

Appeal Decision

Inquiry held on 20 June 2017

Site visit made on 20 June 2017

by Brendan Lyons BArch MA MRTPI IHBC

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

Decision date: 26 July 2017

Appeal Ref: APP/F5540/W/16/3152603

Land at 174-178 Twickenham Road, Isleworth, London TW7 7DJ

- 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 McCarthy & Stone Retirement Lifestyles Ltd against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 01137/174-178/P1, dated 20 November 2015, was refused by notice dated 27 May 2016.
 - The development proposed is the demolition of 174 Twickenham Road and the erection of 29 units of 'retirement living' (Category II sheltered housing) apartments for the elderly with associated communal facilities, parking and landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of 174 Twickenham Road and the erection of 29 units of 'retirement living' (Category II sheltered housing) apartments for the elderly with associated communal facilities, parking and landscaping on land at 174-178 Twickenham Road, Isleworth, London TW7 7DJ, in accordance with the terms of the application Ref 01137/174-178/P1 dated 20 November 2015, subject to the conditions set out in the schedule attached to this decision.

Preliminary matters

2. Shortly before the opening of the Inquiry, the Council and the appellants reached an agreed position on the main issue, which related to the proposal's contribution to the provision of affordable housing. As a result both parties submitted that planning permission should be granted subject to conditions. The Inquiry heard evidence on how this position had been arrived at. Following withdrawal of the appellants' evidence on housing land supply, the Council's evidence on the matter was not presented to the Inquiry.
 3. At the opening of the Inquiry, the appellants submitted a copy of a Unilateral Undertaking ('UU') as an executed deed of planning obligation under s.106 of the Town and Country Planning Act 1990, as amended. The UU, which was discussed at the Inquiry, contains covenants in respect of the payment of a contribution towards affordable housing provision and a potential additional contribution, and to implement a 'Considerate Contractor Scheme'. The merits of the obligation are considered later in this decision.
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4. Concerns raised by several local residents, including those who appeared at the Inquiry, are also addressed in the decision below.

Appeal Proposal

5. The appeal site fronts onto a main road in an outer suburban location. It comprises a rectangular plot of some 0.28 hectares in area, last used as a landscape contractor's yard. The road frontage is largely filled by a two-storey building, originally a house, with an adjoining single-storey wing, but the remainder of the site is open apart from some sheds and outbuildings against the perimeter walls.
6. The site is adjoined to the north by a complex of apartment buildings known as Holme Court. This group encloses a three-storey house¹ that dates from the early eighteenth century and is listed Grade II*. To the south and east the site is adjoined by conventional suburban detached and semi-detached houses, fronting onto Twickenham Road, Heddon Close and Byfield Road. Mill Court and Byfield Road lie within the Isleworth Riverside Conservation Area, whose edge is here defined by two sides of the site boundary. On the opposite side of Twickenham Road is a public library and leisure centre.
7. Permission is sought to clear the site and to erect 29 apartments intended to provide for 'retirement living', with occupation mainly restricted to people of at least 60 years of age. The apartments would be arranged in a three-storey block on the road front and a similar block towards the back of the site, but with the top floor set back slightly. These would be linked by a two storey element containing some communal facilities opening onto a courtyard garden. The existing site access would be improved and parking would be arranged under the two-storey link and across the back of the site.

Main Issue

8. The main issue arising from the Council's reason for refusal of the planning application is whether the proposal would make the maximum reasonable contribution to the provision of affordable housing.

Reasons

9. The site is allocated for housing development in the London Borough of Hounslow Local Plan ('HLP') adopted in September 2015. There is no dispute that the appeal proposal would constitute sheltered housing falling within Class C3 of the Use Classes Order². HLP Policy SC8 supports the provision of appropriate housing to meet the specialist needs of different groups, including older people. The development accords in principle with the HLP allocation.

Affordable housing

Policy context

10. The requirement to seek the maximum reasonable amount of affordable housing from private residential development arises from the development plan. In seeking maximum reasonable provision, Policy 3.12 of the London Plan

¹ Listed as 158-160 Twickenham Road 'Garvin House' and now known as 'Van Gogh House', owing to its association with the artist.

