
Appeal Decision

Site visit made on 14 November 2017

by Jason Whitfield BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30th November 2017

Appeal Ref: APP/F5540/W/17/3181067
213 Twickenham Road, Isleworth TW7 6AA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Necip Onemli against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 01137/213/P5, dated 13 April 2017, was refused by notice dated 6 June 2017.
 - The development proposed is change of use from vacant A1 use to use class A3 / A5 restaurant with take away facility including a single storey rear extension, fume extraction ducting and replacement shop front.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the vitality and viability of the neighbourhood centre; and,
 - the effect of the proposal on highway and pedestrian safety in the area.

Reasons

Vitality and Viability

3. The appeal site is a two-storey, mid-terrace building on Twickenham Road, close to the junction with St John's Road. It is presently vacant at ground floor, having previously been in A1 use.
4. Policy TC5 of the Hounslow Local Plan 2015 (HLP) seeks to maintain and improve neighbourhood centres to meet the key day-to-day shopping and service needs of local communities. It seeks to retain the retail function of neighbourhood centres by ensuring at least 50% of the units are in A1 retail use. The supporting text to the policy identifies 'small neighbourhood centres' which provide easily accessible shopping provision that serve everyday needs. HLP Policy TC1 identifies the shopping parade on this part of Twickenham Road as one such 'small neighbourhood centre'.
5. It is proposed to convert the existing shop (A1) at ground floor level to a restaurant and hot food takeaway (A3/A5), along with a single storey rear extension and a replacement shop front.

6. The Council's assessment of the neighbourhood centre takes into account the units from 189 to 227 Twickenham Road. I was able to see from my site visit that the parade comprising those units contains a mix of uses, including retail and hot food takeaways.
7. The Council's evidence indicates that, at present, the proportion of units in A1 use within the parade is at 40%. Around 20% of units are in A3 or A5 use. The proposal would result in the loss of an A1 unit. As a consequence, the overall number of A1 units within the parade would fall to around 35%. This would be significantly below the minimum 50% required under HLP Policy TC5.
8. Whilst I recognise that the proportion of A1 uses is already below the 50% requirement, the proposal would only exacerbate the existing imbalance in the range of uses on offer, particularly as the proportion of A3/A5 uses would increase to 25%. As a result, I find the proposal would undermine the ability of the neighbourhood centre to meet the everyday shopping needs of the local community.
9. I conclude, therefore, that the proposal would have an adverse effect on the vitality and viability of the neighbourhood centre, contrary to HLP Policy TC5.

Highway and Pedestrian Safety

10. The appeal site lies on Twickenham Road which carries relatively high volumes of traffic. The proposal would likely generate parking demand from staff and customers, both to the restaurant and hot food takeaway element. No off-street parking is proposed and thus the proposal would likely generate demand for on-street parking.
11. I was able to see from my site visit that there are pay and display parking spaces to the front of the parade. No parking survey has been provided by the appellant. However, I was able to see from my visit that occupancy of the spaces is reasonably high whilst there was a high turnover of vehicles utilising them. Whilst I recognise my observations were only a snapshot at a particular time of the day, I have no evidence to suggest they were not representative of parking conditions at other times.
12. The appellant anticipates that patrons would utilise surrounding side streets for parking. I was able to see that there is some on-street parking on St Johns Road and Mill Plat Avenue, however, at the time of my visit almost all of the available spaces were occupied. In the absence of any contrary, substantive evidence, I consider it reasonably likely that, as they are largely residential streets, on-street parking levels will also be high on an evening.
13. I note that the restaurant would only serve 26 covers at any one time and that customers could travel on foot or by public transport. However, there is no evidence before me regarding the number of customers the hot food takeaway element would generate. Whilst those using the restaurant may be inclined to park further afield, it seems to me that customers collecting orders would likely park on Twickenham Avenue as close as possible to the building, particularly given the lack of available parking on surrounding streets in sufficiently close proximity. Customers would likely park for short periods of time and, given that the existing on-street parking would likely be busy, customers would potentially attempt to park indiscriminately on the highway or even the pavement.

14. The appeal site is close to the junction with St Johns Road and a roundabout which the Council indicates can, at times, become very congested. I have no evidence to lead me to any alternative view. Indeed, I was able to see that it carried high volumes of traffic at the time of my site visit. Thus, cars being parked indiscriminately may infringe upon the movements of vehicles close to the junction. Moreover, I agree with the Council that vehicles looking to identify a suitable place to park could result in unduly slow or unusual manoeuvring. Consequently, I find, on the evidence before me, that the proposal would likely result in such levels of on-street parking that it would be to the detriment of the safe movements of vehicular traffic and pedestrians on the surrounding highway network.
15. I conclude, therefore, that the proposal would have a harmful effect on highway and pedestrian safety in the area, in conflict with HLP Policy EC2 which states that development should demonstrate that adverse impacts on the transport network would be avoided.

Other Matters

16. I have been referred to a decision at 219 Twickenham Road in 2010¹ in which an appeal for the change of use from A1 to A3/A5 was allowed. However, that decision was determined in a different policy context and the Inspector found that the proportion of A1 uses within the parade would be around 56% overall. Moreover, a parking survey and traffic counts were before the Inspector on that occasion. That is not the case here. As such, the circumstances in that appeal are not wholly comparable to those before me here and, in any event, I have considered this appeal on its own merits. Thus I afford the decision at No 219 limited weight.

Conclusion

17. For the reasons given above I conclude that the appeal should be dismissed.

Jason Whitfield

INSPECTOR

¹ APP/F5540/A/10/2119812