



Appeal Decisions

Site visit made on 8 November 2024

by E Brownless BA (Hons) Solicitor (non-practising)

an Inspector appointed by the Secretary of State

Decision date: 06 June 2025

Appeal A Ref: APP/F5540/C/23/3325892

Unit 9, Griffin Centre, Staines Road, Feltham, TW14 0HS

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended)(the “Act”). The appeal is made by the Association of Central Asia and Afghanistan Charity against an enforcement notice issued by the Council of the London Borough of Hounslow.
- The notice was issued on 14 June 2023.
- The breach of planning control as alleged in the notice is without planning permission, the change of use of the Premises from a part business/industrial/service and part storage/distribution to a mixed (Sui Generis) consisting of a charity administration office, community advice service office offering education classes and workshops and a storage facility for the charity.
- The requirements of the notice are to:
 - i) Cease the use of the Premises as a mixed use consisting of a charity administration office with associated storage facility and community advice service office offering educational classes and workshops.
 - ii) Remove all resultant debris from the Land.
- The period for compliance with the requirements is: one month after the notice takes effect.
- The appeal is proceeding on the grounds set out in section 174(2)(a), (f) and (g) of the Act. Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.

Summary of Decision: The appeal is allowed, the enforcement notice is quashed, and planning permission is granted in the terms set out below in the Formal Decision.

Appeal B Ref: APP/F5540/W/23/3323718

Unit 9, Griffin Centre, Staines Road, Hounslow, Feltham, TW14 0HS

- The appeal is made under section 78 of the Act against a refusal to grant planning permission.
- The appeal is made by Dr Nooralhaq Nasimi of the Association of Central Asia and Afghanistan Charity against the decision of the Council of the London Borough of Hounslow.
- The application Ref is P/2022/3537.
- The development proposed is described as ‘*change of use for a temporary period of three years from Class E business/industrial and service use (former B1 business use) and B8 storage and distribution to a mixed Sui Generis Use for charity administration office, a community advice service offices, educational classes and workshops and storage facility for the charity*’.

Summary of Decision: The appeal is allowed and planning permission is granted subject to condition in the terms set out below in the Formal Decision.

The Notice

1. The enforcement notice (the notice) alleges the change of use of the premises from a part business/industrial/service and part storage/distribution to a mixed (Sui Generis) use consisting of a charity administration office, community advice service office offering education classes and workshops and a storage facility for the charity.
2. Paragraph 1 of the notice states that there has been a breach of planning control falling within section 171A(1)(a) of the Act, which is the carrying out of development without the required planning permission. Development is defined in

section 55(1) of the Act as including 'the making of any material change in the use of any building or other land'.

3. Whilst the notice refers to the 'use of land' it does not allege that a material change in the use of the land has occurred. It therefore follows that the allegation in the notice would not constitute development for the purposes of section 55(1) of the Act. Section 57 of the Act provides that planning permission is required for the carrying out of any development of land. Because the breach of planning control is alleged in the notice does not constitute the development of land, it follows that planning permission would not be required for it. The notice is defective in that respect.
4. However, having regard to the appellants case and their appeal under ground (a), they have clearly understood that the allegation was intended to refer to a material change of use. As such, I am satisfied that a correction of the notice to include reference to a material change of use would not cause injustice in this case.

Preliminary Matters

Appeals A and B

5. Appeal A - the appeal on ground (a), the deemed planning application, is advanced by the appellant on the basis that planning permission is sought for a material change of use to a sui generis mixed use for charity administration and community service advice offices and education and workshop classes and charity storage. The statement of case explains that the appellant is seeking a permission for 'at least' a temporary period of three years¹.
6. Appeal B - seeks permission for the use of the premises as a mixed use (sui generis) for a charity administration office, community advice service offices offering educational classes and workshops and a storage facility for a temporary period of three years.
7. Since the development for which planning permission is sought as part of the ground (a) appeal in Appeal A and the development for which planning permission is sought within Appeal B are similar, I have dealt with these matters together to avoid duplication.

