



PLANNING REPORT

Application reference: 23/3128/VRC FULWELL AND HAMPTON HILL WARD

Date application received	Date made valid	Target report date	8 Week date
21.11.2023	21.11.2023	16.01.2024	16.01.2024

Site:

50 South Road, Twickenham,

Proposal:

Variation of Condition Number: U0072108 Servicing attached to planning permission ref: 18/4072/VRC dated 13.11.2019 to allow for revised servicing hours in respect of the non-food retail floorspace shaded red on building subdivision plan (109) to facilitate one extra delivery vehicle between the hours of 10am and 5pm on Sundays or Bank Holidays to fulfill 'click and collect' orders.

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

APPLICANT NAME

Peter Daniels
B&Q House
Chestnut Avenue
Chandlers Ford
Eastleigh
Hampshire
SO53 3LE

AGENT NAME

Mr Paul Aldridge
20
Farringdon Street
London
EC4A 4AB

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

Consultations:

Internal/External:

Consultee

LBRuT Non-Commercial Environmental Health Noise Issues
LBRUT Transport
The Power Service

Expiry Date

08.12.2023
08.12.2023
21.12.2023

Neighbours:

Twickenham Volkswagen, South Road, Twickenham, TW2 5NT, - 24.11.2023
20 South Road, Twickenham, TW2 5NU, - 24.11.2023
Room 2, The Old Goat, 241 Hampton Road, Twickenham, TW2 5NG, - 24.11.2023
Room 1, The Old Goat, 241 Hampton Road, Twickenham, TW2 5NG, - 24.11.2023
Flat 4, 29 South Road, Twickenham, TW2 5NU, - 24.11.2023
Flat 3, 29 South Road, Twickenham, TW2 5NU, - 24.11.2023
Flat 2, 29 South Road, Twickenham, TW2 5NU, - 24.11.2023
Flat 1, 29 South Road, Twickenham, TW2 5NU, - 24.11.2023
Twickenham Fire Station, 30 South Road, Twickenham, TW2 5NT, - 24.11.2023
13 South Road, Twickenham, TW2 5NU, - 24.11.2023
10 South Road, Twickenham, TW2 5NU, - 24.11.2023
8 South Road, Twickenham, TW2 5NU, -
5 South Road, Twickenham, TW2 5NU, - 24.11.2023

