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## Appeal Decision

Inquiry held on 10, 11, 12 and 13 February 2015

Site visit made on 12 February 2015

**by P W Clark MA MRTPI MCMi**

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

**Decision date: 16 March 2015**

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**Appeal Ref: APP/F5540/A/14/2222128**

**British Telecom, Wheatstone House, 650 Chiswick High Road,  
London W4 5SA**

- 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 Telereal Securitised Property GP Ltd and British Telecom PLC against the decision of the Council of the London Borough of Hounslow.
  - The application Ref 00248/U/P7, dated 31 July 2013, was refused by notice dated 24 March 2014.
  - The development proposed is demolition of existing building and redevelopment to provide commercial floorspace (464 sqm)(GIA) at ground floor (Class A1-A4 and/or B1a) with 95 apartments (Class C3) above, with associated car parking (at ground and basement levels), access and amenity space.
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### Decision

1. The appeal is allowed and planning permission is granted for demolition of existing building and redevelopment to provide commercial floorspace (464 sqm)(GIA) at ground floor (Class A1-A4 and/or B1a) with 95 apartments (Class C3) above, with associated car parking (at ground and basement levels), access and amenity space at British Telecom, Wheatstone House, 650 Chiswick High Road, London W4 5SA in accordance with the terms of the application, Ref 00248/U/P7, dated 31 July 2013, subject to the fourteen conditions appended to this decision.

### Applications for costs

2. At the Inquiry applications for costs were made by Telereal Securitised Property GP Ltd and British Telecom PLC against the Council of the London Borough of Hounslow and by the Council of the London Borough of Hounslow against Telereal Securitised Property GP Ltd and British Telecom PLC. These applications are the subject of separate Decisions.

### Procedural matters

3. Following the Council's decision, the appellant produced a set of revised drawings, dated May 2014, known as the "Mayor's amendment" drawings. In the Statement of Common Ground, both parties agree to request that I should substitute these for their originally submitted equivalents. As they were the subject of publicity, nobody would be prejudiced if I were to do so, so that is what I have done insofar as they have not been superseded in turn.

4. Shortly before the Inquiry, the appellant produced a revised Travel Plan reference D10 revision B, a Car Parking Management Plan reference D9 revision B with associated revised plans 30202/AC/48, 50, 51 and 52, all revision A and a further set of revised drawings (known as the "Revision 6" drawings) with a request that I substitute these for their originally submitted equivalents. The appellant had taken steps to ensure that third parties were notified of this request. Both the Council and a third party present at the Inquiry confirmed that notification of the proposed amendment had been given and that they had no objection to the substitution, so I take the view that nobody would be prejudiced if I were to base my decision on these revised drawings, which is what I have done. A condition (2) makes it clear which drawings are to be followed.
5. Box 17 of the application form states the breakdown of the housing mix proposed in terms of numbers of bedrooms, dwelling types and tenure. Immediately before the Inquiry, the appellant sought to revise this information in terms of the tenure proposed (enshrined in the s106 agreement intended to be submitted).
6. Because this represented a significant change to the proposal, I was not prepared to consider it until it had been properly advertised and consulted upon. The Council indicated that it was not in a position to come to a view immediately but that the change might add a further reason for refusal and might be one which it could not deal with by written representations but might cause it to seek the adjournment of the Inquiry. In the light of these discussions but with full knowledge of government Guidance relating to the vacant building credit, the appellant withdrew the revised information. I have therefore based my decision on the dwelling mix originally proposed.

### **Main Issues**

7. The appeal is accompanied by a s106 Agreement which provides for 27 units of affordable housing, on-site construction training, a welcome pack and a travel plan together with financial contributions to construction training, education provision, employment initiatives, the maintenance and improvement of open space and maintenance and enhancement of the public realm. Evidence is provided within the Council's officer report of the need for these provisions to make the scheme acceptable. The Council has a supplementary guidance document to ensure that contributions are fairly and reasonably related in scale and kind to the development and so the requirements of the CIL regulations are met. With this agreement in place, one of the Council's reasons for refusal (related to infrastructure provision) falls away.
8. A further issue, relating to the effects of the proposal on road congestion and safety, is not being pursued by the Council. By the time of the Inquiry therefore, only two issues remained; namely, the effects of the proposal on the living conditions of potential future residents in terms of noise, air pollution, daylight, privacy and outlook and on the character and appearance of the area. At the Inquiry itself, both parties announced that, in respect of the first of these, they had reached agreement that the effects of noise and air pollution could be met by schemes which could be secured by conditions (7 and 8).
9. My site visit confirmed that the site is heavily polluted both in terms of noise and fumes. It is, as both parties acknowledge, on the cusp of acceptability as a residential location. But, following explanations given by both parties'

