

**Application reference: 17/3688/PS192**

Date application received	Date made valid	Target report date	8 Week date
10.10.2017	19.10.2017	14.12.2017	14.12.2017

**Site:**

2 To 6 Whitton Road And, 111 London Road, Twickenham,

**Proposal:**

Proposed Class A1 use with hours of operation of 7am - 23.00 seven days a week.

Status: Pending Consideration (If status = HOLD please check that all is OK before you proceed any further with this application)

**APPLICANT NAME**

C/O Agent

**AGENT NAME**

Ms Charlotte Yarker  
2nd Floor, 24 Southwark Bridge  
Road  
London  
SE1 9HF

**DC Site Notice:** printed on and posted on and due to expire on

**Consultations:**

**Internal/External:**

**Consultee**

**Expiry Date**

**Neighbours:**

-

**History: Development Management, Appeals, Building Control, Enforcements:**

Development Management

Status: PCO

Date:

Application: 17/3688/PS192

Proposed Class A1 use with hours of operation of 7am - 23.00 seven days a week.

**Recommendation:**

The determination of this application falls within the scope of Officer delegated powers YES / NO

**I therefore recommend the following:**

- 1. REFUSAL
- 2. PERMISSION
- 3. FORWARD TO COMMITTEE

This application is CIL liable  YES\*  NO  
(\*If yes, complete CIL tab in Uniform)

This application requires a Legal Agreement  YES\*  NO  
(\*If yes, complete Development Condition Monitoring in Uniform)

This application has representations online (which are not on the file)  YES  NO

This application has representations on file  YES  NO

Case Officer (Initials): WOT

Dated: 13/12/2017

**I agree the recommendation:**

~~Team Leader/Head of Development Management/Principal Planner~~

Dated: 13/12/17 WWC

This application has been subject to representations that are contrary to the officer recommendation. The Head of Development Management has considered those representations and concluded that the application can be determined without reference to the Planning Committee in conjunction with existing delegated authority.

Head of Development Management: .....

Dated: .....

<b>REASONS:</b>
<b>CONDITIONS:</b>
<b>INFORMATIVES:</b>
<b>UDP POLICIES:</b>
<b>OTHER POLICIES:</b>

The following table will populate as a quick check by running the template once items have been entered into Uniform

**SUMMARY OF CONDITIONS AND INFORMATIVES**

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**CONDITIONS**

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**INFORMATIVES**

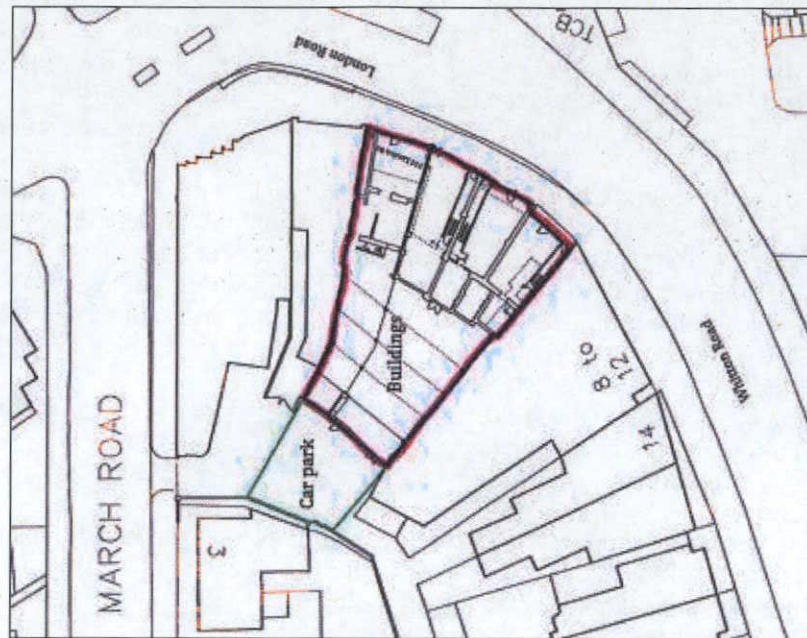
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17/3688/PS192

2 – 6 Whitton Road & 111 London Road, Twickenham

### Site and Surrounding

The application site relates to the ground floor of four (4), two-storey buildings with frontages to the northern side of Whitton Road as indicated on the submitted site location plan redline plan (below).



Nos. 2 – 6 Whitton Road are locally listed Buildings of Townscape Merit, however 111 London Road is unlisted both statutorily and locally. The site is not within a Conservation Area.

The site is situated within the Twickenham Village.

### Proposal

Proposed Class A1 use with hours of operation of 7am - 23.00 seven days a week.

The scheme seeks confirmation in the form of a lawful development certificate confirming the A3 use of the ground floor, and it's the lawfulness of a change of use to A1 with hours of operation of 7am – 11pm seven days a week.