The appeal on ground (a) and Appeal B

8. An appeal made on ground (a) is that planning permission should be granted for the breach of planning control stated in the notice. Therefore, having regard to the reasons for issuing the notice in Appeal A and the Council's reasons for refusal of Appeal B, the main issues in these appeals are:-
 - i) the effect of the material change of use on the supply of employment land within the borough; and
 - ii) whether the location of the appeal site is appropriate for the material change of use with particular regard to development plan policy for the provision of new community facilities; and
 - iii) the benefits of the facility to people of Afghanistan and Central Asian heritage.

¹ Appellant statement of case, paragraph 6.8

Employment Land

9. The appeal premises is a two-storey building positioned within the Griffin Centre business park on Staines Road which is close to the junction with Fagg's Road. The site has a lawful use as '*Class E business/industrial and service (formerly Use Class B1) and B8 storage and distribution*'. The appellant sets out that the appeal premises act as an administrative centre for its charity staff, volunteers and community workers in providing advice and support, including to other centres and educational facilities in London together with work to develop citizens advice centres in Afghanistan. It is therefore the Council's case that a material change of use of the premises has occurred which has led to the loss of Class E and B8 uses.
10. Policy ED2 of the Hounslow Local Plan (August 2014)(LP) is concerned with maintaining the borough's supply of employment land and it sets out the evidence which will be required where a proposal would lead to the loss of a B1, B2 or B8 use or similar employment uses and it is proposed outside of a Strategic Industrial Location (SIL) or Locally Strategic Industrial Sites (LSIS) location. An extract of the Policies Map, provided by the appellant, shows that the appeal site is not situated within a SIL or LSIS.
11. The Council's case in respect of both appeals also cites conflict with LP Policy IMP2. Policy IMP2 of the LP seeks to deliver site allocations and sets out the Council's approach to ensuring that delivery. However, the appeal site is not allocated for a particular use and so I find the policy is not determinative in this appeal.
12. The appellant argues that the premises should be considered to '*provide, sustain and generate employment*' in that it directly employs a number of individuals including some 7 full-time and 6 part-time employees. These employees are stated to be engaged in the Charity's administration and service advice within the first floor offices. Additionally, it also employs on an hourly paid basis, a number of teachers for providing small classes for adults and children, counsellors for the provision of one-to-one mental health therapy and translators. The appellant also explains that, as a consequence of the services it provides to its clients to help integrate into their new living environment, a '*major part*' is in providing assistance in finding sustainable employment through activities such as CV compilation, letter writing, help with job hunting, achieving qualifications, teaching language skills and, for those wishing to set up their own business, providing guidance and advice with business plans, business start-up loans, one-to-one mentoring. As a result, the appellant asserts that a number of its clients have already taken the first steps towards self-employment.
13. Notwithstanding the above and noting that use of part of the premises including the first floor offices could fall to be considered as a B1(a) use, the use alleged by the Council is a mixed use which doesn't fall within LP Policy ED2 and floor space which was previously available for employment uses would be unavailable for those uses.
14. LP Policy ED2 goes on to set out the evidence required to justify a loss of B1, B2 or B8 use or similar employment uses. It requires, i) evidence of active marketing of the site for employment uses for a period of at least two years in Key Existing Office Locations or for a period of at least one year in other locations, ii) an

assessment demonstrating that the introduction of a non-employment uses is necessary to achieve sufficient viability to deliver a development scheme. Preference will be given to the provision of new employment uses, followed by a mix of employment uses and non-employment uses. Proposals for non-employment uses will only be considered once the retention of employment uses has been shown to be unviable; and, iii) evidence that surrounding employment uses/sites will not be undermined.