3 South Road, Twickenham, TW2 5NU, - 24.11.2023
6 South Road, Twickenham, TW2 5NU, - 24.11.2023
4 South Road, Twickenham, TW2 5NU, - 24.11.2023
28 South Road, Twickenham, TW2 5NU, - 24.11.2023
27 South Road, Twickenham, TW2 5NU, - 24.11.2023
26 South Road, Twickenham, TW2 5NU, - 24.11.2023
25 South Road, Twickenham, TW2 5NU, - 24.11.2023
The Retreat, 24 South Road, Twickenham, TW2 5NU, - 24.11.2023
23 South Road, Twickenham, TW2 5NU, - 24.11.2023
22 South Road, Twickenham, TW2 5NU, - 24.11.2023
21 South Road, Twickenham, TW2 5NU, - 24.11.2023
19 South Road, Twickenham, TW2 5NU, - 24.11.2023
18 South Road, Twickenham, TW2 5NU, - 24.11.2023
17 South Road, Twickenham, TW2 5NU, - 24.11.2023
16 South Road, Twickenham, TW2 5NU, - 24.11.2023
15 South Road, Twickenham, TW2 5NU, - 24.11.2023
12 South Road, Twickenham, TW2 5NU, - 24.11.2023
11 South Road, Twickenham, TW2 5NU, - 24.11.2023
9 South Road, Twickenham, TW2 5NU, -
7 South Road, Twickenham, TW2 5NU, - 24.11.2023
The Old Goat, 241 Hampton Road, Twickenham, TW2 5NG, - 24.11.2023
Apartment 2, 228 Hampton Road, Twickenham, TW2 5NJ, - 24.11.2023
Apartment 3, 228 Hampton Road, Twickenham, TW2 5NJ, - 24.11.2023
Apartment 1, 228 Hampton Road, Twickenham, TW2 5NJ, - 24.11.2023
226 Hampton Road, Twickenham, TW2 5NJ, - 24.11.2023
10 Sixth Cross Road, Twickenham, TW2 5PB, - 24.11.2023
6 Sixth Cross Road, Twickenham, TW2 5PB, - 24.11.2023
224 Hampton Road, Twickenham, TW2 5NJ, - 24.11.2023
12 Sixth Cross Road, Twickenham, TW2 5PB, - 24.11.2023
8 Sixth Cross Road, Twickenham, TW2 5PB, - 24.11.2023
4 Sixth Cross Road, Twickenham, TW2 5PB, - 24.11.2023
2 Sixth Cross Road, Twickenham, TW2 5PB, - 24.11.2023
Squires Garden Centre, Sixth Cross Road, Twickenham, TW2 5PA, - 24.11.2023
London Bus Sales Depot, Stanley Road, Twickenham, TW2 5NP, - 24.11.2023
Cllr J Cardy, Garden Flat, 87 Waldegrave Road, Teddington, TW11 8LA, - 24.11.2023
Cllr M Hull, Room 4, 100 Stanley Road, Teddington, TW11 8TX, - 24.11.2023
Cllr M Saunders, 55 Winchendon Road, Teddington, TW11 0SU, - 24.11.2023
18 Wellesley Crescent, Twickenham, TW2 5RT, - 24.11.2023
16 Belmont Road, Twickenham, TW2 5DA, - 24.11.2023
7 Fulwell Park Avenue, Twickenham, TW2 5HF, - 24.11.2023
3 Eastbank Road, Hampton Hill, TW12 1RP, - 24.11.2023
203 Stanley Road, Twickenham, TW2 5NW, - 24.11.2023
68 Park Road, Hampton Hill, TW12 1HP, - 24.11.2023
28 Warwick Road, Twickenham, TW2 6SW, - 24.11.2023
23 Grove Road, Twickenham, TW2 5NH, - 24.11.2023
217 Stanley Road, Twickenham, TW2 5NW, - 24.11.2023
20 Sixth Cross Road, Twickenham, TW2 5PB, - 24.11.2023
7A Willow Way, Twickenham, TW2 5JW, - 24.11.2023
7 Blandford Road, Teddington, TW11 0LF, - 24.11.2023
218 Uxbridge Road, Hampton, TW12 1AY - 24.11.2023
219 Hampton Road, Twickenham, TW2 5NG, - 24.11.2023
13 Eastbank Road, Hampton Hill, TW12 1RP, - 24.11.2023
38A Staines Road, Twickenham, TW2 5AH, - 24.11.2023
58 Wellington Road, Hampton, TW12 1JT, - 24.11.2023
3 Linksvie Court, Paget Close, Hampton Hill, Hampton, TW12 1JZ, - 24.11.2023
2 Grove Road, Twickenham, TW2 5NH, - 24.11.2023
328-330 Staines Road, Twickenham, TW2 5AT, - 24.11.2023
148 Sixth Cross Road, Twickenham, TW2 5PE, - 24.11.2023
5 Crane Park Road, Twickenham, TW2 6DF, - 24.11.2023
224 Stanley Road, Teddington, TW11 8UE, - 24.11.2023

10 Selkirk Road, Twickenham, TW2 6PX, - 24.11.2023
 100 Buckingham Road, Hampton, TW12 3JR, - 24.11.2023
 24 Sixth Cross Road, Twickenham, TW2 5PB, - 24.11.2023
 Flat 4, 44 Princes Road, Teddington, TW11 0RU, - 24.11.2023
 Mr Jake McLeod, Walsingham Planning, Brandon House, King Street, Knutsford, WA16 6DX, - 24.11.2023
 174 Church Road, Teddington, TW11 8QL -
 Twickenham Ambulance Station, South Road., Twickenham, TW2 5NT - 30.11.2023
 Maisonette, 220 Hampton Road, Twickenham, TW2 5NJ, - 30.11.2023
 Ground Floor Flat, 235 Hampton Road, Twickenham, TW2 5NG - 30.11.2023
 First Floor Flat, 235 Hampton Road, Twickenham, TW2 5NG - 30.11.2023
 222A Hampton Road, Twickenham, TW2 5NJ, - 30.11.2023
 222 Hampton Road, Twickenham, TW2 5NJ, - 30.11.2023
 220 Hampton Road, Twickenham, TW2 5NJ, - 30.11.2023
 Twickenham Ambulance Station, South Road, Twickenham, TW2 5NT, - 30.11.2023
 Unit 2, 50 South Road, Twickenham, TW2 5NT, - 30.11.2023
 Unit 1, 50 South Road, Twickenham, TW2 5NT, - 30.11.2023
 Flat, The Old Goat, 241 Hampton Road, Twickenham, TW2 5NG, - 30.11.2023
 241A Hampton Road, Twickenham, TW2 5NL, - 30.11.2023

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

Development Management

Status: GTD Application: 02/1159
 Date: 17/06/2002 External Alterations To Building And Formation Of Gates Within Site

Development Management

Status: GTD Application: 02/1467
 Date: 15/07/2002 Erection Of Internally Illuminated Signs And Freestanding Signs

Development Management

Status: GTD Application: 02/1501
 Date: 28/11/2002 Variation Of Condition No. 11 Of Planning Consent 84/618 To Vary Trading Hours To Between 8am And 8pm Mondays To Saturdays

Development Management

Status: GTD Application: 03/3301
 Date: 05/02/2004 Extension Of Hours From 7.30am To 8.00pm Mon-sat And At Any Times Between 10am And 5pm On Sundays.