² The Town and Country Planning (Use Classes) Order 1987, as amended

2016³ ('LP') sets out a number of factors to be considered, including the need to encourage housing development and to promote balanced communities. The specific circumstances of individual sites, such as development viability, are to be taken into account. The policy also states that affordable housing should normally be provided on the site unless exceptional circumstances prevail. At the borough level, HLP Policy SC2 adopts a similar approach, and sets a strategic target of 40% of additional housing to be affordable.

11. This responds to government policy set out in the National Planning Policy Framework ('NPPF') which requires full objectively assessed need for market and affordable housing to be met, through a mix of housing based on current and future demographic trends, and advises that affordable housing should normally be delivered on-site unless an alternative approach can be agreed that would contribute to the objective of creating mixed and balanced communities⁴.
12. The NPPF's emphasis on the need to take account of viability in ensuring delivery of planned development⁵ is reiterated by the Planning Practice Guidance ('PPG'), which counsels the need for flexibility in the negotiation of planning obligations where there is a risk to viability⁶.

Proposed contribution

13. The application that has given rise to the appeal was accompanied by a Financial Viability Assessment ('FVA') which concluded that the scheme would have no financial headroom that would allow a contribution to the provision of affordable housing. The officer's report on the application highlighted concern over aspects of construction costs, sales revenue and future viability review, but the refusal of permission centred on the single issue of the appropriateness of the benchmark land value on which the viability appraisal was based.
14. The FVA was based on a formal valuation of site value which took account of its allocation for development. Informed by an independent review of the FVA, the Council maintained that the correct approach to site value should be based on the 'Existing Use Value Plus', as advocated in the Mayor of London's Housing Supplementary Planning Guidance of March 2016 ('SPG')⁷, which also advises that a 'Market Value' approach should take full account of policy requirements such as affordable housing⁸. The review's estimates of site value, based on existing use, and of policy-compliant Market Value were considerably lower than the appellants' valuation.
15. Following refusal of the application, a duplicate application was submitted in June 2016. This was supported by an updated FVA, which identified a surplus available to fund planning obligations of £127,216. The FVA outlined an alternative development of the site for a mix of apartments and houses that would be policy compliant. This was considered to indicate an Alternative Use Value for the site close to the original Market Value figure, that would provide the most reliable Benchmark Land Value. Review of the updated FVA on behalf

³ The London Plan: the spatial development strategy for London consolidated with alterations since 2011, March 2016

⁴ NPPF paragraphs 47, 50

⁵ NPPF paragraphs 173, 174

⁶ PPG ref 10-019-20140306

⁷ The SPG's advice on viability is to be updated by a new SPG on Affordable Housing, which has been subject to consultation but is too early in the process of adoption to be afforded significant weight.

⁸ SPG paragraphs 4.1.4, 4.1.5

of the Council continued to show a clear difference of opinion, despite some movement. By the time the second application was refused in October 2016 the appellants had increased their offer to a financial contribution for off-site affordable housing of £400,000. The appellants subsequently submitted a planning application for an alternative form of development, comprising 15 flats and 6 town houses, which remained to be determined by the time of the Inquiry.

16. Evidence prepared for the Inquiry on behalf of the appellants, taking account of comparable land transactions, maintained a position of a Market Value in the range of £2.97m-£4.42m, with an Alternative Use Value based on the submitted scheme, of £3.14m. Taking this as the Benchmark Land Value, a surplus of £487,216 would be available to fund planning obligations.
17. However, following further review of sales values and comparable land transactions, the appellants concluded that an Alternative Use Value of £2.72m would be appropriate, which was not very much greater than the Council's own upper sensitivity-tested figure. A land value based on the average of comparable transactions was indicated at £3.1m. A mid-point between these figures of £2.91m would generate a surplus of £717,013. The Council accepted that this amount represented the maximum reasonable contribution to the provision of affordable housing, and this is the figure that is covenanted in the executed UU.