experts of the measures they would expect to be used over and above those recommended in the appellant's own submitted Air Quality and Noise Assessments, involving noise absorptive materials, hermetically sealed, triple glazed windows and artificial ventilation with filtered air supply, I am content that acceptable living conditions could be contrived in terms of noise and air pollution. The only remaining issues therefore are daylighting, privacy, outlook, character and appearance.

## **Reasons**

### *Character and appearance*

10. The site faces the Wellesley Road Conservation Area. Although there is no statutory requirement to do more than give special attention to the desirability of preserving or enhancing the character or appearance of that area with respect to buildings or other land within it, a conservation area is a heritage asset. Government policy, expressed by paragraph 129 of the National Planning Policy Framework (the NPPF), is to identify and assess the particular significance of any heritage asset that may be affected by a proposal, including development affecting the setting of a heritage asset.
11. The Council's conservation area character appraisal statement for the Wellesley Road Conservation Area remarks that the prevailing interest is in its good Victorian architectural detailing. The quality and the differing detail of middle-class 19<sup>th</sup> and 20<sup>th</sup> century building also make this area special. I agree with this assessment. There is then no requirement to replicate this, or similar detailing, outside the Conservation Area. As the appraisal makes clear, the interest of the Conservation Area derives from the wide range and scales of properties on planned estates.
12. The estates were bounded to their north and west by Chiswick High Road and so it is not surprising if the areas outside the planned estates, including the appeal site, present a different character. The character appraisal suggests that considerable commercial development along the High Road, with aspirations to change scale, will affect the setting of the Conservation Area.
13. In fact that changed scale has long since happened and now represents the actual setting of the Conservation Area. To its south, a white-rendered nine storey block of flats sits on the skyline across the railway line. To its north, a pair of tall advertising pylons either side of the Chiswick flyover mark the beginning of the Great West Road. On its west, between Kew Bridge station and Chiswick roundabout just three free-standing buildings (Kew Bridge School, the Brentford Fountain Leisure Centre and Wheatstone House, the existing building on site) and an open car park establish a scale and a rhythm quite different from that of the run of 30-40 properties in domestically-scaled terraces and pairs facing them within the Conservation Area. As the council's witness correctly observes, the appeal scheme does not possess the rhythm, order or uniformity of the terraces and semis opposite. But there is no reason why it should; it forms part of an area with an entirely different character, described as "Capital Interchange" in the Brentford Area Action Plan adopted in January 2009 and as "big box" in volume 3 – Chiswick of the Council's Context and Character Study published in March 2014.
14. The three buildings currently providing the western setting to the conservation area are each of differing height. Behind them lies an area of industrial sheds