15. Turning to marketing, the appeal site is not identified as being within a Key Existing Office Location and so policy ED2 requires evidence of active marketing of the site for employment uses for a period of at least one year.
16. The appellant asserts that the appeal premises was vacant for in excess of one year from April 2018 until its occupation of the site commenced in August 2019 and that the premises were actively marketed from May 2018. A copy of marketing literature, shown to have been created in May 2018, advertising the property as 'to let' has been provided. Marketing is stated to have continued during 2019 and 2020 and despite the appellant being in occupation of the site, this could constitute active marketing of premises. Nonetheless, in this instance, the evidence of active marketing is very limited. There is little information about how the property was marketed, the number of enquiries and viewings nor any detail of any offers that were made. The evidence fails to show that the premises was actively marketed for employment use over that period of time. The particulars fail to set out what amount of rental was advertised and there is no independent assessment to support whether a realistic rental price was sought over the marketing period.
17. Photographs dated June 2012 and September 2014 show previous occupiers of the premises and the appellant has set out the history of the site as use for a training centre and office space. An additional image, dated May 2019, shows fencing erected around the building and the appellant explains that refurbishment works were undertaken prior to its occupation. However, none of these matters provide any assistance in understanding whether an active marketing exercise was undertaken for the requisite period.
18. It is the appellant's case that the demand for premises with this type of use has '*not bounced back to previous levels*' since the Covid-19 pandemic and that premises have stood vacant for lengthy periods. A number of property listings showing premises for rent within a half mile radius of the site has been provided. However, some level of vacancy is not unusual, even during a buoyant market and so should not be considered in isolation.
19. On the evidence before me, the appellant has failed to demonstrate that the appeal property was actively marketed for a period of at least one year as required by LP Policy ED2(i). In the absence of any viability evidence, it has not been shown that non-employment uses are necessary to deliver a scheme to achieve sufficient viability as specified by LP Policy ED2(ii).
20. The Council has also cited conflict with criterion (iii) of LP Policy ED2 in terms of a potential conflict between the users of the appeal site and other businesses of the Griffin Centre, in particular, the siting of the premises with its associated frequent comings and goings within a business park where frequent heavy goods vehicles are driven. The Council points to the vulnerability of the users of the site including

children. However, as observed at the visit, the main entrance to the building is located only a short distance along the access road and the route is along a clearly defined footway. Furthermore, this footway continues around the premises to the car parking area where the second Access point is located. The footway is edged at regular intervals with metal bollards which prevent vehicles from travelling along it. Given the availability of a well-defined footway and the position of the property towards the entrance of the business park which avoids pedestrians from having to cross the access/egress points of other units on the business park, the potential for pedestrian and vehicular conflict is limited in this regard and would not conflict with other users of the business park.

21. The appeal premises contains an area of parking for approximately nine vehicles and parking within the access road is restricted with double yellow lines. Nevertheless, an interested party has provided their comments regarding the adequacy of the on-site parking and their concerns regarding vehicles parked on the double yellow lines of the access road. Therefore, there is potential for conflict between off-site parked vehicles and obstruction caused to other operators within the Griffin Centre.
22. However, in my judgment, the potential for vehicular conflict and issues of adverse highway safety can be adequately mitigation by the imposition of an appropriately worded planning condition to secure the provision of a Site Management Plan (SMP). A SMP would be capable of securing detail regarding the allocation and management of the on-site parking spaces and detail measures to preclude additional parking within the site which would obstruct the on-site parking spaces. In addition, to avoid highway safety being adversely compromised due to vehicular parking within the access road, or other business operators being inconvenienced by users parking within their units, detailed measures can be required within the SMP to require the appellant to monitor the access road to prevent, record and take action against staff and visitors that park within the access road.
23. The potential for conflict between users of appeal premises and the wider business park is capable of being adequately mitigated and so I do not consider that the operation of the wider business park would be adversely impacted by the appeal scheme. Thus, I consider that the material change of use is not contrary to criterion (iii) of LP Policy ED2.
24. Nevertheless, the Council's Employment Land Register (updated 2020) identifies a 'significant borough wide need for land for industrial uses, in particular, use class B8 logistics given the proximity of Heathrow Airport where there is high demand for commercial floorspace associated with the airport's operations'. While the appellant acknowledges this and concedes that there is a high demand for commercial floorspace associated with the airport's operations and that the site is 'well positioned for *its lawful B8 use with subsidiary Class E element*', the appellant goes on to dispute whether there is a demand for large office space and suggests that the unit would be likely to be left vacant if not occupied by it. However, in the absence of evidence of an active marketing campaign, this point cannot be adequately demonstrated to be the case.
25. Overall, whilst I have concluded that the operation of the wider business park is not adversely undermined by the material change of use of the premises, the appellant has failed to provide the requisite evidence required to justify a loss of B1, B2 or B8 use or similar employment uses as specified by LP Policy ED2 (i) and (ii) and

therefore, I find that a material change of use would lead to a permanent loss of employment land which is contrary to the provisions of LP Policy ED2.