Development Management

Status: REF Application: 92/1835/FUL
 Date: 09/12/1992 Use Of Car Parks For Car Boot Sales And Buyers Parking On 1st Sunday Of Every Month.

Development Management

Status: GTD Application: 93/0014/FUL
 Date: 17/05/1993 Variation Of Condition 11 Of Permission Granted On Appeal (84/618) To Allow Store And Garden Centre To Trade On Sundays And Bank Holidays.

Development Management

Status: GTD Application: 94/0853/FUL
 Date: 16/06/1994 Renewal Of Temporary Planning Consent (93/0014/ful) To Allow Permanent Sunday And Bank Holiday Trading.

Development Management

Status: GTD Application: 94/3491/ADV
 Date: 23/01/1995 Provision Of Illuminated Fascia And Free Standing Signs

Development Management

Status: REF Application: 99/0628
 Date: 28/04/1999 Internally Illuminated Fascia Sign.

Development Management

Status: GTD Application: 99/2613
 Date: 18/11/1999 Erection Of 2 X Poster Panels Bus Shelter.

Development Management

Status: REF Date:21/09/1984	Application:84/0971/ADV To Let/For Sale Sign.
<u>Development Management</u> Status: REF Date:11/08/1987	Application:87/1067/ADV Individually applied letters and symbol.
<u>Development Management</u> Status: GTD Date:24/11/1987	Application:87/1799 Erection of external lighting to car park and Garden Centre associated with retail D.I.Y. Centre.
<u>Development Management</u> Status: GTD Date:20/01/1988	Application:87/2272/ADV Externally illuminated store sign panels.
<u>Development Management</u> Status: GTD Date:20/01/1988	Application:87/2278/ADV Free standing internally illuminated sign.
<u>Development Management</u> Status: REF Date:10/10/1988	Application:88/1644 Amendment to condition No. 11 of permission granted on appeal (84/0618) dated 20th August 1986, regarding revised hours of use, to enable the store to be open on any day, between 9.00 am and 8.00 pm.
<u>Development Management</u> Status: GTD Date:09/07/1976	Application:73/3109 Development of site for residential purposes with 60 units of accommodation at a density of 75 habitable rooms per acre together with parking spaces and roads on land edged red on the plan No. 27.4.1 received on 28th May, 1975.
<u>Development Management</u> Status: REF Date:24/04/2014	Application:14/0982/ADV 1 NO. EXISTING INTERNALLY ILLUMINATED FLEXIBLE SKIN BOX SIGN TO REAR ELEVATION.
<u>Development Management</u> Status: GTD Date:29/05/2018	Application:18/1095/VRC Variation of Condition 11 (Opening Hours) of Planning Permission Ref. 84/618 (dated 20 August 1988), as Amended by Planning Permissions ref. 93/0014/FUL (dated 17 May 1993), 94/0853/FUL (dated 16 June 1994), 02/1501/FUL (dated 28 November 2002) and 03/3301/FUL (dated 5 February 2004) to allow the store to open between 6.00am to 8.00pm Mondays to Saturdays and 10am to 5pm on Sundays.
<u>Development Management</u> Status: GTD Date:13/11/2019	Application:18/4072/VRC Removal of Conditions 8 (Restriction on Use), 11 (Opening Hours) and 13 (Restriction on loading/unloading) of planning permission 84/0618 (allowed on appeal) to 1)allow for the sale of food or convenience goods from part of the retail floorspace; 2) to allow the opening hours from part of the retail floor space to be extended to between 06.00-22.00 Mondays-Saturday (inclusive) and 10.00-17.00 on Sundays and Bank Holidays; and 3) to allow part of the retail floorspace to be serviced from 07.00-22.00 Mondays-Saturdays and 10.00-17.00 Sundays and Bank Holidays
<u>Development Management</u> Status: GTD Date:13/11/2019	Application:18/4073/FUL An extension to the car park, external alterations to the building, installation of plant equipment and other associated works
<u>Development Management</u> Status: GTD Date:23/10/2019	Application:19/0234/ADV Erection of a part illuminated advertisement flag pole 'Lidl' sign at the site entrance and 3 wall mounted, internally illuminated signs.