- beyond which are clearly visible much taller buildings flanking the elevated M4, including, for a Volkswagen dealership, a newly developed building of substantial scale. That is the existing setting of the conservation area.
15. The Council is currently canvassing a vision for the redevelopment of this area which features for the appeal site a suggestion for a building 9-10 storeys high, in a U-shaped layout which bears a remarkable similarity to the appeal proposal itself. That is the setting for the conservation area which the Council itself envisages with which the height, layout and massing of the proposal is entirely consistent.
  16. The mass of the proposal would be modulated by steppings-in, steppings-down and variations in materials and colour. It would indeed read as multiple elements of significantly varying heights, as the Council's witness suggests. I regard that as a desirable attribute, in contrast to the undifferentiated bulk of its new neighbour. Its termination against the sky by two storeys in a contrasting material and set back from the High Road frontage is consistent with common modern practice. My site visit established that it would have little or no effect on the views of sky seen when travelling along the High Road from Kew Bridge. Balconies, doors and windows would give it a human and domestic scale.
  17. It would be set back from the road a little more than the building presently on site but that would allow for the planting of trees which also feature elsewhere along the High Road, both fronting the Conservation Area and also within the Leisure Centre car park. It is fair to say that an access "road" might suggest a priority to motor vehicles over pedestrians but shared surfaces do not. The materials to be used in the finishes of the ground treatment can be controlled by condition (10).
  18. Although buildings on either side of the High Road generally align with it, there is no consistent building line; on the opposite side of the road, some terraces and pairs of dwellings are set back behind gardens and front boundary walls but commercial terraces sit at the back edge of the pavement. On the appeal side of the street, Wheatstone House has a small planted area in front; the Leisure Centre fronts the back edge of the pavement in part, then recedes behind a flight of steps. By definition, the open car park has no building line. Kew Bridge School is set back behind railings and a planted area. The accusation that the building proposed would erode a building line is not substantiated.
  19. The materials proposed would be brick in part, reflecting both the yellow and red brick which is found elsewhere along the High Road, both within and outside the Conservation Area. A condition (10) is necessary to secure that the intended materials are used.
  20. I conclude that the proposal would cause no harm to the character and appearance of the area. It would reflect both the existing setting of the conservation area and the Council's vision for the locality. Its layout and massing reflect the Council's own vision for the site and would be appropriate to protect its interior spaces from the hostile environment of the elevated M4. The materials on its external elevations would respect those used nearby.
  21. It would therefore comply with policies ENV-B.1.1 (A.1-A.4), ENV-B.2.2 of the Council's Unitary Development Plan. Amongst other matters, these require

new development to relate well to its site and the scale, nature, height, massing, character and use of the adjacent townscape, enhance the townscape value of an area, to use durable and high quality materials and to preserve the character of a Conservation Area.

22. It would also comply with London Plan policies 7.4 and 7.6. Amongst other matters, these require buildings to provide a high quality response that has regard to the pattern and grain of existing spaces and streets in orientation, scale, proportion and mass and is human in scale; that are of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm; which comprise details and materials that complement, not necessarily replicate, the local character.
23. Although the Council's reasons for refusal refer to London Plan policy 7.7 concerning the location and design of tall and large buildings, I am not convinced that the current proposal falls within the description of tall or large buildings at paragraph 7.25 of the London Plan and so, that policy is not relevant.
24. The proposal would also comply with Brentford Area Action Plan policies BAAP2 and BAAP4 in that the set back from the High Road would allow for a public space to be developed with tree planting along the frontage of the site as envisaged in the implementation section of policy BAAP2. The proposal would be resilient to noise and air pollution and would also provide a small scale associated "walk to" facility in the way envisaged in policy BAAP4.

#### *Living conditions*

##### *(i) Privacy and outlook*

25. As noted above, the proposal is configured in a U-shaped plan which, while remaining exposed to the lesser noise and pollution of Chiswick High Road provides some protection against the even more hostile conditions generated by the elevated M4. An inevitable consequence of such a layout is the potential for overlooking between rooms looking into the internal quadrangle.
26. The directly facing wings of the courtyard would be 21.9m apart, generally regarded as sufficient to provide privacy. At the western external corner of the scheme and at both its internal and external northern corners there would be flats with facades at 90 degrees to each other containing windows obliquely related to each other at less than this distance.
27. At both the internal and external northern corners there would be balconies in direct view of another balcony or window, except that the floor plan drawings indicate that each balcony would have enclosed sides. These are not detailed in elevation and so the Council's concern is understandable but, as explained in Mr Collado's evidence given to the Inquiry, these would be fixed full height translucent screens which would afford privacy whilst still retaining an adequate outlook from each flat, as demonstrated by the diagram shown on page 25 of his proof of evidence. With these in place (which can be required by condition 9), I am satisfied that adequate privacy and outlook would result.

##### *(ii) Daylight*

28. A confusion results because the proposal also shows screens fronting each balcony facing into the courtyard. These would be openable. Early

correspondence between the Council and the appellant suggested that this feature would allow the occupants of each flat to choose between greater privacy and greater daylight and outlook.