26. The Framework seeks to build a strong, competitive economy and advises that planning decisions should help create the conditions in which businesses can invest, expand and adapt. This, to my mind, supports the Council's aims of protecting the site for employment uses.
27. The appellant sets out within its statement of case that it is not seeking a permanent formalisation of the loss of the use for B8 and E use classes. In doing so, a temporary permission for a period of 3 years is sought.
28. The appellant draws my attention to the Hounslow Employment Land Review (2020) and in particular the increased demand for servicing business premises in the event of an additional runway being constructed at Heathrow Airport. It is the appellant's opinion that an additional runway is unlikely to occur within the next three years and therefore, as justification for a temporary planning permission, the appellant suggests the appeal scheme would not cause a deficit of employment space when additional premises are needed as a result of the additional runway capacity. However, as identified by the Council, there is an existing significant need for land for industrial uses, in particular, use class B8 logistics, and as a consequence of using the appeal site for non industrial uses this deprives the availability of the site from meeting that 'significant need'.
29. Whilst it is suggested that due to the Covid-19 pandemic, the premises operated in accordance with their lawful use initially, the premises have already been unavailable for a considerable number of years to the present date and the grant of a permission for a temporary period of three years would amount to a significant period of time that the premises is not available for Class B8 and E uses. Therefore, for similar reasons as explained above, a temporary permission would conflict with the provisions of LP Policy ED2.

Provision of a new community facility and location

30. Policy CI1 of the LP sets out that new community facilities will be directed to the most appropriate locations which are within or at the edge of Town Centres unless the new facility is local in nature and scale and where a local need for the facility can be demonstrated. Since the nearest town centre, Feltham, is located some 1.3kms away from the site, it cannot be regarded as being within or at the edge of a town centre.
31. The term 'local' is not defined for the purposes of the Policy CI1. Although it could be considered as 'local' to the residents of North Feltham who reside nearby, the premises serves a much more widespread catchment area including Hounslow, Ealing, Brent, Harrow and Hillingdon and the wider west London area, which are located much further away from the appeal site. As such, the target community is widespread and the appeal site cannot be regarded as 'local' for those visitors. In my judgment, since the facility cannot be regarded as 'local in nature and scale' nor has a local need for the facility been demonstrated, it therefore does not fall to be considered as an exception to the requirement to be located within or at the edge of a town centre. Accordingly, the appeal scheme is contrary to the requirements of LP Policy CI1.

32. LP Policy EC2 is focussed towards developing a sustainable local transport network that maximises opportunities for walking, cycling and using public transport, reduces congestion and improves health and well-being. In doing so, a proposal is expected to demonstrate that it is located appropriately with regard to, among other things, public transport accessibility.
33. It is the Council's case that the site is of '*poor/moderate*' accessibility with a public transport accessibility (PTAL) rating of 2/3. However, the appellant has provided an extract of a Transport for London PTAL map which shows the site situated within an area with moderate accessibility (PTAL rating of 3) and thus of moderate accessibility. Albeit some visitors may be from the local area, it is common ground that visitors from a wide catchment area would use the premises and that this demand will likely fluctuate in demand in times of crisis.
34. The appellant explains that the majority of visitors to the site are likely not to have their own vehicle and this statement is plausible given the circumstances of those individuals using the services of the charity. As such, those visitors would be largely reliant on public transport to access the facility. I noted from my visit that there were a number of bus stops within easy walking distance of the site, including one immediately adjacent to the site. These bus services are stated by the appellant to provide frequent bus services to Hounslow, Ashford, Brentford, Sunbury, Feltham, Northolt, Kingston, Richmond and Heathrow Airport. The Council has not provided evidence to the contrary to dispute the frequency and extent of destinations accessible by using the bus service. In addition, Feltham Train Station and Hatton Cross Underground Station are located a distance of around 1.25km and 1.6kms, respectively and are in my view accessible via a bus journey, cycle ride or on foot.
35. Accordingly, I consider that the site is reasonably well-located for accessibility to public transport and therefore the material change of use accords with the provisions of LP Policy EC2 and the requirement to be located appropriately with regard to public transport.
36. Nevertheless, there would be conflict with LP Policy CI1 insofar as the facility is not located within or at the edge of a Town Centres and this risk undermining the vitality and viability of adjacent town centres. Such conflict would arise irrespective of whether a permanent or temporary permission were to be granted, albeit any conflict would be limited for the term of a temporary permission.

