Application received:** 19<sup>th</sup> August 2014

**Main development plan policies:** Development Management Plan: DM TC 2, 3, 5; TP 2, 5; DC 5  
LDF Core Strategy: CP 8

**Present use:**  
Vacant Shop.

**SUMMARY OF APPLICATION:**

The proposal involves the replacement of a retail shop which is currently vacant with a cab/private car hire office. The shop is in a Key Shopping Frontage where the loss of retail uses is generally resisted. It is not considered that the proposed use would add to the vitality & viability of this small shopping area and there is insufficient evidence to justify approval contrary to policy. There is also concern that the proposal would result in parking congestion and late night noise and disturbance to the detriment of the amenities of nearby residents and, again, in the absence of evidence to prove otherwise this would also be contrary to a number of policies.

**RECOMMENDATION: REFUSAL**

**Site, history and proposal:**

1. The property is a shop unit located in a shopping parade mid-way along Waldegrave Road. There are shops either side and flats above the shops. There is another short shopping parade opposite and the Waldegrave Arms is nearby on the junction with Shacklegate Lane. The shop is located within a mixed use area and a Key Shopping Frontage.
2. The shop was last used as an internet café and food store but has been vacant since 2012. The only recent planning applications have referred to extending the residential element of the building.
3. This application proposes use as a cab office.

**Public and other representations:**

4. Councillor Roberts (the applicant is one of his constituents) has requested that the application be considered by the Planning Committee as the frontage offers little in the way of retail uses.
5. Objections have been received from 28 local addresses citing the following concerns:
  - Increased parking problems
  - Late night noise
  - Increase in traffic and highway safety concerns

**Professional comments:**

6. This small commercial area comprises ten shop units on the west side and five on the east side of Waldegrave Road.

Mixed Use Area

7. Development Management Plan Policy DM TC 2 seeks to protect and improve the provision of day-to-day goods and services in smaller centres of the borough. Appropriate uses could be: new retail, business or employment developments, which should maintain suitable provision for small businesses and other uses which serve the community or attract visitors and are of a scale that enhances the vibrancy and vitality of the centre and do not erode the core function of the centre. They should also not add disproportionately to pressure on parking.
8. Parking is considered below, but the proposal involves a commercial use which would provide employment and therefore may be appropriate in a mixed use area.

Key Shopping Frontage

9. Policy DM TC 3 states that proposals that result in a loss of retail (A1 use class) space in key shopping frontages will be generally resisted. The Council will support other uses converting to retail, subject to there being no adverse impact on the centre, and seek to retain key facilities, including Post Offices. The key frontages have been designated on the parades that form the core of the retail centre, and as such they are mostly A1 retail. The loss of A1 space will generally be resisted, and conversions to A1 generally supported, whilst acknowledging the contribution that non-A1 units can make to a parade.

In this small shopping area the following shops are located in Key Shopping Frontage;

West side:

- 197 – Antique Shop – Waldegrave Antiques (A1 use class)
- 199 – Fish and Chip Shop – Mr Cod (A5 use class)
- 201 – Tattoo Parlour – Teddington Ink (*sui generis* – not in any use class)
- 203 – Hairdresser – The Cove (A1 use class)
- 205 – Vacant (former dry cleaner – A1 use class)
- 207 – Beauty Salon – Reena's (A1 use class)

East side:

- 158 – Antiques shop – Candlelight (A1 use class)
- 154-156 – Vacant – (former clothing store – A1 use class)
- 152 – Butcher - A G Miller (A1 use class)
- 150 – General store – Bill's Food and Wine (A1 use class)

Four shops on the west side are designated as Secondary Shopping Frontage (where non-retail uses appropriate to a shopping area may be accepted subject to certain conditions):

- 189 – Office to MOT firm – Waldegrave Motors(A2/B1 use class)
- 191 – Launderette – Bubbles (A1 use class)
- 193 – Hairdresser - Barbershop (A1 use class)
- 195 – Restaurant – La Dolce Vita (A3 use class)

10. The tattoo parlour was formerly a dry cleaner (A1 use class) and has recently opened as a tattoo parlour without applying for planning permission. An enforcement investigation has been instigated.
11. Of the eleven shops in Key Frontage only one is lawfully not in A1 use, No 199 has been used as a takeaway since at least the mid 1960s.
12. In order to allow the loss of a retail shop in a Key Frontage a strong argument would be required as justification. Although the sale/letting details have been supplied, there is no evidence relating to length of marketing, methods used, level of interest etc. It is also considered that a cab office is generally not a suitable use in Key Shopping Frontage. Whilst the opening hours are long and the premises will be "open" during the day it is doubtful that cab offices add a great deal of vitality & viability to shopping areas. The view is taken that this is a type of business which could operate from a less central position. There is one other vacancy in the centre (154-6), which does not indicate a struggling centre and the majority of the shops are in A1 retail use. The proposal is consequently considered to be contrary to policy DM TC 3.