29. What was not made clear at the time but became clear at the Inquiry is that these screens are not necessary in order to obtain adequate privacy. Consequently, the adverse effect that they would have on daylight when closed would not be an inevitable consequence of a need to obtain acceptable levels of privacy but would be an optional lifestyle choice for residents.
30. Equally, because it is not necessary for these screens to be closed in order to achieve privacy, the adequacy of daylighting to the proposed flats can be evaluated on the basis of open screens, provided care is taken in their detailed design to ensure that their supporting structure would not obstruct light. Their detailed design is not shown on the submitted drawings and indeed has changed in response to concerns about their effects on daylighting. On page 41 of Appendix 13 to the appellant's statement of case an illustration shows them to be casements. On page 43 of Mr Collado's proof of evidence a similar illustration identifies them as roller shutters. A condition (9) can tie down such uncertainties and allow the Council to be assured that, when open, they would not obstruct light.
31. Even so, there remains disagreement between the parties concerning the adequacy of the daylight which would be received by certain of the flats on the lower floors of the development. These are flats which would have a deep plan with internal bathrooms not having natural light or ventilation.
32. It is commonly accepted that bathrooms may be artificially lit and ventilated and kitchens which are too small to be habitable rooms may also be internal without natural light or ventilation but the normal standard for kitchens which are large enough to be habitable rooms is that they should be naturally ventilated and achieve an Average Daylight Factor (ADF) of 2.0. The minimum standard for ordinary living rooms is lower; 1.5.
33. In the appeal scheme, the kitchens are not separated from common spaces which form combined Living Dining Kitchen (LDK) areas. Both parties accept that the commonly accepted guidance (Site Layout Planning for Daylight and Sunlight (the BRE Guide), written by Dr Paul Littlefair, the Council's consultant) was not originally intended to apply to such a feature but in recent editions has been adapted. It advises that non-daylit internal kitchens should be avoided wherever possible, especially if the kitchen is used as a dining area too but that if the layout means that a small internal galley-type kitchen is inevitable, it should be directly linked to a well daylit living room.
34. The parties differ in the values they use in their calculations for the reflectance of surfaces internal to the rooms being evaluated. A comparison of tables three and four in Dr Littlefair's proof shows that the different reflectance values result in different judgements of acceptability for seventeen bedrooms and one living room.
35. The Council's consultant acknowledges that the appellant's reflectances are feasible in a new building, especially if light wood floors are used instead of carpet and white walls and doors are used. The appellant's architect confirmed that that was the intention, which could, of course, be secured for first occupation by condition. It would be a lifestyle choice for residents if they

- subsequently chose to alter the finishes. Although no such condition was canvassed during the Inquiry, it should not come as a surprise if I impose one in pursuit of the architect's stated intention. With that condition (13) in place, I consider that the reflectance values used by the appellant are reasonable.
36. Both parties have adopted different approaches to evaluating the LDKs. The Council has evaluated the whole space, including the kitchen area and finds that for some LDKs the Average Daylight Factor falls below 1.5. The appellant has evaluated a notional space, excluding the kitchen area, and finds that with one exception the LD parts of the LDKs all exceed an ADF of 1.5 and so the proposal would result in galley kitchens linked to well-daylit living rooms.
37. Both methods are flawed; the Council's method lowers the result of the average because it includes the floorspace of the (notionally internal) kitchen area. The appellant's method increases the result of the average because it ascribes a notional value of light reflectance from a notional wall separating the kitchen area from the rest of the space.
38. However, the appellant's consultant reported that he had made a manual calculation eliminating the notional wall which showed that the position had not been overstated. This finding was not contradicted and so, I accept its substance and implications, which are that only one flat fails to receive the recommended level of daylight to its living room and that by only a marginal amount.
39. Overall there would be 95 flats. The analysis carried out by the Council covers two floors; that of the appellant, three floors, so in both cases the portion of the development most likely to fail has been assessed. The appellant's assessment, which I prefer, is that one flat, on the first floor would fail the daylighting test; the Council's is that 12 flats, six on each of the two floors it tested, would fail.
40. Even if I were wrong to prefer the appellant's analysis over that of the Council, both parties point out or accept that the BRE Guide advises that its numerical guidelines should be interpreted flexibly since natural lighting is only one of many factors in site layout design. In special circumstances the developer or planning authority may wish to use different target values. It would therefore be incorrect if I were to conclude that the living conditions of potential future occupants of this development would be unacceptable on the basis of marginally poor daylighting to one, or even twelve, flats out of 95; the proposal must be evaluated in the round.
41. The appellants were greatly exercised by what they saw as inconsistencies in the Council's application of considerations of daylighting, outlook and privacy to a number of other developments. Consistency of decision making is a virtue but all that I learnt from the dissection of the other cases referred to is that the circumstances of each case vary. Each case must be dealt with on its merits and the consideration of all factors in the round may lead to differing results when individual components are similar or to identical outcomes even though the acceptability of individual components may vary.