Benefits of the material change of use

37. The appellant is a registered charity that seeks to improve the quality of life for all refugees in the UK and assist with integration through education, employment and social cohesion. The charity provides support, skills and knowledge to predominantly help the Afghan community together with the Central Asian and wider community. Its service provides persons with initial assistance on first arrival to the country. Initially individuals are predominantly housed temporarily around Heathrow before being settled in more permanent housing within the local area or further afield. The purpose of the charity is to provide initial support by assisting newcomers to London, working to free refugees, enabling integration and promotion of British values among marginalised and vulnerable members of the community.
38. Other activities undertaken at the premises include:- meetings with translators and assistance in explaining the refugee application process, an education centre for

after school homework and summer school classes, language classes, skills training, help in gaining qualifications and access to adult learning, assistance with job seeking, CV preparation and letter writing, new business advice, community workshops, women's group meetings and support for vulnerable women fleeing domestic abuse, leisure and fitness classes including girl's football, receipt and distribution of charitable donations including food and clothing and the provision of counselling, group sessions, legal advice, community advice and support.

39. The appellant states that the consolidation and centralisation of its charitable activities in a common location has enabled efficiencies and improved connectivity through direct interaction between staff members and thus a more coordinated approach to the delivery of services has been capable. It suggests that the appeal premises are therefore better suited for its needs.
40. The charity has been awarded a number of awards for the work they undertake, it is supported by a local MP, Mayor and councillors and has a number of partners and funders that support their objectives. The Council is clear in stating that *'the importance of the Charity's operations cannot be underestimated'*.
41. The Framework aims to seek to promote healthy and safe communities and advises that planning decisions should promote social interaction and should plan positively for community facilities to enhance the sustainability of communities. This, to my mind, weighs in support of the appeal scheme.
42. The Public Sector Equality Duty (PSED) as set out under the Equality Act 2010 concerns the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. From the evidence, it is clear that the users of the appeal site have protected characteristics for the purposes of the PSED.
43. Through their work, the appellant provides an important role in meeting the social aims of the Framework and in providing individuals with new connections which aims to erode inequalities which also meets the aims of the London Plan (2021) to build strong and inclusive communities and which helps to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. The appellant's charity operation is, in my view, a significant benefit which weighs in favour of the appeal scheme.

Other Matters

44. Concern regarding noise and disturbance has been raised by a number of interested parties. However, at the visit I observed that neighbouring residential properties are located a distance away from the appeal site and are either positioned beyond a busy highway or other premises within the Griffin Centre. Given these intervening distances and features I do not consider that the living conditions of neighbouring occupiers would be unduly compromised with regards to noise and disturbance from the appeal site. The Council has also confirmed that it considers that unacceptable noise and disturbance would not arise from the use.

Planning balance

45. I have concluded that there would be conflict with LP Policies ED2 and CI1 and as such, the grant of a permanent planning permission for the material change of use

of the site would cause permanent harm through the loss of employment land. Notwithstanding the significant benefits of the appeal scheme and the PSED as described above, it has not been demonstrated that it is necessary to site the charity in this location.

46. The appellant is a charitable organisation and as such there are likely to be cost constraints in acquiring alternative premises with their particular spatial and locational requirements. Granting a temporary permission would give the appellant time to find alternative premises which suits its needs, thus ensuring the continuation of its operation and avoiding disruption to the provision of its services.
47. Notwithstanding that the conflict with development plan policies outlined above, the harm caused would be for a temporary period and since it would not be a permanent change the site would revert to a use compliant with development plan policy.
48. While I consider that the benefits of the scheme do not outweigh the permanent harm that is caused, given the clear benefits of the appeal scheme, I find that it is necessary and proportionate to permit the development for a temporary period to eliminate discrimination against and advance equality of opportunity for the users of the site, and to foster good relations between them and the existing community.
49. Accordingly, I conclude that the temporary benefits of the appeal scheme would outweigh any temporary harm that arises from the material change of use of the appeal site and thus a temporary planning permission for a period of three years is justified on this basis.