#### Traffic and Parking

13. Policy DM TP 2 of the Development Management Plan states that the impact of new development on the transport network will be assessed against other plan policies and transport standards. In addition it is necessary to consider the impact of any new development on the existing wider and local transport network for all modes, how it links to the network, impacts on highway safety and the impact of parking and servicing.
14. Policy DM TP 5 states that the Council will consider applications for offices for private hire vehicles against relevant policies of the plan, and subject to them not having an adverse impact on other types of transport including walking and cycling, on-street parking and highway safety or causing disturbance to residents. Private hire vehicles are controlled from offices and the vehicles may or may not be parked nearby. The presence of a private hire office open at night at a rail station or anywhere else, can improve security and add a measure of natural surveillance, which is welcome in certain areas. However private hire offices can cause disruption to residents with frequent traffic movements, impact on parking and late night noise and disturbance.
15. This area is heavily parked. Although it is stated that no drivers will be on site, it is also stated that customers can book at the site. It is therefore likely that drivers would need to come to site to collect these passengers. There is a concern that drivers may come to site to wait for jobs, use convenience facilities and be paid. Conditioning such matters has proved unenforceable in the past. Also, with the nearby public house it is unlikely that business would be turned away from that source. Whilst the applicant states that only two drivers will initially be based at the site, there can be no way of restricting this should the business flourish. There are consequently strong concerns, shared by local residents (although 22 of the 28 objectors come from Arlington Road which is a minimum 300m away by car), that this may increase parking congestion in the area which may result in double parking and highway safety issues.

16. No parking survey has been submitted to support the application and one would be required to show the area at under 90% on-street parking capacity with the potential impact of the proposal. In the absence of such evidence it has not been demonstrated that the use could be carried out without an unacceptable increase in parking congestion.

Noise and Disturbance.

17. Policy DM TP 5 is mentioned above and includes concerns about late night noise and disturbance. The application states that the office would be open until 11pm apart from Saturday when 2am is proposed and Sunday when 10pm is proposed. Although there is a restaurant, a takeaway and a public house in the vicinity this is seen as a generally quiet area, with the public house closing at 11pm. There is a limit to how the business could be restricted to prevent disturbance. An hours restriction is possible but the applicant has rejected this. For reasons similar to those given under 'Traffic and Parking' it is considered, on the balance of probability, that the proposed use would result in undue noise and disturbance in a relatively short shopping parade which is otherwise surrounded by residential properties.

I therefore recommend **Refusal** on the following grounds:-

**Reasons for Refusal:**

The proposal would result in the loss of a retail shop and its replacement with a use which would not contribute to the vitality and viability of this Key Shopping Frontage in a small shopping area. The proposal would therefore be contrary to policy DM TC 3 of the Richmond upon Thames Development Management Plan 2011.

The proposal is likely to result in parking congestion and highway safety issues as well as noise and disturbance to local residents and in the absence of evidence to the contrary the proposal would be contrary to policies DM TC 3, DM TP and DM DC 5 of the Richmond upon Thames Development Management Plan 2011.

**Standard Informative:**

Drawing Numbers – Site Plan and Floor Plan received on 19<sup>th</sup> August 2014

**Pages 31-34, 14/3364/FUL – 205 WALDEGRAVE ROAD,  
TEDDINGTON**

- Two further objections have been received from Arlington Road residents who object on the grounds of increased traffic, parking problems and noise and disturbance.
- The applicant has written stating that regulated opening hours would be accepted and stating the intention to close at 2300 on a Saturday rather than 0200 as originally proposed. Proposed Sunday hours are also reduced. These were intended to be from 0600 to 2200 but now 0800 to 2100 are proposed.
- It is stressed that 80% – 90% of trade is via telecommunication rather than visitors to the premises. Only two taxis will operate from this office with only one based there at any one time using an allocated parking bay (it is not specified where this is).
- It is pointed out that other businesses open until 2200 and 2300. Noise is more likely to come from the nearby pub.
- The shopping parade is not considered to be busy and thriving and No. 205 has been on the market for at least a year and is in a poor state – an e-mail from a marketing agent providing some details in this respect has been submitted.
- The applicant has operated other cab firms in the borough without allegedly causing problems.