

Rebuttal of Refusal of Application Ref 57432/APP/2020/588

The Appellant has owned commercial property in Station Road, West Drayton for some 15 years and currently has leased 2 such A3/A5 premises to (1) Greek and (2) Italian. He also owns 45-47 Station Road and has residential accommodation over.

The premises subject to the Appeal was previously a small stationer shop but it had been left to decline for some years. For over two and a half years the premises had been with agents endeavouring to find a viable tenant without success. Agents report that the only enquiry was from A5 users, apart from a fleeting initial enquiry from an Estate Agent and a charity shop.

Our Retail Surveyors report that in the immediate locality from West Drayton Railway station, Station Road to the south is a destination for Hot Food Takeaways(A5), Restaurants and Cafes(A3).

We place great store on The Inspectors site visit to this locality where he will find a considerable number of empty premises. Station Road suffers from a lack of footfall and shops of a distinctive type that draw shoppers do not exist. In fact the area provides a variety of A3 A4 and A5 premises. Daytime parking is also a contributory issue.

An opportunity arose in 2020 for a Tenant of A3 (at no 39 Positano Italian Restaurant) to extend its seating capacity but the Planning Officers necessitated refusal, which was subsequently overturned by the Full Planning Committee who welcomed the successful and attractive A3 business to Station Road.

Our clients diligent search for a Tenant over some two and a half years was targeted on A3 / A 5, in particular a type of Restaurant / Takeaway whose type of food and service was not available in the area or representative in the mix of food types, working closely with the tenants at no 39.

The Application ref 57432/APP/2020/588 sought a change of use to A3/A5 providing for a maximum of 30 covers and working closely with existing tenants nearby in delivery, purchasing etc.

The proposed restaurant would not require an industrial scale kitchen but utilise prepared meals of gourmet level that could be taken from frozen, microwaved and served either as takeaway or to limited ground floor seating (max 30 covers).

The premises when modernised provides toilet facilities, staff and waste disposal to a yard area (wheelie bins) with side access for waste / bins in Cherry Orchard.

We suggest that a quality restaurant would act as a draw to shops that need footfall i.e. Post Office, stationers etc.

London Borough of Hillingdon must surely encourage such locations to secure viable premises including those with coffee shop service working from an attractive façade and interior.

The refusal by London Borough of Hillingdon on 21 Station Road and the planners attempt to halt a successful business at no 39 expand, shows a disregard of commercial realism.

The facts are that initiatives by local authorities to encourage and support such shopping areas must include a range of support, services, tax breaks etc. Certainly Planning Consent would indicate support.

This small bistro will employ full and part time staff and link into and help sustain 2 local A3/A5. Once approved with conditions of Appeal, the clients will submit details of the kitchen extraction etc. for approval by London Borough of Hillingdon Building Control in full compliance with Health and Safety means of escape etc.

Summary

After an extensive detailed search for a tenant the only viable opportunity that presented itself was from a A3/A5 restaurant with local experience. A French Bistro with small coffee shop, takeaway and offering fresh baked bread etc has become the most viable possibility.

The limited size of the premises also limits the type of A3 user and the alternative A1 have not shown any interest. Post pandemic needs new thought and initiatives to encourage viable investment.

The proposal is to be welcomed, adds value to the A3/A5 distinctive area for diners etc. that seek over time a mix of food types including a service for home delivery which is proposed to utilise delivery firms already operating in the area.

The refusal of Application no 57432/APP/2020/588 should be overturned and consent issued following a site visit by The Inspector, when our cogent reasons can be shown to override the refusal for sound commercial objectives that in a modest way assist in the revival of such secondary retail areas.

The procedure whereby once the change of use is granted, then the restaurateur essentially details and seeks consent for the kitchen's technical layout including ducting. As the appellant owns the residential accommodation over the said proposal, great lengths will be taken to preserve enjoyment and amenity of the residents etc. London Borough of Hillingdon will be able to ensure compliances as they did recently at 39 Station Road, West Drayton which is a sister restaurant. The discrepancy in the drawing no 21SR (2) has been revised to show the yard used for refuse with side bin access for weekly collections.

The proposal was not material enough to warrant refusal. The Proposal will require refurbishment adding vitality and value to the amenity etc.

Selsdon Consultancy is a multi-disciplined group of qualified professionals whose disciplines include Town Planning, Surveyors, Architects and Technical Building with the ability to embrace specialist legal services. Selsdon Consultancy have experience of working with the London Borough of Hillingdon including restaurants in Uxbridge (Grade II listed) and West Drayton and Hayes.

Signed

Selsdon Consultancy