Assessment

18. The Council accepted during consideration of the planning application that a financial contribution to off-site affordable housing provision would be appropriate. A statement in support of the appellants' position, which had actually been submitted with the second application, was provided at the Inquiry. I acknowledge the particular constraints that apply in the provision and management of retirement living, with a marked reliance on the use of communal facilities, that militate against shared occupation of a single building. The size of the appeal scheme would not lend itself either to the provision of separate affordable provision. The benefits of a financial contribution in meeting affordable housing needs are said to be supported by the Council's housing specialists. In the particular circumstances of this housing type at this scale, the variance from the normal preference for on-site provision of NPPF, LP and HLP policy would be justified.
19. While stating a clear preference for the Existing Use Value Plus approach, the SPG acknowledges that Market Value and Alternative Use Value can also provide an acceptable basis for assessing reasonable levels of affordable housing provision. In this instance, the Council accepts that the Alternative Use Value approach can provide a reasonable Benchmark Land Value.
20. It is clear from the evidence that there is a very great degree of common ground on the main components of viability in this case, with the Benchmark Land Value seen as a highly significant component of any appraisal. It is also clear that progress of examination of the inputs to viability have brought the parties considerably closer in their assessment of Alternative Use Value. Both parties acknowledge the high sensitivity of the inputs to this calculation, with a very extensive range of variables susceptible to adjustment.

21. In accepting the figure finally put forward, the Council has also placed weight on the particular need for specialist housing for older people, with the added potential benefit of family housing being released from under-occupation. This reflects the guidance of the PPG, which singularly emphasises the critical need to provide housing for older people⁹.
22. I agree that there are sufficient grounds to accept that the Alternative Use Value method provides a useful indicator to inform viability appraisal in this instance, and that the figure finally arrived at represents a reasonable assessment of the likely surplus available to support affordable housing provision. The proposal therefore meets the requirement of LP Policy 3.12 and HLP Policy SC2 to deliver the maximum reasonable amount of affordable housing.
23. In the light of that, I accept that the UU's covenant in respect of a financial contribution meets the tests for planning obligations set out by the NPPF¹⁰ and the CIL Regulations¹¹ and can contribute to reasons for approval of planning permission.
24. The UU also allows for a potential additional contribution following a viability review that would be carried out if the development failed to commence within 18 months of permission being granted. The need for a post-completion viability review had been a matter of dispute between the parties, with the appellants suggesting that such a mechanism was not supported by policy or guidance in a relatively small single-stage development such as the appeal proposal. However, it was common ground at the Inquiry that the review now proposed would be less onerous in its effect on the certainty needed by a developer. Although the covenant has been framed so that it would not take effect without explicit endorsement in this decision that it would comply with policy tests, both main parties have confirmed that they support such ratification. In the light of the acknowledged volatility of the inputs to the assessment of Alternative Use Value, and current economic uncertainties, I agree that there would be scope for appreciable change in costs and values over an 18 month period. Therefore, in order to ensure compliance with the policy objective of securing the maximum reasonable provision, I consider that the covenant is reasonable and necessary and otherwise meets the NPPF and legal tests for planning obligations. The covenant can be taken into account in granting planning permission.

Other matters

25. The Statement of Common Ground ('SoCG') submitted shortly before the Inquiry confirms that the Council raises no objection on other matters, including the effect on highway safety and the highway network, the quality of living conditions for future occupiers and neighbours, the effect of the proposed design on character and appearance, and the response to sustainability and flooding issues.

Highways

26. I agree that the proposed use should represent an improvement in traffic generation, when compared with the potential traffic from the established

⁹ PPG ref 2a-021-20160401

¹⁰ NPPF paragraph 204

¹¹ Community Infrastructure Levy Regulations 2010, Reg 122

commercial use of the site. The proposed improvements to the site access, which can be secured by a condition, should address any concern arising from the close relationship with the Holme Court access.

27. The Council has accepted that the site's low PTAL rating does not fully reflect the generally good access to public transport and local services and facilities, and that the on-site provision of 15 parking spaces would be adequate, particularly bearing in mind the likely age profile of future residents. In these circumstances, I consider there would be a very low likelihood of residents wishing to park additional vehicles on-street. A full-time waiting restriction is in place on the main road, and while the nearby public facilities may cause additional parking on the adjoining slip road, there is little evidence of extreme parking pressure. The controlled parking zone surrounding the area applies only in connection with events at the nearby RFU stadium. In the light of all this, I do not agree with the parties that a condition is required that would seek to prevent future residents obtaining an on-street parking permit. The proposed negatively-worded condition would require future submission of arrangements to restrict residents in this respect. However, the PPG advises that such conditions should only be applied in exceptional circumstances, such as where there is a clear risk that a strategically important development might be at serious risk¹². In my view that is not the case here and the condition would not be justified.