<u>Development Management</u> Status: GTD Date:11/03/2022	Application:18/4073/DD01 Details pursuant to conditions U0072127 - External illumination plan, U0072120 -Construction Management Plan attached to planning permission ref: 18/4073/FUL dated 13.11.2019.
<u>Development Management</u> Status: REF Date:21/12/2020	Application:20/0311/ADV Consent to display 3No. Internally illuminated fascias to East, West and North Elevations, 1No. over door graphic to entrance and 1No. Internally illuminated fascia box to existing flagpole sign.
<u>Development Management</u> Status: GTD Date:20/08/2020	Application:18/4073/DD02 Details pursuant to condition U0072119 (Delivery and Servicing Plan) and U0072115 Grampian Condition of Planning Permission 18/4073/FUL.
<u>Development Management</u> Status: REF Date:17/09/2020	Application:20/1883/PS192 The installation of Air Conditioning Condensors to the side of the building externally
<u>Development Management</u> Status: GTD Date:16/10/2020	Application:20/1903/ADV Advertisement Consent to Display, 3No. Internally Illumined Flex Boxes, 3No. Non Illuminated Car Park Signs and 1No. Freestanding Car Park Entrance Sign.
<u>Development Management</u> Status: REF Date:09/04/2021	Application:21/0539/ADV Retrospective internally illuminated totem sign
<u>Development Management</u> Status: REF Date:17/08/2021	Application:21/1849/ADV Partially illuminated totem comprising signage panels
<u>Development Management</u> Status: GTD Date:07/12/2022	Application:18/4073/DD04 Details pursuant to condition U0072124 - Travel Plan (In Part) of planning permission 18/4073/FUL.
<u>Development Management</u> Status: PCO Date:	Application:23/3128/VRC Variation of planning approval 18/4072/VRC - Condition Number(s): Condition U0072108 Servicing - to allow for Revised servicing hours in respect of the retail floorspace shaded red on Building Subdivision Plan (109) to facilitate the business needs of B&Q for 'click and collect' deliveries on Sundays and Bank Holidays. Please see covering letter for further details. Extended delivery hours to fulfill 'click and collect' orders by a single delivery vehicle on Sundays and Bank Holidays between the hours of 10.00 - 17.00. Please see covering letter for details
<u>Appeal</u> Validation Date: 25.06.1999 Reference: 99/0628	Development Appeal
<u>Appeal</u> Validation Date: 10.11.2021 Reference: 21/0148/AP/REF	Partially illuminated totem comprising signage panels Appeal Allowed
<u>Building Control</u> Deposit Date: 22.04.2002 Reference: 02/0764/FP	Refurbishment
<u>Building Control</u> Deposit Date: 04.03.2016 Reference: 16/FEN01496/GASAFE	Install a gas-fired boiler
<u>Building Control</u>	

Deposit Date: 18.05.2016 Install a gas-fired boiler
Reference: 16/FEN01497/GASAFE

Building Control

Deposit Date: 23.05.2019 Conversion of existing retail unit into two separate retail units including a Lidl (UK) GmbH foodstore (now known as Lidl UK GMBH Unit 1 50 South Road Twickenham TW2 5NT and Unit 2 50 South Road Twickenham TW2 5NT)

