



The Planning Inspectorate

---

# **CPO Report to the Secretary of State for Communities and Local Government**

**by Alwyn B Nixon BSc(Hons) MRTPI**

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

**Date: 10 June 2016**

---

THE LONDON BOROUGH OF HOUNSLOW (HOUNSLOW HIGH STREET QUARTER)  
COMPULSORY PURCHASE ORDER 2015

THE TOWN AND COUNTRY PLANNING ACT 1990

THE ACQUISITION OF LAND ACT 1981

THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

Inquiry opened on 8 March 2016  
Inspection carried out on 15 March 2016.  
Hounslow High Street Quarter

File Ref: NPCU/CPO/F5540/75695

---

**File Ref: NPCU/CPO/F5540/75695**  
**The London Borough of Hounslow (Hounslow High Street Quarter)**  
**Compulsory Purchase Order 2015**

- The Compulsory Purchase Order ("the Order") was made under section 226(1)(a) of the Town and Country Planning Act 1990, section 13 of the Local Government (Miscellaneous Provisions) Act 1976 and the Acquisition of Land Act 1981 by the London Borough of Hounslow Council on 2 June 2015.
- The purpose of the Order is to facilitate the carrying out of the High Street Quarter regeneration scheme "the scheme", and thereby contribute to:
  - a) the development, redevelopment or improvement of the Order Land;
  - b) the improvement of the economic and social well-being of Hounslow town centre through an enhanced retail and leisure offer and additional employment opportunities and the provision of new mixed tenure housing;
  - c) the environmental well-being of the area through improvements to the public realm.
- The Order seeks to secure outstanding interests and associated rights in order to:
  - a) facilitate the redevelopment of the Holloway Street and Alexandra Road surface car parks and other parts of the Order Land as a high quality and vibrant mixed use area in the heart of the town centre providing a place to shop, be entertained and live;
  - b) improve the physical environment, including enhancing connectivity, within the town centre (and in particular between the existing Blenheim Centre and the High Street) by creating a new town centre square;
  - c) enable the provision of leisure uses and an enhanced retail offer that will contribute to strengthening and diversifying the town centre economy, including improving the night-time economy;
  - d) deliver market and affordable housing in a sustainable location.
- The main grounds of objection raised when the Order was made were:
  - Effects on existing premises and their access and servicing (both during construction and in the long term after scheme completion).
  - No public benefit to the Scheme/no compelling case in the public interest.
  - Conflict with local development framework.
  - Failure to secure land and rights by agreement/prematurity.
  - Failure to consider alternative options.
  - Extent of land/rights sought is excessive and unjustified.
  - Concerns around construction impacts.
  - Insufficient demonstration of viability and deliverability.
  - Procedural irregularity.
  - Effect on employment provision.
  - Loss of existing serviceable buildings.
  - Loss of residential parking.
  - Implications for Royal Mail's universal postal service obligation.
- When the inquiry opened there were 17 remaining objections. Four of these objections were withdrawn during the course of the inquiry.

**Summary of Recommendation: That the Order be confirmed subject to minor modification in respect of Plot 20, as set out in the formal recommendation at the end of this report.**

---

**Procedural Matters and Statutory Formalities**

1. The inquiry opened on 8 March 2016 and continued over a total of five sitting days through to 16 March 2016. I carried out a formal site inspection on 15 March 2016. The inquiry was closed in writing on 24 March 2016 upon receipt from the acquiring authority ("the Authority") of an amended Order Map and

Schedule<sup>1</sup> in respect of Plot 20, following consideration of representations by Legal and General Assurance Society Limited (Obj12) as set out elsewhere in this report.