*(iii) Conclusion on living conditions*

42. There are many components to living conditions. They are mostly listed in the Council's officer report. A basic need is adequate room sizes. After

amendment, the proposal would be acceptable in this respect. Residents must be able to sleep at night. The Council now accepts that an adequate noise environment can be contrived. Their privacy must be respected. It would be. There must be adequate fresh air. The Council now accepts that adequate artificial ventilation can be contrived. Habitable rooms must be adequately daylight. With one exception, that would be achieved. They should have a decent outlook. That would be achieved. Sunlight is therapeutic. Not all flats would be adequately provided but that is not a reason for refusal. Private outdoor amenity space would be double the London Mayor's requirements. The Council accepts that that would make up for any shortfall in communal amenity space.

43. I conclude that despite the somewhat unprepossessing environment of this site, it has been demonstrated that housing with acceptable living conditions for potential future residents can be devised. The proposal would therefore comply with UDP policies ENV-B.1.1 (A.5 and B.7), ENV-P.1.5 and ENV-P.1.6. These seek to ensure that adequate daylight and sunlight reaches adjoining properties; that new development should ensure protection from any adverse impact of external noise and not result in unacceptable levels of noise nuisance to future occupiers and that air pollution matters are considered in detail.
44. It would comply with London Plan policy 3.5C in that it would have adequately sized rooms. London Plan policies 3.3 and 3.4 are referred to in the Council's reasons for refusal but these are concerned with increasing housing supply and optimising housing output which are not relevant to the issue of living conditions, though the development would in any event comply with them.

#### *Conditions*

45. During the Inquiry, the parties provided me with a suggested list of 25 conditions in the event that the appeal is allowed. I have considered these in the light of National Planning Practice Guidance and the model conditions set out in the Annex to the otherwise cancelled Circular 11/95, the Use of Conditions in Planning Permissions, preferring the wording of the latter where appropriate.
46. In addition to those already discussed, English Heritage sought an archaeological investigation condition in light of the long history of Chiswick High Road dating back to Roman times. Condition (3) to require this is necessary to accord with paragraph 141 of the NPPF.
47. The site is not large and the development would require substantial site coverage, leaving little room for contractors' activities. Yet the site is served by a heavily trafficked Red Route with limited capacity to service the site. For these reasons, a Construction Method Statement would be necessary, secured by condition (4).
48. The site is known to carry below-ground water and sewerage infrastructure and so condition (5) is necessary for its protection. It is suspected to be contaminated, so condition (6) is necessary to ensure that the possibility is investigated and, if necessary, dealt with. The capacity of sewerage systems to deal with this, and other expected developments in the locality, is limited and so condition (12) is necessary to ensure that it would not be overwhelmed by surface water run-off.



49. Although the development was accompanied by an Energy Strategy detailing how 25% of its energy requirements could be provided by sustainable means, expectations have moved on since the development was first conceived. For that reason, condition (11) is required to ensure that expectations can be met.
50. It is not necessary to impose the suggested conditions requiring the submission of details of matters which are acceptably shown on the submitted and approved drawings, but condition (14) is necessary to ensure that certain essential features of the proposal are completed or are in operation before occupation takes place. Because it is expected that a scheme of noise insulation will provide acceptable living standards for residents, a condition to limit the hours of operation of or deliveries to the ground floor commercial unit would not be necessary. Because the only landscaping proposed would be to a private space not accessible to the public, conditions to require the Council to approve landscaping works and a maintenance regime are not appropriate but condition (10) requiring the approval of materials has been expanded to include the materials used in the surfacing of the ground around the building.