Reference: 19/0819/IN

Building Control

Deposit Date: 28.10.2020 Minor extension works

Reference: 20/1429/IN

Enforcement

Opened Date: 16.01.2003 Enforcement Enquiry

Reference: 03/00017/EN

Enforcement

Opened Date: 12.02.2004 Enforcement Enquiry

Reference: 04/00048/EN

Enforcement

Opened Date: 27.04.2004 Enforcement Enquiry

Reference: 04/00174/EN

Enforcement

Opened Date: 28.07.2006 Enforcement Enquiry

Reference: 06/0353/EN/UCU

Enforcement

Opened Date: 01.06.2011 Enforcement Enquiry

Reference: 11/0261/EN/BCN

Enforcement

Opened Date: 20.06.2011 Enforcement Enquiry

Reference: 11/0309/EN/ADV

Enforcement

Opened Date: 02.08.2012 Enforcement Enquiry

Reference: 12/0408/EN/BCN

Enforcement

Opened Date: 19.09.2013 Enforcement Enquiry

Reference: 13/0499/EN/ADV

Enforcement

Opened Date: 26.11.2013 Enforcement Enquiry

Reference: 13/0610/EN/ADV

Enforcement

Opened Date: 25.06.2015 Enforcement Enquiry

Reference: 15/0409/EN/UCU

Enforcement

Opened Date: 22.02.2017 Enforcement Enquiry

Reference: 17/0090/EN/UCU

Enforcement

Opened Date: 07.08.2018 Enforcement Enquiry

Reference: 18/0398/EN/BCN

Enforcement

Opened Date: 14.02.2019 Enforcement Enquiry

Reference: 19/0082/EN/UWPT

Enforcement

Opened Date: 02.03.2020 Enforcement Enquiry

Reference: 20/0073/EN/BCN

Enforcement

Opened Date: 20.04.2020 Enforcement Enquiry

Reference: 20/0136/EN/ADV

Enforcement

Opened Date: 07.12.2020 Enforcement Enquiry

Reference: 20/0511/EN/UBW

Enforcement

Opened Date: 07.12.2020 Enforcement Enquiry

Reference: 20/0512/EN/ADV

Enforcement

Opened Date: 15.12.2020 Enforcement Enquiry

Reference: 20/0522/EN/ADV

Enforcement

Opened Date: 30.12.2020 Enforcement Enquiry

Reference: 20/0540/EN/BCN

Enforcement

Opened Date: 12.01.2021 Enforcement Enquiry

Reference: 21/0008/EN/BCN

Enforcement

Opened Date: 14.04.2021 Enforcement Enquiry

Reference: 21/0153/EN/BCN

Enforcement

Opened Date: 23.06.2021 Enforcement Enquiry

Reference: 21/0268/EN/BCN

Enforcement

Opened Date: 24.06.2021 Enforcement Enquiry

Reference: 21/0271/EN/BCN

Enforcement

Opened Date: 13.05.2022 Enforcement Enquiry

Reference: 22/0225/EN/BCN

Enforcement

Opened Date: 28.09.2022 Enforcement Enquiry

Reference: 22/0460/EN/BCN

Enforcement

Opened Date: 18.10.2022 Enforcement Enquiry

Reference: 22/0492/EN/BCN

Enforcement

Opened Date: 23.01.2023 Enforcement Enquiry

Reference: 23/0025/EN/BCN

Enforcement

Opened Date: 26.04.2023 Enforcement Enquiry

Reference: 23/0182/EN/BCN

Enforcement

Opened Date: 30.08.2023 Enforcement Enquiry

Reference: 23/0398/EN/BCN

Enforcement

Opened Date: 06.09.2023 Enforcement Enquiry

Reference: 23/0407/EN/BCN

<p>Proposal</p>	<p>This Section 73 Application of the Town and Country Planning Act (1990) seeks to amend the planning condition reference: <u>U0072108 Servicing</u> (See below Planning History for further information) attached to another Section 73 Application, namely approval reference: 18/4072/VRC (See below Planning History for further information). 18/4072/VRC was the subject of a legal agreement securing a highway contribution of £45, 214.00 (paid – confirmed by S106 team)</p> <p><u>U0072108 Servicing</u></p>
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	<p><i>The approved retail floorspace shaded in blue on Building Subdivision Plan (109) shall only be serviced from 7am to 10pm on Mondays to Saturdays and from 10am to 5pm on Sundays and Bank Holidays. The approved retail floorspace shaded in red shall only be serviced between the hours of 8am and 8pm Monday to Saturday, and at no time on Sundays and Bank Holidays or other public holidays.</i></p> <p><i>REASON: To preserve the amenities of nearby occupants.</i></p> <p>This application, as per submitted application form, seeks to “<i>extended delivery hours to fulfil 'click and collect' orders by a single delivery vehicle on Sundays and Bank Holidays between the hours of 10.00 - 17.00</i>”. The submitted Cover Letter reference: PA/SM/794-PLN-LSE-00015 dated 21/11/2023 states that:</p> <p><i>“No change is proposed in respect of Monday to Saturdays and the proposed change excludes Christmas Day and Easter Sunday”.</i></p> <p>The above changes would only affect the non-food retail unit ‘shaded in red’, that is occupied by B&Q (See below Planning History, namely Approve Plan - Building Subdivision Plan (109)).</p> <p>The retail unit ‘shaded in blue’ and occupied by Lidl would not be affected by the proposed changes.</p>
<p>Site description / key designations</p>	<p>The application site, the subject of this assessment, is located at the junction of South Road and Wellington Road in Twickenham Village, Fulwell and Hampton Hill Ward. It comprises 2 units, a food retail unit and a non-food retail unit occupied by Lidl and B&Q respectively.</p> <p>To the south of the application site is Fulwell Bus Depot that is designated as a locally listed building (BTM). Given the nature of the proposed changes, the urban context and the consented commercial context in which such application site is sited in, this BTM is not considered to be affected by these changes. Same goes for the BTMs to the north of the B&Q and Lidl, Fulwell Golf Club to the west of the premises, with its numerous designations, including MOL (Metropolitan Open Land), and Strawberry Hill Golf Club, with its numerous designations, including MOL. The surrounding TPOs would not be affected by the proposed changes as the application site is already served by delivery vehicles. Such application site presents a number of flooding constrains that are not relevant in this instance given the nature of the proposed scheme and its context.</p>
<p>Relevant Planning History to this Proposal</p>	<p>18/4072/VRC - Removal of Conditions 8 (Restriction on Use), 11 (Opening Hours) and 13 (Restriction on loading/unloading) of planning permission 84/0618 (allowed on appeal) to 1) to allow for the sale of food or convenience goods from part of the retail floorspace; 2) to allow the opening hours from part of the retail floor space to be extended to between 06.00-22.00 Mondays-Saturday (inclusive) and 10.00-17.00 on Sundays and Bank Holidays; and 3) to allow part of the retail floorspace to be serviced from 07.00-22.00 Mondays-Saturdays and 10.00-17.00 Sundays and Bank Holidays - Granted Permission 13/11/2019.</p>

