

<b>Application No:</b>	2019/0499	<b>Application Type:</b>	FULL
<b>Case Officer:</b>	Aline Goult	<b>Ward:</b>	Weybridge Riverside Ward
<b>Expiry Date:</b>	17/04/2019		
<b>Location:</b>	43-45 Church Street Weybridge Surrey KT13 8DG		
<b>Proposal:</b>	Partial change of use of first-floor from Residential (C3) to Restaurant (A3).		
<b>Applicant:</b>	Cote Restaurants Ltd		
<b>Agent:</b>	Ms Kate Simpson Pegasus Group 10 Albemarle Street London W1S 4HH		
<b>Decision Level:</b>	If Permit – Sub-Committee If Refuse – Sub-Committee		
<b>Recommendation:</b>	Permit		

**Representations:** Six letters of objection, commenting on the following:

- Loss of residential accommodation, housing need in the area
- Increase in commercial uses in the vicinity
- Potential increase in vehicles using the narrow Limes Road to the south of the site
- Increase in food waste arising from the enlarged kitchen
- Historic breaches of planning control on the application site
- Antisocial behaviour by staff of the restaurant

One letter of support.

## Report

### Description

1. The application site comprises a mid-terrace building currently in use as a restaurant at ground floor level, with a split-level residential flat above. The site is located on the south-eastern side of Heath Road, opposite the junction with Bridge Road and within the settlement area of Weybridge.

### Constraints

2. The relevant planning constraints is:
  - Weybridge Conservation Area

### Policy

3. In addition to the National Planning Policy Framework and the National Planning Practice Guidance, the following local policies and guidance are relevant to the determination of this application:

#### Core Strategy 2011

CS4 – Weybridge

CS19 – Housing type and size

#### Development Management Plan 2015

DM1 – Presumption in favour of sustainable development

DM2 – Design and amenity

DM3 – Mixed uses

DM8 – Refuse, recycling and external plant

DM10 – Housing

DM14 – Evening economy

#### 4. Relevant Planning History

Reference	Description	Decision
2017/2785	Retrospective Variation of Condition 2 (Approved Plans) of 2015/4180 (Bi-fold doors) to alter position of fire exit door from rear to side of property.	Granted Permission
2015/4180	Variation of Condition 12 (Noise Control) of planning permission 2015/2357 (change of use to restaurant) to allow the bi-fold doors at the front of property to be open until 21.00 hours	Granted Permission
2015/2580	Advertisement Consent: 1 externally illuminated fascia sign and 1 externally illuminated projecting sign	Granted Consent
2015/2357	Change of use of the ground floor of Nos 43 and 45 from A1 (Retail) to form one restaurant (Use Class A3) with an external seating area to the front and refuse storage area at the rear; Change of use of 1st and second floors of No.45 from B1 (Office) to ancillary A3 use; Addition of new external staircase to rear of 45 Church Street and new roof lantern and roof light above flat roof to rear of 43 Church Street; External alterations to front	Granted Permission

#### Proposal

5. Planning permission is sought for the partial change of use of the first floor of the building from residential (Use Class C3) to restaurant (Use Class A3). The existing flat would be reduced in size from a two-bedroomed unit to a one-bedroomed unit in order to allow the expansion of the kitchen serving the restaurant below. There would be no alterations to the building's external appearance arising from the proposal.

#### Consultations

6. Weybridge Conservation Area Advisory Committee – no objection.
7. Council's Noise and Pollution Officer – no objection subject to informative.

#### Positive and Proactive Engagement

8. The National Planning Policy Framework requires local planning authorities to work with the applicant in a positive and proactive manner to resolve problems before the application is submitted and to foster the delivery of sustainable development. This requirement is met within Elmbridge through the availability of pre-application advice.
9. No formal pre-application advice was sought prior to the submission of this application.

#### Planning Considerations

10. The main planning considerations in the determination of this proposal are:
  - The principle of the development
  - The provision of a suitable residential environment
  - The impact on the amenities of neighbouring occupiers

#### The principle of the development

11. The principle of residential use is already established by the existing mixed-use building with the restaurant on the ground floor and the residential unit above and is supported by Policy DM3 which states that a diversity of uses in district centres is encouraged. Policy DM14 is supportive of development to support the evening economy, subject to an assessment of its impact on the amenities of neighbouring residential properties. The scheme would also align with the aims of policies CS2 and DM10, which seek to ensure that development proposals do not result in a net loss of housing units.
12. The Strategic Housing Market Assessment carried out in June 2016 to inform the production of the borough's new local plan notes that the majority of the additional housing requirement is for smaller (defined as 1-2 bedroom) units. As such, although the reduction in the size of the residential unit is noted, it is not considered to be contrary to the Council's housing priorities. As such, the development is considered acceptable in principle.