2. At the start of the inquiry the Authority submitted a Formalities Folder<sup>2</sup> containing documentation relating to the various procedural requirements of the Order-making process, and confirmed that all procedural requirements had been complied with.
3. The General Certificate in support of Order Submission<sup>3</sup> notes that due to a clerical error with some of the first notices served, some of the cover letters were not correctly addressed. Other irregularities in notification procedure subsequently came to the Authority's attention. To rectify these matters and ensure that notices were duly served on those affected, corrected notices were sent with further objection periods provided. The last objection date was 21 August 2015.
4. Jointly-submitted objections on behalf of SJR Retail LLP, The Carphone Warehouse Limited and Deichmann-Shoes UK Limited (Obj9-11) draw attention, amongst other things, to minor errors in the covering letter accompanying the first notification concerning the address for representations and the representation deadline (although these matters were correctly stated in the notice itself). However, the representations made by these parties have been duly made and considered, and there is no evidence that anyone has been disadvantaged by this. Incorrectly addressed objections made outside the notification deadline but in accordance with the covering letter were safely received and have been considered and responded to by the Authority.
5. Having regard to all of these matters, I am satisfied that the procedural requirements of the Order-making process are met.
6. When the inquiry opened, there were 17 remaining objections. During the course of the inquiry the Authority continued to make efforts to overcome these outstanding objections, so as to enable acquisition of the Order Lands and rights over lands by negotiated agreement. As a result, the objections of Mantle Investments Limited (Obj3), Bhogal Partners (Obj13), Royal Mail (Obj14) and Lawford Properties Limited (Obj15) were withdrawn during the course of the inquiry. Whilst the Order includes the acquisition of land owned by a statutory undertaker (Plot 47 - Royal Mail), there is no indication that any representation has been made pursuant to section 16 of the Acquisition of Land Act 1981. As noted above, the objection by Royal Mail was withdrawn during the course of the inquiry. It is not now contended that the Order would cause serious detriment to the carrying on of Royal Mail's undertaking as a universal postal service provider, and on the evidence provided by the Authority I am satisfied that no such serious detriment would result.

---

<sup>1</sup> Documents LBH/14 and LBH/15

<sup>2</sup> Document LBH/9

<sup>3</sup> Document LBH/9 Tab 8

7. During the inquiry a new representation against the development that the Order seeks to facilitate was submitted in writing by Hounslow Central Residents' Association<sup>4</sup>.
8. The Authority is currently undertaking associated highway stopping up order procedures, to enable the development facilitated by the Order to proceed. The Authority originally anticipated that the stopping up order process would be progressed in time for any objections to be considered at this inquiry. However, in practice this did not prove possible. This report therefore does not consider highway stopping up matters.

### **The Order Lands and Surroundings**

9. The Order Lands cover approximately 3.2ha in total and are centred on an area lying between properties forming the north side of Hounslow High Street and development carried out in 2006 comprising a supermarket and other retail floorspace with residential units above (the Blenheim Centre). The area is known as the High Street Quarter and is allocated in the recently-adopted Local Plan for mixed use leisure, retail and residential development with public car parking.
10. The bulk of the Order Lands are made up of a large surface car parking area between the Blenheim Centre and the rear of High Street properties (Nos 162-198 (even)), together with roadways and footpaths serving this area. To the east of this, the Order Lands include a terrace of 19 residential properties (Nos 11-47 (odd) Holloway Street). Areas of privately-owned roadway forming parts of Prince Regent Road and Matisse Road to the east of the main Order Lands area are also included, to enable these roads to be progressed to adoption as public highway as part of the High Street Quarter proposals. The Order Lands also include the acquisition of three High Street properties, Nos 174, 178 and 180, which stand on either side of the Smithy Lane link to the High Street. These are proposed for acquisition in order to create an enhanced connection between the High Street and the new High Street Quarter. Finally, the Order Lands include parts of rear yard areas belonging to 162-172 (even) High Street, required in order to create new service yard and access arrangements for the new development in combination with these properties.
11. The Authority already possesses the freehold interest in much of the surface car park area within the Order Lands. It also now owns the freehold interest in 16 of the 19 residential properties in Holloway Street<sup>5</sup>. The owners of the remaining 3 properties have not objected to the Order.

### **Reasons for the Order**

12. The Authority's reasons for making the Order are set out in the Statement of Reasons<sup>6</sup>. The regeneration of Hounslow Town Centre has been a long standing aspiration of the Council. There has been a lack of retail and leisure development in the town centre in recent years and trade has been lost to competing centres. Whilst the town centre has strengths, it lacks a focus and has limited leisure facilities. Development Plan policies seek to address this through a regeneration

---

<sup>4</sup> Document 18/1

<sup>5</sup> Document LBH/1 paras 3.4.1-3.4.3

<sup>6</sup> Document CD 3.3

strategy. The Order concerns the High Street Quarter, which the Council has identified as playing an integral role in this regeneration.