The planning conditions attached to this permission are listed below:

U0072105 Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved plans and documents, where applicable: Location Plan (110); Building Subdivision Plan (109)

REASON: To accord with the terms of the application, for the avoidance of doubt and in the interests of proper planning.

U0072106 Retail Floor area

The approved retail floorspace shall not be used for the sale of food or convenience goods other than the floorspace shaded in blue on Building Subdivision Plan (109) and that floorspace shall not include any of the following:

- i. Fresh meat counter*
- ii. Fresh fish counter*
- iii. Delicatessen/cheese counter*
- iv. Pharmacy*
- v. Dry cleaning*
- vi. Film processing*
- vii. Post office*
- viii. Café / restaurant*

REASON: To protect the retail vitality and viability of local centres and to accord with the terms of the application.

U0072110 Hours of Operation

The approved retail floorspace shaded in blue on Building Subdivision Plan (109) shall not open outside the hours of 6am to 10pm on Mondays to Saturdays (inclusive) and 10am to 5pm on Sundays and Bank Holidays. The approved non-food retail floorspace shaded in red shall not open outside the hours of 6am to 8pm on Mondays to Saturdays (inclusive) and 10am to 5pm on Sundays and Bank Holidays.

REASON: To preserve the amenities of nearby occupants.

U0072108 Servicing

The approved retail floorspace shaded in blue on Building Subdivision Plan (109) shall only be serviced from 7am to 10pm on Mondays to Saturdays and from 10am to 5pm on Sundays and Bank Holidays. The approved retail floorspace shaded in red shall only be serviced between the hours of 8am and 8pm Monday to Saturday, and at no time on Sundays and Bank Holidays or other public holidays.

REASON: To preserve the amenities of nearby occupants.

Officer note: for the sake of clarity, the floorspace shaded in red in the Servicing condition should be read as 'non-food retail' as per condition U0072110 for Hours of Operation

U0072109 Tannoy System

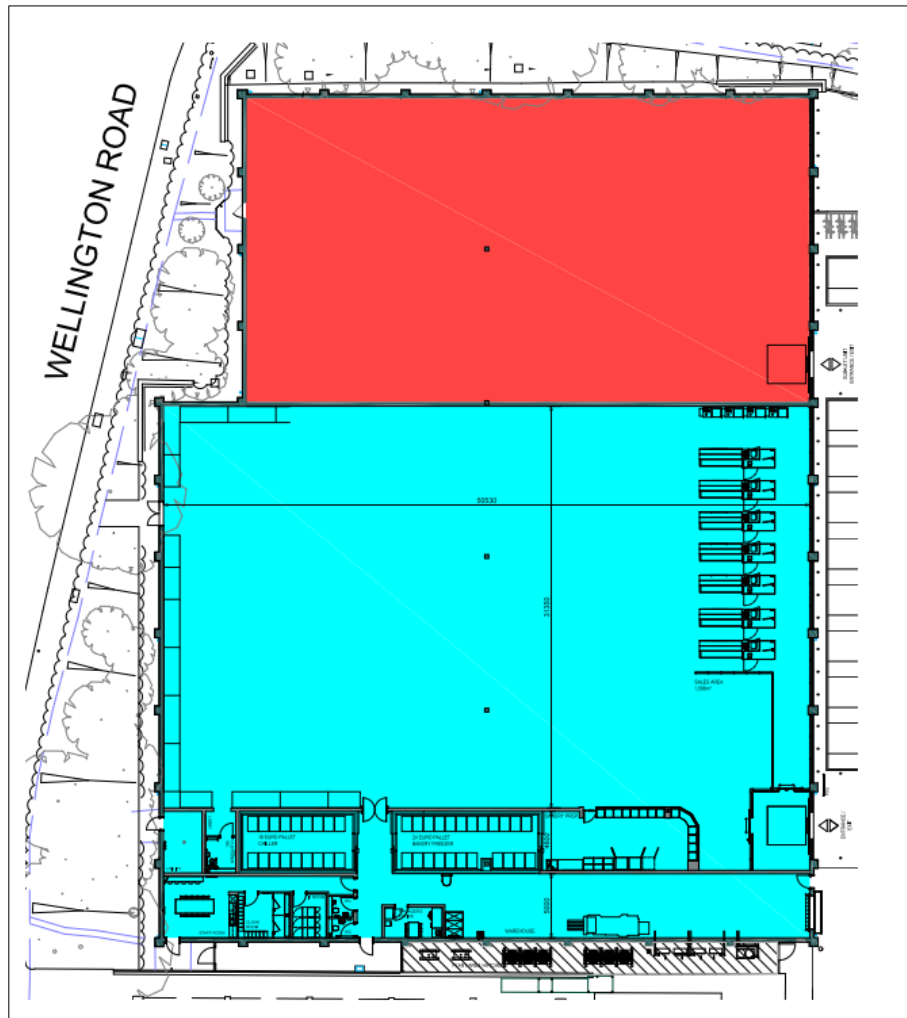
Any tannoy system or similar devices shall at no time be used other than within the building and shall not be audible from outside the site as measured from any point on the north boundary of the site.