#### The provision of a suitable residential environment

13. The Government's Technical Housing Standards require that a split-level one-bedroomed flat must have an internal floor area of 58 sq.m. The residential unit, once reduced, would retain a floor area of 63.5 sq.m., which is considered to be acceptable. The habitable rooms would retain adequate natural light and outlook. The drawings demonstrate that there would be no access to the residential unit from the trade kitchen, and vice versa. Overall, it is considered that the residential unit would continue to offer an acceptable level of amenity for its occupiers.

#### The impact on the amenities of neighbouring occupiers

14. The agent has clarified that the proposal is intended to increase the size of the trade kitchen and that it is not intended to increase the number of customers to the restaurant. As such, the amount of waste produced by the kitchen is not expected to increase. The Council's Noise and Pollution Officer has reviewed the proposal and recommended an informative to remind the applicant of their obligation to manage and store commercial waste effectively.

#### **Matters raised in Representations**

15. The material planning considerations have been addressed within the above report.

#### **Conclusion**

16. On the basis of the above, and in light of any other material considerations, the proposal is considered to be in accordance with the development plan. Consequently, the recommendation is to grant permission.

**The proposed development does not require a CIL payment.**

#### **Recommendation: Grant Permission**

#### **Conditions/Reasons**

- 1 TIME LIMIT (FULL APPLICATION)  
The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 51 of Part 4 of the Planning and Compulsory Purchase Act 2004.

2 LIST OF APPROVED PLANS

The development hereby permitted shall be carried out in strict accordance with the following list of approved plans: P19-0032\_01, P19-0032\_02 and 1716\_01 received on 20th February 2019.

Reason: To ensure that the development is carried out in a satisfactory manner.

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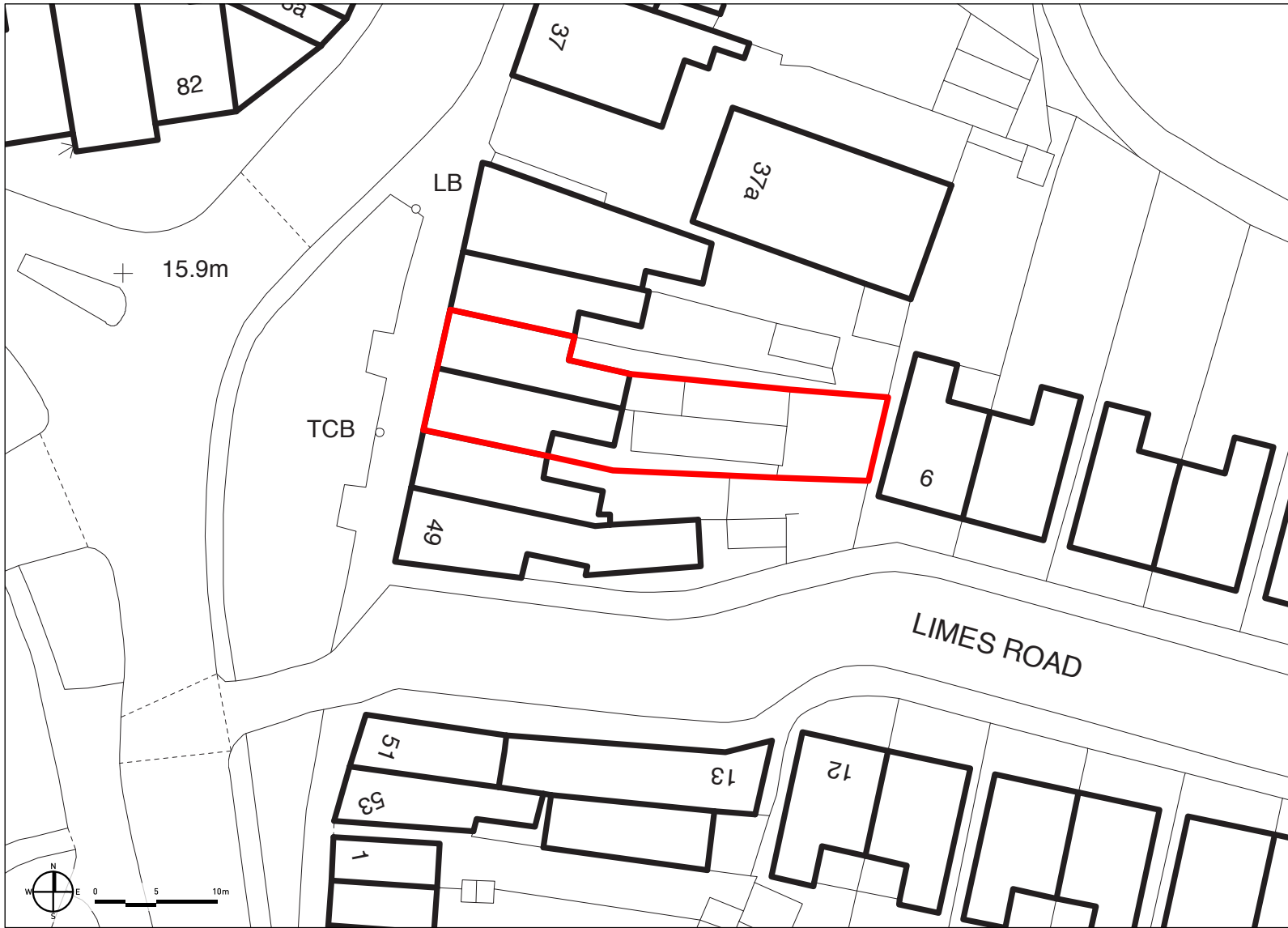