13. Whilst the implemented phase 1 of the Blenheim Centre development (2006) to the north of the land delivered new residential and retail space to the town centre, it did not deliver the consented multiplex cinema, leisure and recreational facilities, town square and restaurants which formed part of phase 2 of that development. The retail space delivered by the phase 1 development is primarily convenience floorspace (Asda); by itself it does not deliver the quantum of comparison goods and leisure floorspace needed to strengthen Hounslow's role as a major shopping, commercial, leisure and social activity centre. The expansion of leisure and entertainment uses is recognised within the development plan<sup>7</sup> as being of particular importance in developing the town centre's role. In short, its retail and leisure offer needs to be revitalised to protect its vitality and viability and maintain its position relative to neighbouring Metropolitan Town Centres.
14. In addition, against a background of a significant need for new homes in London, the Further Alterations to the London Plan (adopted March 2015) increased the ten year minimum target for additional housing in the Borough of Hounslow to 8,222 homes, with an annual monitoring target of 822 homes. The Council's latest Annual Monitoring Report does not address this higher requirement. In the light of this, and against the background of the policies of the NPPF and the London Plan, there is a clear policy requirement to deliver new homes, particularly in sustainable locations where they are co-located with a mix of uses.
15. Furthermore, the Town Centre Health Check (2011) describes the Holloway Street and Alexandra Car Parks as an area of poor environmental quality. Surface car parks in dense and highly populated urban town centres are an underutilisation of brownfield land, especially when set against the town centre's need for additional retail, leisure and housing accommodation. Redevelopment would contribute to the regeneration of the town centre.
16. The evidence base for the newly-adopted Hounslow Local Plan confirms that the comprehensive development of the Order Lands is an opportunity to:
  - Create a modern shopping environment with enhanced consumer choice;
  - Provide improved leisure opportunities within the town centre, including a modern cinema and family-orientated restaurants, integrated within the shopping experience and adding to the town centre's attraction, encouraging extra dwell time, additional spend and greater attraction for families;
  - Deliver a high quality, vibrant and multi-purpose public space in the heart of the town centre;
  - Improve pedestrian movements through the town centre by maximising permeability through the Order Lands and through integration with the High Street;
  - Provide private and affordable housing units built to lifetime homes and sustainability code standards;

---

<sup>7</sup> Whilst the UDP policies referred to in the Statement of Reasons have now been replaced by the newly-adopted Local Plan, the policy thrust in this respect has not changed

- Promote well-designed development that meets the needs of present-day urban living and contributes positively to the character of the area.
17. The Statement of Reasons details the land within the High Street Quarter area that has already been acquired by the Authority to date. At the time of the Statement's production (May 2015) the Authority owned the freehold interest in the Holloway Street and Alexandra Road car parks together with 12 of the 19 residential properties in Holloway Street<sup>8</sup>.
  18. The Statement of Reasons also outlines the framework of national, development plan and other policy considerations which provides the policy context and policy support for the development of the High Street Quarter<sup>9</sup>.
  19. Acquisition of the Order Land is required to deliver a comprehensive scheme of development fulfilling the above objectives. To ensure that such a scheme will be delivered the Authority has entered into a Development Agreement<sup>10</sup> with a development partner, BDW Trading Ltd (BDW). BDW is the principal house building trading company for Barratt Developments Plc. The development will be delivered jointly by Barratt London Limited (the business unit responsible for delivering Barratt's London schemes) and Wilson Bowden Developments Limited (a wholly-owned subsidiary of Barratt Developments Plc, focussed on commercial property development).
  20. The development partner has prepared and consulted upon a scheme for the comprehensive redevelopment of the Order Lands, which is designed to deliver the development objectives for the High Street Quarter. The Authority has accepted these proposals for the purposes of the Development Agreement<sup>11</sup>.
  21. The Statement of Reasons also summarises the land and interests in land proposed to be acquired so that the scheme can be delivered<sup>12</sup>. It also summarises efforts to acquire by agreement, and progress in that regard<sup>13</sup>.
  22. The Order is made pursuant to section 226(1)(a) of the Town and Country Planning Act 1990, which gives the Authority power to acquire land compulsorily for "development and other planning purposes" if that acquisition will facilitate the carrying out of development, re-development or improvement in relation to that land. The Authority recognises in the Statement of Reasons that, in exercising its power under section 226(1), it must have regard to section 226(1A) which provides that this power must not be exercised unless the Authority think that the development, re-development or improvements are likely to contribute to the promotion of the economic, social or environmental well-being of their area.
  23. The Authority considers that the use of the powers contained in section 226(1)(a) will contribute to development, re-development or improvement in relation to the