Living conditions

28. Concern had initially been raised about the quality of living conditions for future residents due to aspects of the proposed layout. However, the specialist report submitted with the application confirms that the proposed flats would receive adequate daylight and sunlight. The separation distances between windows to habitable rooms, both within the development itself and in relation to Mill House¹³, would in some instances be less than ideal. But I accept that the sheltered nature of the accommodation and the availability of communal facilities justify some flexibility in this regard, and that satisfactory outlook and privacy would be provided for future residents. Similarly, I agree that a level of outdoor amenity space below normal LP standards would be appropriate in this instance.
29. The location of the proposed block would also have potential effects on adjoining residents. Outlook from upper floors of Mill House would be reduced but the small number of rooms affected would be bedrooms rather than living rooms, which have a dual aspect. The specialist report confirms that adequate levels of daylight and sunlight would be maintained. Potential harmful overlooking of rooms in Mill House from north-facing kitchens in the rear wing of the proposed development could be prevented by means of a condition requiring obscure glazing and restricted opening of windows, as flagged in the Council officers' report.
30. The same condition could also prevent harmful overlooking from south-facing windows in the new block of the side window and garden of 180 Twickenham Road and the gardens of 6 and 8 Heddon Close. Any overlooking of the rear gardens of other houses on Heddon Close would be relatively oblique. The evidence suggests that there would be no unacceptable loss of light or outlook

¹² PPG ref 21a-10-20140306

¹³ The rear block of the adjoining Holme Court

at these houses or at houses on Byfield Road. There would be a slight degree of overlooking of the garden of 44 Byfield Road, which would be mitigated by the high boundary wall, and would not have an unacceptable impact.

31. Overall, subject to some controls living conditions for future residents of the development and of neighbours would be of an acceptable standard, in accordance with HLP Policy CC2.

Character and appearance

32. I agree that the proposed design, described in the submitted Design and Access Statement as based on Georgian principles of scale and proportion, would provide a suitable response to the local context, in accordance with HLP Policy CC2.
33. The Council confirmed at the Inquiry that the site should be regarded as forming part of the setting of the nearby listed building, but making little contribution to its heritage significance. I agree that although some parts of the site's perimeter walls appear to be of some age, there is no evidence to suggest that the site has a particular historic relationship with the listed building or that fig trees within the site are of any cultural value. The proposal would effectively preserve the walls and the historic pattern of plot subdivision. It would not harm the elements of setting that make a positive contribution to significance. I also agree that the retention of the walls would ensure that the character and appearance of the adjoining conservation area would be preserved.

Sustainability and flooding

34. The development's impacts on drainage, flooding and energy usage have been addressed in detailed proposals, whose recommendations can be secured by suitably framed conditions.

Conditions

35. A schedule of conditions agreed between the main parties was provided in advance of the Inquiry, and further amendments and additions were discussed and largely agreed at the event. Subject to some further amendment and amalgamation, I agree that, with the one exception explained above, these conditions are reasonable and necessary. I consider that the conditions set out in the schedule attached to this decision would meet the tests required by the NPPF¹⁴.
36. In addition to standard and recommended conditions on the commencement of development and compliance with approved plans, conditions are required to secure approval before development commences of final details of a number of matters and their later implementation. These include a scheme for decontamination of the site, in order to minimise risk to human health and the local environment; design of drainage and its future management, to mitigate the risk of flooding and to ensure sustainable methods are used; details of materials, boundary treatments and landscaping, in order to ensure that the character and appearance of the area and the setting of adjoining heritage assets would be preserved, and, in the case of the site access, to maintain safe and efficient use of the highway. For the latter reason, approval of a

¹⁴ NPPF paragraph 206

Construction Management and Logistics Plan is justified, as well as to protect the living conditions of adjoining residents.

37. The protection of neighbours' living conditions also justifies conditions to limit hours of building work and noise from fixed plant and to avoid harmful overlooking, as outlined above.
38. Maintenance of the safe and efficient use of the highway, and the encouragement of sustainable modes of transport, also justify the requirement to provide the approved amount of car and cycle parking and turning spaces within the site prior to first occupation and to retain them thereafter.
39. Evidence also needs to be approved prior to occupation of the development to confirm that the energy saving targets of the LP and HLP would be met in accordance with the submitted Energy Statement, in order to minimise harmful carbon dioxide emissions.
40. Having regard to aspects of the proposed development that have justified variations from normal standards, such as the amount and type of affordable housing, car parking and amenity space, a condition restricting the age of future occupiers is necessary to confirm the specialist nature of the development and ensure its contribution to meeting identified housing need.