KEY  
SITE LOCATION (302.305 SQM)

### 43-45 CHURCH STREET, WEYBRIDGE- SITE LOCATION PLAN



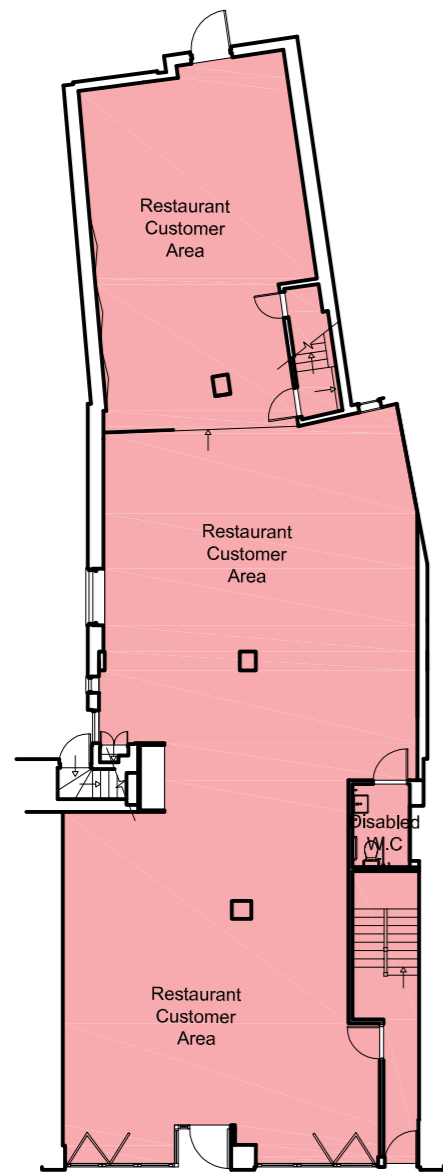
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KEY  
 SITE LOCATION (302.305 SQM)