### *Conclusion*

51. In terms of its effects both on character and appearance and on living conditions, I have found that, with conditions, this development can be made to accord with those parts of development plan policy which were in contention. Matters raised by third parties do not cause me to come to a different view. In other ways, which were not in contention in this Inquiry, the proposal also accords with development plan policy. As noted earlier, it would comply with London Plan policies 3.3 and 3.4 which are concerned with increasing and optimising housing supply. Paragraphs 6.13 and 6.14 of the Council's officer report recognise the positive benefits of the proposal to that end. Paragraphs 6.31 to 6.34 of the officer's report also recognise the positive benefits of the affordable housing proposed. Paragraph 14 of the NPPF advises that development proposals which accord with the development plan should be approved without delay. Accordingly, I do so.

*P. W. Clark*

Inspector

## CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) Except where required by other conditions of this permission, the development hereby permitted shall be carried out in accordance with the following approved plans all prefaced 08009: P0-001, P0-002, P0-010, P0-010D, P0-100D, P1-000 revision 6, P1-001B, P1-100 revision 6, P1-101 revision 6, P1-102 revision 6, P1-103 revision 4, P1-104 revision 4, P1-105 revision 4, P1-106 revision 4, P1-107 revision 4, P1-108, P2-100 revision 6, P2-201 revision 6, P2-102 revision 6, P2-103 revision 4, P3-101 revision 6, P3-102 revision 6, P3-103 revision 6 and P3-104 revision 6.
- 3) No development shall take place, including any works of demolition, until a programme of archaeological work has been implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority.
- 4) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - i) the hours of work
  - ii) the parking of vehicles of site operatives and visitors
  - iii) loading and unloading of plant and materials
  - iv) storage of plant and materials used in constructing the development
  - v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  - vi) wheel washing facilities
  - vii) measures to control the emission of dust and dirt during construction
  - viii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- 5) No impact piling shall take place until a piling method statement, detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water or sewerage infrastructure and the programme for the works, has been submitted to and approved in writing by the local planning authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.
- 6) No development, including demolition, shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any new construction begins. If any contamination is found during the site investigation, a report specifying

the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before new construction begins. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

- 7) Notwithstanding the submitted Noise Assessment, no development other than demolition and site clearance shall take place until a scheme to accord with BS8233:2014 for protecting the proposed residential accommodation, its balconies and its communal amenity areas from external noise has been submitted to and approved in writing by the local planning authority; all works which form part of the scheme shall be completed and tested to demonstrate compliance with the scheme before any dwelling is occupied.
- 8) Notwithstanding the submitted Air Quality Assessment, no development other than demolition and site clearance shall take place until a scheme to protect the proposed residential accommodation from poor air quality has been submitted to and approved in writing by the local planning authority. All works which form part of the scheme shall be completed before any dwelling is occupied and shall be retained in operation thereafter. Insofar as dwellings fronting directly onto Chiswick High Road need to be fitted with hermetically sealed windows and mechanical ventilation with air filtration, the scheme shall include measures to monitor their operation and remedy defects for as long as any dwelling remains occupied.
- 9) No development other than demolition and site clearance shall take place until details of the privacy screens flanking the balconies proposed and of the openable screens or roller shutters fronting the balconies proposed have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 10) No development other than demolition and site clearance shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted and in the layout of its surrounding curtilage have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 11) Notwithstanding the submitted Energy Strategy, no development other than demolition and site clearance shall take place until a scheme (including a timetable for implementation) to secure at least 40% of the energy supply of the development from decentralised and renewable or low carbon energy sources shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.
- 12) No development other than demolition and site clearance shall take place until details of a scheme of surface water drainage to achieve a run-off

rate of less than 50% of that of the cleared site have been submitted to and approved in writing by the local planning authority. The development shall be carried out and subsequently carried on in accordance with the approved details.