Conditions

50. The Council has suggested conditions which I have considered in light of the advice in the Framework and Planning Practice Guidance. As a result, I have amended some of them for consistency or clarity.
51. The Council has suggested that the use is temporary, for a period of three years, and that it for the Association of Central Asia and Afghanistan Charity only. As set out above, I have found that the appeal schemes should be granted for a temporary period of 3 years only. As such, a condition limiting the use to a period of three years is necessary.
52. Similarly, as I have concluded that the benefits specific to the appellant's charitable operation outweigh the conflict with the development plan a permission which is personal to the appellant is necessary. In the interests of clarity and certainty I have amended the Council's suggested wording for the condition and have imposed separate conditions for the different elements and a further condition requiring the cessation of the use.
53. A condition requiring the provision of a Travel Plan to ensure measures to promote and encourage car reduction is necessary and is supported by the requirements of LP Policy EC2. Since the use of the premises has already begun, it is not possible to impose a pre-commencement condition. I have therefore included a requirement to provide the Travel Plan within three months.
54. A condition to secure the provision of a Site Management Plan is necessary in the interests of highway safety. Since the use of the premises has already begun, it is

not possible to impose a pre-commencement condition. I have required provision of a Site Management Plan within three months.

55. The Council has also sought a condition requiring the provision of a fully enclosed and sheltered long-stay staff cycle spaces and short stay cycle spaces to comply with the London Plan. Given that Policy EC2 sets out that it requires development to provide a minimum number of cycle parking spaces and an appropriate maximum number of parking spaces consistent with the standards in the London Plan, I consider the provision of these facilities are necessary to make the appeal scheme acceptable in planning terms and to encourage staff and visitors to travel to the site using a sustainable mode of transport.
56. For Appeal B only, a condition specifying the plans and documents is necessary as it provides clarity.

Formal Decisions

Decision: Appeal A

57. It is directed that the enforcement notice is corrected by:
- (a) The deletion of the alleged breach of planning control under paragraph 3 and substituting “Without planning permission, the material change of use of the premises from a part business/industrial/service and part storage/distribution to a mixed (Sui Generis) Use consisting of a charity administration office, community advice service office offering education classes and workshops and a storage facility for the charity”.
58. Subject to the correction, Appeal A is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the Act as amended for the development already carried out, namely, a mixed (Sui Generis) use consisting of a charity administration office, community advice service office offering education classes and workshops and a storage facility for the charity at Unit 9, Griffin Centre, Staines Road, Feltham, TW14 0HS as shown on the plan attached to the notice and subject to the following conditions:
- 1) The use hereby permitted shall be carried on only by the Association of Central Asia and Afghanistan Charity.
 - 2) The use hereby permitted shall be for a limited period of three years from the date of this decision.
 - 3) When the premises cease to be occupied by the Association of Central Asia and Afghanistan Charity or at the end of three years whichever shall first occur, the use hereby permitted shall cease and the land restored to its former condition all materials and equipment brought on to the premises in connection with the use shall be removed.
 - 4) The use hereby permitted shall cease and all equipment and materials brought on to the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in i) to iv) below:
 - i) Within 3 months of the date of this decision a scheme comprising a detailed Travel Plan in accordance with current Council and TfL guidance comprising immediate, continuing and long-term measures to promote and encourage a

reduction in car use shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

ii) If within 9 months of the date of this decision the local planning authority refuse to approve the scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.

iii) If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State.

iv) The approved scheme shall have been carried out and completed in accordance with the approved timetable. Upon implementation of the approved scheme specified in this condition, that scheme shall thereafter be retained for the duration of the use hereby permitted. In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

5) The use hereby permitted shall cease and all equipment and materials brought on to the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in i) to iv) below:

i) Within 3 months of the date of this decision a scheme comprising a Site Management Plan to include the following:

- a) Details of parking allocations and management for the nine on-site parking spaces, including how this will be operated and enforced;
- b) Details of measures proposed to restrict parking to designated bays only and prohibit parking on the access road or the rest of the site (which would obstruct access to the formal parking spaces);
- c) a commitment to continuously monitor the access road while the use is in operation, with details provided of measures to put in place to ensure any such parking on the road, or in neighbouring units, associated with the use of the subject site is recorded and swiftly and appropriately dealt with,

shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

ii) If within 9 months of the date of this decision the local planning authority refuse to approve the scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.