Planning obligation

41. In addition to the covenants considered above, the UU also provides a commitment to participation in a Considerate Contractor Scheme. I agree with the main parties that the measures outlined would be necessary to protect neighbours' living conditions and the safety and convenience of highway users during the course of development. The covenant complies with the NPPF and legal tests.

Conclusion

42. The appeal proposal would secure the delivery of housing on an allocated site. The provisions of the submitted UU, which I have endorsed, would overcome the one policy obstacle left outstanding by the Council's refusal of the application. The proposal would therefore accord with the development plan. There is no dispute between the main parties that the proposal would satisfactorily address each of the economic, social and environmental dimensions of sustainable development, and I have found no reason to disagree. The other matters raised by neighbours can be addressed where necessary by conditions and the obligation and would not stand against approval.
43. For the reasons set out above, and having taken account of all representations made, both in writing and at the Inquiry, I conclude that the appeal should be allowed and planning permission granted subject to the conditions in the attached schedule.

Brendan Lyons

INSPECTOR

Appeal Ref: APP/F5540/W/16/3152603

Land at 174-178 Twickenham Road, Isleworth, London TW7 7DJ

Schedule of conditions Nos.1-14

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - NL-2477-03-AC-000
 - NL-2477-03-AC-001 Rev M
 - NL-2477-03-AC-002.2 Rev D
 - NL-2477-03-AC-002.3 Rev C
 - NL-2477-03-AC-003.1
 - NL-2477-03-AC-003.2 Rev E
 - NL-2477-03-AC-003.3 Rev C
 - NL-2477-03-AC-003.4 Rev C
 - NL-2477-03-AC-004.1
 - NL-2477-03-AC-004.2 Rev A
 - NL-2477-03-AC-004.3
 - NL-2477-03-AC-004.4 Rev A
 - NL-2477-03-LA-001 Rev A
3. No development shall take place until a scheme for the decontamination of the site has been submitted to and approved in writing by the local planning authority.

The scheme shall include an initial Phase 1 desk study setting out aims and objectives, data collection, site reconnaissance (walk over survey), and development of an initial conceptual model, which identifies all potential pollutant linkages on the site. The report should also make recommendations for the further gathering of information and/or intrusive investigation.

A full site investigation shall include intrusive testing for soil and groundwater contamination, soil gases, and leachate. The investigation shall be carried out at such points and at such depths as the local planning authority may stipulate. Risk assessments shall adhere to current UK guidance and best practice.

A scheme for decontamination shall provide details of how each potential pollutant linkage, as identified in the conceptual model, will be made safe. The local planning authority shall be notified immediately if additional contamination is discovered during the course of the development. A competent person shall assess the additional contamination, and shall submit appropriate amendments to the scheme for decontamination in writing to the local planning authority for approval before any work on that aspect of development continues.

The approved scheme for decontamination, including amendments, shall be fully implemented and a written validation (closure) report submitted to the local planning authority for approval. The validation report shall revisit the site conceptual model, and provide evidence that each aspect of the decontamination scheme was carried out correctly and successfully, and shall demonstrate that the development is suitable for residential use. The

development shall not be occupied until the validation report has been fully approved.

4. No development shall take place until final detailed drainage designs and an associated detailed drainage maintenance plan have been submitted to and approved in writing by the local planning authority. The detailed designs shall be in accordance with the submitted Drainage Strategy MI-2477-03-DE-150 Rev P3 and shall demonstrate that there will be at least a 1m distance between the base of any infiltration device(s) and the water table. Development shall be carried out in accordance with the approved details. The development shall not be occupied until the approved drainage system is fully operational.
5. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
6. No development shall take place until full details of the replacement boundary treatment and access to Twickenham Road and the retention of other boundaries have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
7. No development shall take place until full details of the implementation and management of both hard and soft landscape works in accordance with approved plan NL-2477-03-LA-001 Rev A have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwellings hereby permitted or the completion of development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
8. No development shall take place, including any works of demolition, until a Construction Management and Logistics Plan has been submitted to, and approved in writing by, the local planning authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall include:
 - confirmation that a pre-start record of site conditions on the adjoining public highway will be undertaken with the highway authority and a commitment to repair any damage caused;
 - details of the construction programme and a schedule of traffic movements;
 - a site plan showing the areas set out below;
 - provision for the parking of vehicles of site operatives and visitors;
 - provisions for loading, unloading and storage of plant and materials within the site;
 - details of access to the site, including means to control and manage access and egress of vehicles to and from the site for the duration of

construction including arrangements for the avoidance of peak hours for deliveries and details of a booking system to avoid vehicles waiting on the public highway;