- 13) On first occupation, the internal surface finishes of living rooms and bedrooms shall achieve reflectance values greater than or equal to 0.72 for ceilings, 0.81 for walls and 0.4 for floors.
- 14) No dwelling shall be occupied until the facilities for storing waste and recycled materials, cycle parking and car parking shown on the approved drawings have been provided and made available for use. The car parking areas shall thereafter be managed in accordance with the submitted Car Parking Management Plan reference D9 revision B dated January 2015.

## APPEARANCES

### FOR THE LOCAL PLANNING AUTHORITY:

Mark Beard of Counsel Instructed by the Solicitor to the Council of the London Borough of Hounslow

He called

Dr Paul Littlefair MA PhD Building Research Establishment

CEng MCIBSE MSL

MILP

Mathieu Proctor

Principal Urban Design Officer, London Borough of Hounslow

BA(Hons) BDesArch MA

Gavin Chinniah

Deputy Area Manager, London Borough of Hounslow

BSc(Hons) MSc MRTPI

Surinderpal Suri also took part in the discussions on conditions

### FOR THE APPELLANT:

Brian Ash QC Instructed by Rapleys

He called

Antonio Meireles BSc Principal Consultant, Hepworth Acoustics

MSc MIOA

Roy Collado ARB RIBA

Partner, ColladoCollins Architects

MBA

Ian Absolon BSc

Director, GVA Schatunowski Brooks

Jason Lowes BSc DipTP

Partner, Rapleys

MRTPI

Andrea Herrick also took part in the discussions on conditions

### INTERESTED PERSONS:

Adam O'Neill BSc(Hons) DipTP Vice Chairman, West Chiswick and Gunnersbury Society

## DOCUMENTS submitted at Inquiry

- 1 Letter from Rapleys dated 9 February 2015 enclosing
  - (i) Car Parking Management Plan D9 revision B
  - (ii) London Councils Air Quality and Planning Guidance
  - (iii) Golden Mile Vision and Concept Masterplan dated 16 April 2014
  - (iv) BS 8233:2014 Guidance on sound insulation and noise reduction for buildings
  - (v) Local Air Quality Management Technical Guidance LAQM.TG(09)
  - (vi) The Air Quality Strategy for England, Wales and Northern Ireland
  - (vii) Development Control: Planning for Air Quality (2010 update)
  - (viii) Appendix 2 of Brentford Area Action Plan
  - (ix) Extract (page 89) of Urban Design Compendium
  - (x) London Borough of Hounslow Air Quality SPD
  - (xi) Folder containing
    - (a) Car Parking Management Plan D9 Revision B with Drawings numbered 30202/AC/52 Rev A, 30202/AC/48 Rev A, 30202/AC/51 Rev A and 30202/AC/52 Rev A

- (b) Drawings numbered 08009 P1-000, P1-100, P1-101, P1-102, P2-100, P2-101, P2-102, P3-101, P3-102, P3-103 and P3-104, all Rev6
- 2 Letter from Rapleys dated 9 February 2015.
  - 3 Notice of date, time and place of Public Inquiry
  - 4 Photographs of telephone exchanges
  - 5 L B Hounslow Cabinet report 10 February 2015 re Great West Corridor Area Action Plan
  - 6 The Golden Mile Site Capacity Study Executive Summary
  - 7 Copy of Statement by Adam O'Neill
  - 8 Planning permission 01217/C/P41 (Reynard Mills)
  - 9 Revised summary of Jason Lowes's evidence
  - 10 Table of trip generation
  - 11 Suggested conditions
  - 12 Revised Statement of Common Ground

**DOCUMENTS received (by agreement) following Inquiry**

- 1 Signed and dated s106 agreement

If you require an alternative accessible version of this document (for instance in audio, Braille or large print) please contact our Customer Services Department:

Telephone: 0370 333 0607

Fax: 01793 414926

Textphone: 0800 015 0516

E-mail: [customers@HistoricEngland.org.uk](mailto:customers@HistoricEngland.org.uk)