### History

There is extensive history for all four buildings which form the application. The most recent and relevant are detailed below:

#### 2 Whitton Road:

- 93/0669/FUL – Change Of Use From A1 (retail) Use Class To-A3 (restaurant) Use Class. – *Granted Permission and implemented.*

#### 4 Whitton Road:

- 92/0186/FUL – Change Of Use Of Ground Floor To Delicatessen And Sandwich Bar, With Eating On Premises (8.00am-6.00pm). – *Granted Permission and implemented.*

#### 2 – 6 Whitton Road:

- 15/2516/GPD15 – Change of use from B1(a) Office use to C3 (Residential) use to form 3 no. 2 bedroom apartments (apartments to be; 2a Whitton Road, 2b Whitton Road, and 6a Whitton Road). – *Refused Permission*
- 15/1765/GPD15 – Conversion of the existing offices (B1 use) to residential (C3 use) (2 No.3 bed apartments - No's.6a and 6b). – *Refused Permission*

- 14/4303/P3JPA - Change of use from B1(a) Office use to C3 (Residential) use to form 3 no. 2 bedroom apartments with integral cycle and refuse storage. – *Granted Permission, residential use implemented and occupied.*
- 03/1624/COU - Retention Of Increased Seating In Front Part Of Ground Floor Of No.6 For Existing Restaurant At 2 And 6 Whitton Road. – *Granted Permission*

#### 111 London Road:

- 16/4630/FUL – Change of use from restaurant (Use Class A3) to a health and fitness club (Use Class D2). – *Granted Permission but not implemented.*
- 15/4499/FUL – Retrospective application for change of use from restaurant (A3 Use Class) to takeaway (A5 Use Class). – *Refused Permission*
- 15/2934/FUL – Retrospective planning permission for change of use class A5 to A3. – *Refused Permission*
- 11/1625/FUL – To amend the existing A3 planning use to a mixed A3 / A5 use to permit the sale of hot food for consumption off the premises, in addition to the existing restaurant use. To retain the replacement extract ducting system on the rear flat roof of the building. – *Refused Permission*
- 11/0194/COU – Change of use from A3 to a combined A3/A5 use to permit the sale of hot food for consumption off the premises in addition to the existing restaurant use. – *Refused Permission*
- 05/3228/COU – Proposed Change Of Use From A1/2 Use To A3 Use And Installation Of Kitchen Extract Ducting At Rear. – *Granted Permission*
- 05/1713/FUL – Retention Of New Shop Front and Proposed Formation Of A Level Access At Entrance To Shop. – *Granted Permission*

#### **Representations**

The application was subject to twenty-five (25) third-party objections. The concerns raised in the representations are detailed below:

- Impact of use on local shops
- Increased parking strain
- Increased traffic congestion
- Increased noise levels
- Area over-serviced by convenience/retail use
- Limiting of access/operation of the rear car park
- Hours of operation will be disruptive for local residents

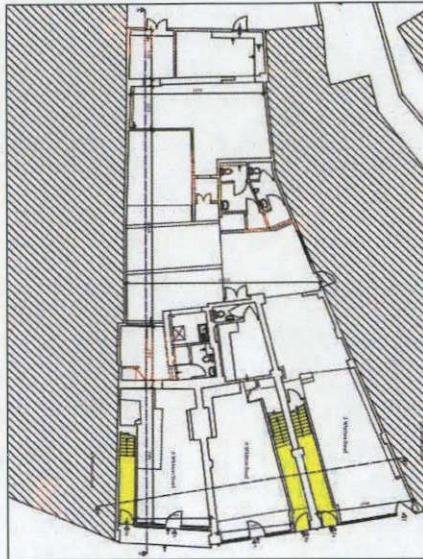
#### **Amendments**

None received

#### **Professional Comments**

It is noted that the plan includes reference to the car park to the rear which has been highlighted in green, however while it is unclear as to the purpose of its inclusion in the application material, it therefore does not form part of the consideration of the application. The application as such relates only to the ground floors of the application site(s), as indicated on the submitted redline plan and in the cover letter accompanying the application.

Notwithstanding the above, the ground floors of nos. 2 – 6 Whitton Road include the secure access and entry points for Flats 2a, 4a, and 6a on the upper floor as permitted by application 14/4303/P3JPA. These areas are identified in the submitted redline plan and are not considered ancillary access for the purpose of nos. 2 – 6 Whitton Road, and relate only to the C3 use of residential flats located within the upper floors.



Proposed Ground Floor Plan nos. 2 – 6 Whitton Road, flat access highlighted (14/4303/P3JPA)

The secure street level access spaces formed part of application 14/4303/P3JPA for the change of use of B1(a) office to C3 residential of the upper floors, and service no part of the ground floors of nos. 2 – 6 Whitton Road. Given the C3 use has been implemented, ~~prior approval~~ will be required for the change of use to A1 for these areas of the ground floor. *Planning permission*

For the above reasons, the ground floor as identified in the submitted red line plan *is not* considered to be solely A3 in use, nor would it be able to lawfully change its use to A1 under Class A within Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and any subsequent legislative amendments.

#### Other Matters

While it is noted that there has been twenty-five objections to this application, as an application for a Lawful Development Certificate these representations have not been considered in the assessment of this application.

**Recommendation:** Refuse Certificate.