REASON: To protect the amenities of nearby residential properties.

U0072107 Car-Parking provided

The retail floorspace shaded in blue on the Building Subdivision Plan (109) hereby approved shall at no time open for public trading unless 115 car parking spaces are available for use by customers and other associated facilities provided (e.g cycle parking, trolley bays, loading/unloading area, recycling facilities) as shown on the plan attached to this decision notice.

REASON: To ensure that suitable customer parking and servicing facilities are at all times available for use in connection with the two retail stores.



	<i>Approve Plan - Building Subdivision Plan (109)</i>
Consultees	<p>Transport: does not object to the scheme (comments summarized in the main body of this report).</p> <p>Environmental Health: does not object to the scheme subject to conditions (comments summarized in the main body of this report).</p>
Policies	<p>The proposal has been considered having regard to the policies within the London Plan and the Council's Local Plan, in particular:</p> <p>London Plan (2021):</p> <ul style="list-style-type: none"> • D12 Fire Safety <p>Local Plan (2018):</p> <ul style="list-style-type: none"> • LP 8 Amenity and Living Conditions • LP 10 Local Environmental Impacts, Pollution and Land Contamination • LP 45 Parking Standards and Servicing <p>Supplementary Planning Documents:</p> <ul style="list-style-type: none"> • Twickenham Village Planning Guidance (2018) • Development Control for Noise Generating and Noise Sensitive Development (2018)
Local Plan (Regulation 19 version)	<p><i>The Richmond Publication Version Local Plan (Regulation 19 version) was published on 9 June 2023 for public consultation which ended on 24 July 2023.</i></p> <p><i>The Publication Version Local Plan, together with all the representations received during the representation period, the plan and its supporting documents were submitted to the Secretary of State for examination on 19 January 2024. The submission documents do not form part of the statutory development plan for the Borough, however, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the Publication Plan.</i></p> <p><i>The Publication Version Local Plan, including its evidence base, are material considerations for decision-making. The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 48 of the NPPF. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This will be addressed in more detail in the assessment below if/where it is relevant to the application.</i></p> <p><i>Note that it was agreed by Full Council on 27 April, when the Publication Plan was approved, that no weight will be given to Policy 4 in relation to the increased carbon offset rate, and therefore the</i></p>