### 43-45 CHURCH STREET, WEYBRIDGE - BLOCK PLAN



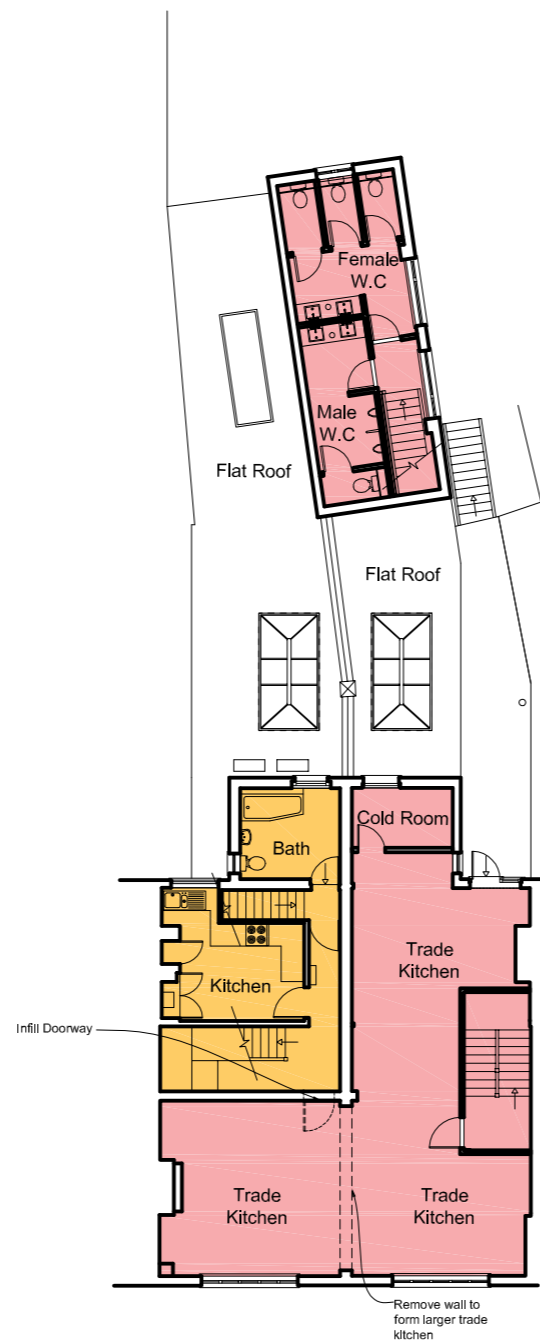


Pavement

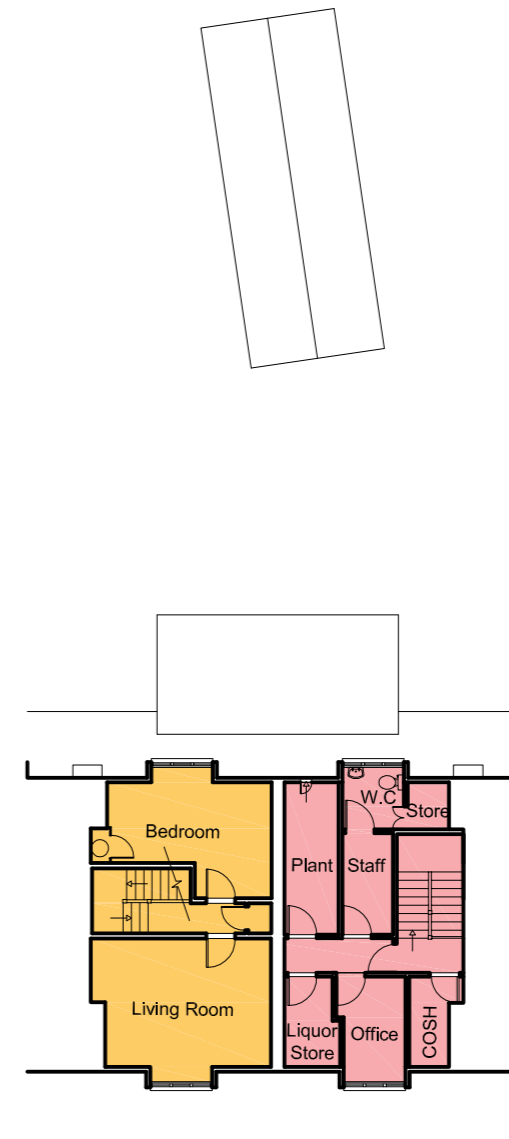
Grassed Area

Church Street

GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN

NOTES:  
 Total Restaurant Class A3 Use: 320 Sqm  
 Increased 22.6 Sqm  
 Proposed Total = 342.6 Sqm

Total Residential Class C3 Use: 86.2 Sqm  
 Decreased 22.6 Sqm  
 Proposed Total = 63.6 Sqm

PROJECT  
 Cote  
 43-45 Church Street  
 Weybridge, Langley  
 KT13 8DG

DRAWING TITLE  
 Ground, First and Second Floor Plan  
 As Proposed

SCALE  
 1:100@A1  
 1:200@A3

DATE  
 29.01.19

DRAWING NUMBER  
 1716/01

REVISION  
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