---

<sup>8</sup> Another 4 of the Holloway Street dwellings had been acquired by the Authority by the time of the inquiry

<sup>9</sup> Document CD 3.3 sections 5 & 6

<sup>10</sup> Summarised at Document CD 3.3 section 4

<sup>11</sup> Planning permission has subsequently (February 2016) been granted for the scheme, subject to appropriate conditions and following the completion of a section 106 Agreement.

<sup>12</sup> Document CD 3.3 section 3

<sup>13</sup> Document CD 3.3 section 8

land. It is further satisfied that the scheme that will be facilitated will improve the economic and social well-being of Hounslow town centre through the enhanced retail and leisure offering and additional employment opportunities and the provision of new housing opportunities including a high proportion of affordable units. The scheme will also contribute to the environmental well-being of the area, including as a consequence of the public realm improvements that will be delivered.

### **The Case for the Order Making Authority**

24. The essence of the Authority's case is that there is a compelling case in the public interest for the confirmation of the Order, which will allow the achievement of a comprehensive regeneration scheme, with wider community benefits that will promote and improve the economic, social and environmental well-being of the area.

#### *Historical Background to the Order*

25. The area of land between the High Street and the underground line to the north was first identified as a priority development area as part of the work in the Hounslow Town Centre Plan of 1980, and the Authority resolved to take steps to initiate its redevelopment by actively seeking to acquire land as soon as it became available. The Authority's continuing commitment since then to the development of the area has been reflected in planning policy, including the 1990 Plan for Hounslow Town Centre<sup>14</sup> (which identified Key Site 1 incorporating the Order Lands) and the Unitary Development Plan, adopted in 1996 and reviewed 2003 (through Policy IMP.2.2 Regeneration of Hounslow Town Centre, which identified Proposal M8/Key Site 1 as an opportunity to accommodate accessible new retail, commercial and leisure facilities)<sup>15</sup>.
26. Planning permission was granted in 2002<sup>16</sup> for the development of Key Site 1. Phase 1 of the permitted scheme was implemented, providing a supermarket and other retail floorspace and residential units above (the Blenheim Centre). The remaining, southern part of the site of the 2002 permission remains undeveloped (although development could still be completed pursuant to the permission).
27. The Hounslow Local Plan was adopted in 2015<sup>17</sup>. As part of the background work for the Local Plan, a Masterplan for Hounslow town centre was prepared<sup>18</sup>. The Masterplan identified<sup>19</sup> the majority of the Order Land as Opportunity Site 1 (High Street Quarter). The commitment to the development of the High Street Quarter was carried forward into the Local Plan. The High Street Quarter is allocated as site 37 Hounslow, for mixed use leisure, retail and residential development with public car parking.