	<p><i>existing rate of £95 will continue to be used; in addition, no weight will be given to Policy 39 in relation to the 20% biodiversity net gain requirement; all other aspects and requirements of these policies will apply.</i></p> <p><i>In this regard, the following Policies are considered Material Planning Considerations in this instance:</i></p> <ul style="list-style-type: none"> • <i>Policy 46 Amenity and Living Conditions</i> • <i>Policy 53 Local Environmental Impacts</i> • <i>Policy 48 Vehicular Parking Standards, Cycle Parking, Servicing and Construction Logistics Management</i>
<p>Material representations</p>	<p>17 South Road, 18 South Road, 8 South Road, 9 South Road, and South Road Residents Association (22 South Road) object to the proposal on the following grounds:</p> <p>Air pollution Noise and Other Nuisance Traffic</p> <p>174 Church Road submitted an observation that appears to support the proposal.</p>
<p>Amendments</p>	<p>None requested or received.</p>
<p>Professional comments</p>	<p>Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990). Section 17(3) of the 2004 Act states that “<i>the local planning authority’s local development documents must (taken as a whole) set out the authority’s policies (however expressed) relating to the development and use of land in their area</i>”. This is pursued and achieved by our adopted Local Plan (2018).</p> <p>The planning condition that this proposal aims to amend is:</p> <p><u><i>U0072108 Servicing</i></u></p> <p><i>The approved retail floorspace shaded in blue on Building Subdivision Plan (109) shall only be serviced from 7am to 10pm on Mondays to Saturdays and from 10am to 5pm on Sundays and Bank Holidays. The approved retail floorspace shaded in red shall only be serviced between the hours of 8am and 8pm Monday to Saturday, and at no time on Sundays and Bank Holidays or other public holidays.</i></p> <p><i>REASON: To preserve the amenities of nearby occupants.</i></p> <p>This planning condition is proposed to be amended in the following ways:</p>

	<p><i>“extend delivery hours to fulfill 'click and collect' orders by a single delivery vehicle on Sundays and Bank Holidays between the hours of 10.00 - 17.00”, with “No change is proposed in respect of Monday to Saturdays and the proposed change excludes Christmas Day and Easter Sunday”.</i></p> <p>To support these changes, the applicant provided the document titled <i>“Environmental Noise Survey and Noise Impact Assessment Report”</i> undertaken by Hann Tucker Associates ref.: 31101/NIA1 dated 10/11/2023.</p> <p>This document states the following:</p> <p><i>“As we understand it, there is going to be only one delivery van (<7.5T box van with a tail lift) performing the loading/unloading service required to fulfil 'click and collect' orders”.</i></p> <p>The document goes on to state that:</p> <p><i>“Based on a “worst case” design of the site (i.e., partial screening and shortest reasonable distance between source and receptor), rating noise levels from delivery vehicle activities would be expected to be as follows:</i></p> <ul style="list-style-type: none"><i>• With a maximum number of daytime 'events' limited to 1No per hour, noise rating levels would be expected to be less than the prevailing background sound level at the nearest receptor”.</i> <p>The applicant is proposing to <i>“extend delivery hours to fulfill 'click and collect' orders by a single delivery vehicle on Sundays and Bank Holidays between the hours of 10.00 - 17.00 excluding Christmas Day and Easter Sunday”.</i></p> <p>This means that <i>“noise rating levels would be expected to be [even] less than the prevailing background sound level at the nearest receptor”.</i></p> <p>Such, along with the Best Practice Guidance contained in Section 10 of the <i>“Environmental Noise Survey and Noise Impact Assessment Report”</i> undertaken by Hann Tucker Associates ref.: 31101/NIA1 dated 10/11/2023, would mean the proposal would safeguard neighbouring amenity. In doing so, significant concerns in relation to Noise and Nuisance are not anticipated.</p> <p>The objections concerning air pollution are not shared due to the variation only allowing one extra delivery vehicle, namely <7.5T box van with a tail lift, to service the non-food retail unit on Sundays and Bank Holidays between the hours of 10.00 - 17.00. The additional delivery vehicle would not exacerbate the current air quality in this dual-carriageway location with its mix of commercial and residential properties. This would be further the case as the Best Practice Guidance contained in Section 10 of the <i>“Environmental Noise Survey and Noise Impact Assessment Report”</i> undertaken by Hann Tucker Associates ref.: 31101/NIA1 dated 10/11/2023 states that:</p>
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	<p><i>“Vehicle engines should be turned off whilst stationary for prolonged periods”.</i></p> <p>As per planning condition <u>U0072108 Servicing</u>, B&Q is already serviced between the hours of 8am and 8pm Monday to Saturday, and therefore infrastructure and facilities are already in place for delivery vehicles, and therefore an additional delivery vehicle outside these days and hours would not cause significant concerns in terms of Traffic and Highway Safety.</p> <p>Given the nature and context of the scheme, this is not considered to cause significant concerns in terms of Fire Safety.</p>
<p>Recommendation</p>	<p>It is recommended that the application reference 23/3128/VRC be granted approval subject to conditions and informatives.</p>

Recommendation:

The determination of this application falls within the scope of Officer delegated powers - **YES**

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): GAP

Dated: 21/03/2024

I agree the recommendation: CTA

Team Leader/Head of Development Management/Principal Planner

Dated:26/03/2024.....

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:

REASONS:
CONDITIONS:
INFORMATIVES:
UDP POLICIES:
OTHER POLICIES:

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

CONDITIONS

INFORMATIVES