- details of vehicle routeing from the site to the wider strategic road network;
- commitment to liaise with other contractors in the vicinity of the site to maximise the potential for consolidation and to minimise traffic impacts;
- all necessary traffic orders and other permissions required to allow safe access to the site to be secured and implemented prior to commencement of construction;
- measures to ensure the safety of all users of the public highway particularly cyclists and pedestrians in the vicinity of the site and especially at the access;
- provision of wheel washing facilities at the site exit and a commitment to sweep adjacent roads when required and at the request of the local planning authority;
- measures for the suppression of dust;
- the erection and maintenance of security hoardings;
- a scheme for recycling/disposing of waste resulting from demolition and construction works.

9. No demolition or construction work shall take place on the site except between the hours of 8am to 6pm on Mondays to Fridays and 9am to 1pm on Saturdays and not at all on Sundays and Public Holidays.

10. Any fixed external plant shall be designed and installed to ensure that noise emanating from such plant is at least 10dB below the background noise levels when measured from the nearest sensitive receptors. All plant shall be installed in accordance with the approved plans. No further fans, louvres, ducts or other external plant shall be installed.

11. Notwithstanding the details shown on the approved plans and the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the following windows shall at all times be obscure glazed and be non-opening unless the parts of the window which can be opened are more than 1.7m above the internal floor level or comprise top-hung casements with a maximum opening projection of 100mm:

- north-facing kitchen windows of proposed first floor apartments Nos.10 and 11, and the adjoining store room window;
- north-facing kitchen window of proposed second floor apartment No.24;
- south-facing kitchen windows of proposed first floor apartments Nos.14 and 19 and the adjoining corridor windows;
- south-facing kitchen window of proposed second floor apartment No.30.

12. Prior to the first occupation of the development, the vehicular parking, loading and turning spaces and the cycle parking as set out in the approved plans, shall be constructed and made available for use. The parking, loading and turning spaces and the cycle parking shall then be retained as such and

shall not be used for any other purposes thereafter. No loading or unloading shall occur on the public highway.

13. The development hereby permitted shall be carried out in accordance with the enhanced fabric specifications and mechanical and electrical installations set out in the submitted Energy Statement Rev B dated 12/11/15. The development shall not be occupied until evidence (e.g. photographs, installation contracts and As-Built certificates under the Standard Assessment Procedure and National Calculation Method) to show that the development has been constructed in accordance with the approved Strategy has been submitted to the local planning authority and approved in writing.
14. The development hereby permitted shall be occupied only by persons of not less than 60 years of age and by persons who are living as a spouse or partner in a single household with such a person, and are themselves not less than 55 years of age.

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Daniel Kolinsky QC

Instructed by HB Public Law on behalf of the
Council of the London Borough of Hounslow

He called:

Andrew Jones BSc MRICS

Director,
BPS Chartered Surveyors
Manager, Strategic Projects and CIL,
London Borough of Hounslow

Shane Baker BTP MRTPI

With written evidence by:
Danalee Edmund

Team Leader, Spatial Planning and
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FOR THE APPELLANTS:

Rupert Warren QC

Instructed by Peter Graham,
The Planning Bureau Limited

He called:

R James Mackay MRICS

Partner,
Alder King LLP
Principal Planning Associate,
The Planning Bureau Limited

Gavin Cooper MA MRTPI

INTERESTED PERSONS:

Marylou Lousvet
Claudia Zibani

Chair, Holme Court Residents Association
Neighbouring resident

DOCUMENTS

1. Copy of executed Unilateral Undertaking
2. Affordable Housing Statement
3. Detailed Daylight and Sunlight Report

PLAN

1. Detailed Landscape Scheme Ref NL-2477-03-LA-001 Rev A