

**Application reference: 06/1767/ES191**  
SOUTH RICHMOND WARD

Date application received	Date made valid	Target report date	8 Week date
30.05.2006	04.07.2006		29.08.2006

**Site:**

5B Queens Road, Richmond, Surrey, TW10 6JW

**Proposal:**

Application for single dwelling. *unc*

**Present use:**

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

**APPLICANT NAME**

Mr C. Thomas  
5B Queens Road  
Richmond  
Surrey  
TW10 6JW

**AGENT NAME**

**Consultations:**

**Internal/External:**

**Consultee**

**Expiry Date**

**Neighbours:**

-

**History:**

Ref No	Description	Status	Date
06/1767/ES191	• Application for ES191 - unknown details.	INV	

**Constraints:**

Conservation Area 30

**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

Case Officer (Initials): **JW**

Dated: **25/7/06**

**I agree the recommendation:**

Team Leader/~~Development Control Manager~~

Dated: **Wynhatter** **01/08/2006**

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

Development Control Manager: .....

Dated: .....

<b>REASONS:</b>
<b>CONDITIONS:</b> <i>4 yrs established as car park use</i>
<b>INFORMATIVES:</b> <i>165</i>
<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

<b>CONDITIONS:</b>	
<b>INFORMATIVES:</b>	

**ADDITIONAL NOTES CONTINUED FROM ABOVE:**

**5B Queens Road  
Richmond  
06/1767/S191**

**Site, History and Proposal:**

- Located in St Matthias Conservation Area and is classified as a Building of Townscape Merit.

No relevant planning history relating to the use of the site.

Our records show the property comprising of three flats 5 (basement), 5A (top floor) and 5B. There is no planning permission for 5B and the applicant seeks to establish that its lawful use is as a self contained flat.

**Professional Comments:**

There is no evidence the Local Planning Authority has to dispute the 4 year rule and information provided from the applicant suggests that the use of the property as a flat has occurred continuously for over 4 years. The evidence below supports the lawful use of the property as a flat:

- Confirmation from the LBRUT Council Tax department outlining that the property has been assessed as three separate flats comprising 5, 5A and 5B since 1/4/1993. The Council tax records only go back to this date in regards to residential units.
- Register of electors listing 5 Queens Road as three separate units (5, 5A, 5B) and includes reference to Flat 5B. The applicants name was listed on the electoral role at 5B Queens Road in 2001.
- Council Tax Bill and Thames Water Bills dating back to 2000 for the property 5B Queens Road.

**Recommendation:**

The property 5B has been used as a flat (C3 use class) for over four years continuously and would therefore be immune from enforcement action.