iii) If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State.

iv) The approved scheme shall have been carried out and completed in accordance with the approved timetable. Upon implementation of the approved scheme specified in this condition, that scheme shall thereafter be retained for the duration of the use hereby permitted. In the event of a legal challenge to

this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

- 6) Secure covered cycle parking facilities for the occupants of, and visitors to, the development shall be installed in a suitably accessible and convenient location which does not compromise the effective use of the nine car parking spaces, the full court or general access to the site. The approved facilities shall conform to the current Westtrans West London Cycle Parking Guidance (all such other guidance as shall supersede it) in design and layout and be fully implemented and made available for use within three months of this decision and thereafter retained for use at all times without obstruction for the duration of the use hereby permitted.

59. The appeals on grounds (f) and (g) do not fall to be considered.

Decision: Appeal B

60. For the reasons given above, Appeal B succeeds and is allowed and planning permission is granted for a material change of use to a mixed Sui Generis Use for charity administration office, a community advice service offices, educational classes and workshops and storage facility for the charity at Unit 9, Griffin Centre, Staines Road, Feltham, TW14 0HS in accordance with the terms of the application, Ref P/2022/3537, subject to the following conditions:

- 1) The use hereby permitted shall be carried on only by the Association of Central Asia and Afghanistan Charity.
- 2) The use hereby permitted shall be for a limited period of three years from the date of this decision.
- 3) When the premises cease to be occupied by the Association of Central Asia and Afghanistan Charity or at the end of three years whichever shall first occur, the use hereby permitted shall cease and the land restored to its former condition all materials and equipment brought on to the premises in connection with the use shall be removed.
- 4) The development hereby permitted shall be carried out in accordance with drawing numbers and specifications: Drawings P3 and P4, Unnumbered Site/Block Plan, Unnumbered Location Plan, Unnumbered Design and Access Statement, Unnumbered Planning Statement and Unnumbered Fire Statement Form, received 07/11/2022.
- 5) The use hereby permitted shall cease and all equipment and materials brought on to the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in i) to iv) below:
 - i) Within 3 months of the date of this decision a scheme comprising a detailed Travel Plan in accordance with current Council and TfL guidance comprising immediate, continuing and long-term measures to promote and encourage a reduction in car use shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.
 - ii) If within 9 months of the date of this decision the local planning authority refuse to approve the scheme or fail to give a decision within the prescribed

period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.

iii) If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State.

iv) The approved scheme shall have been carried out and completed in accordance with the approved timetable. Upon implementation of the approved scheme specified in this condition, that scheme shall thereafter be retained for the duration of the use hereby permitted. In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

- 6) The use hereby permitted shall cease and all equipment and materials brought on to the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in i) to iv) below:
- i) Within 3 months of the date of this decision a scheme comprising a Site Management Plan to include the following:
- a) Details of parking allocations and management for the nine on-site parking spaces, including how this will be operated and enforced;
 - b) Details of measures proposed to restrict parking to designated bays only and prohibit parking on the access road or the rest of the site (which would obstruct access to the formal parking spaces);
 - c) a commitment to continuously monitor the access road while the use is in operation, with details provided of measures to put in place to ensure any such parking on the road, or in neighbouring units, associated with the use of the subject site is recorded and swiftly and appropriately dealt with,
- shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.
- ii) If within 9 months of the date of this decision the local planning authority refuse to approve the scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.
- iii) If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State.
- iv) The approved scheme shall have been carried out and completed in accordance with the approved timetable. Upon implementation of the approved scheme specified in this condition, that scheme shall thereafter be retained for the duration of the use hereby permitted. In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.
- 7) Secure covered cycle parking facilities for the occupants of, and visitors to, the development shall be installed in a suitably accessible and convenient location

which does not compromise the effective use of the nine car parking spaces, the full court or general access to the site. The approved facilities shall conform to the current Westtrans West London Cycle Parking Guidance (all such other guidance as shall supersede it) in design and layout and be fully implemented and made available for use within three months of this decision and thereafter retained for use at all times for the duration of the use hereby permitted without obstruction.

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INSPECTOR