---

<sup>14</sup> Document LBH/3a Appendix MCS 4

<sup>15</sup> Document LBH/3a Appendix MCS 7

<sup>16</sup> Document LBH/3a Appendix MCS 6

<sup>17</sup> CD 2.9

<sup>18</sup> CD 2.3

<sup>19</sup> CD 2.3 pages 47 and 48

28. In February 2016 planning permission was granted<sup>20</sup> for the comprehensive development of the High Street Quarter. The main components of the scheme are: a multi-screen cinema (5267m<sup>2</sup>, 10 screens); 527 residential apartments (41% affordable housing); 9830m<sup>2</sup> of new retail, restaurant and café floor space (Use Classes A1-A5); a new town square and other public realm improvements; secure basement public and private car parking, car club and cycle spaces.
29. The new town square is a new, major urban space, which would become the commercial heart and the focus of urban life in the scheme. It is intended to provide a much needed leisure hub including cafés and restaurants with tables lining the pavements and an area dedicated to family, sports and games oriented activities. It will be a point of convergence for the links from the High Street and the area where most of the commercial accommodation will be concentrated. It will link to the High Street shopping area through a widened Smithy Lane. This widened access will have new units on either side for A1-A5 use. These will provide both a High Street frontage and a Smithy Lane frontage, to link the existing High Street with the new development. The scheme will significantly improve the local environment of this area and in itself create a destination point in Hounslow.
30. The scheme has been designed in the form of five urban blocks, each featuring active frontages to most sides. Around the new town square sit restaurants and bars with retail units lining the new north-south pedestrian link between the High Street and the Blenheim Centre with apartments above. The largest of these residential blocks is a 27 storey residential tower, which will provide a point of reference for the town centre.
31. The multiplex cinema is included as the focal point of the scheme at ground level, with a central entrance foyer oriented towards the heart of the new town square. The cinema is designed to be visible both from the High Street entrance to the scheme via Smithy Lane and from the Blenheim Centre. It is intended to provide the additional benefits of supporting an evening and night time economy with supplementary new restaurant uses and shops, offering additional facilities to attract visitors and customers to Hounslow town centre.
32. The scheme includes a double-storey underground car park, which extends across most of the Order Land. Areas for deliveries at the back of High Street units have been consolidated into service yards serving both new and existing units.
33. The planning application (P/2015/0913) was submitted on 2 March 2015. Following a full period of public consultation, the Council resolved to grant permission subject to planning conditions and obligations on 5 November 2015. The section 106 agreement<sup>21</sup> was signed and the planning permission was issued on 8 February 2016. Bhogal Partners (Obj13) sought permission to judicially review the resolution to grant planning permission, but this was refused on 18 January 2016 as "totally without merit".

---

<sup>20</sup> CD 4.3

<sup>21</sup> CD 4.4



### *The Order*

34. On 17 March 2015 the Council's Cabinet resolved<sup>22</sup> to make an Order under section 226 (1) (a) of the Town and Country Planning Act 1990 to facilitate the redevelopment and regeneration of the Order Land. The Order was made by the Authority on 2 June 2015. In summary the purposes for which the Order has been made are:

- To facilitate the redevelopment of the Holloway Street and Alexandra Road surface car parks and other parts of the Order Land as a high quality and vibrant mixed-use area in the heart of the town centre providing a place to shop, be entertained and live;
- To improve the physical environment, including enhancing connectivity, within the town centre (and in particular between the existing Blenheim Centre and the High Street) by creating a new town centre square;
- To enable the provision of leisure uses and an enhanced retail offer that will contribute to strengthening and diversifying the town centre economy, including improving the night-time economy;
- To deliver market and affordable housing in a sustainable location.

### *Consideration of Order Confirmation against Government Policy*

*(i) Whether the purposes for which the land is being acquired fit in with the development plan and national planning policy*

35. The purposes of the Order are supported in the development plan, which comprises the London Plan and the Hounslow Local Plan, and by national policy in the National Planning Policy Framework (NPPF)<sup>23</sup>.

36. The regenerative development which the Order will bring to Hounslow town centre will promote the aims of planning policy for town centres. The NPPF states (paragraph 23) that local planning authorities should set out policies for the growth of town centres and, where town centres are in decline, plan positively for their future to encourage economic activity. At paragraph 187 the NPPF says that planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. The Government's Planning Policy Guidance on Ensuring the Vitality of Town Centres<sup>24</sup> also states that planning authorities should plan positively to support town centres, in order to generate local employment, promote beneficial competition within and between town centres and create diverse places where people want to live, visit and work. The purposes of the Order are wholly in accordance with all of this guidance.

37. The London Plan<sup>25</sup> classifies Hounslow as a Metropolitan Centre. Policy 2.15 says that proposals should sustain and enhance the vitality and viability of town centres and accommodate economic and/or housing growth, and paragraph

---

<sup>22</sup> CD 3.6 and 3.7

<sup>23</sup> CD 1.3

<sup>24</sup> CD 1.4

<sup>25</sup> CD 2.8

2.72G provides that compulsory purchase powers should be used for site assembly. Similarly, the Mayor's Supplementary Planning Guidance on town centres<sup>26</sup> encourages boroughs to bring forward development which will regenerate town centres.

38. In relation to the Local Plan<sup>27</sup>, the site is identified as a major regeneration objective through its site 37 allocation for mixed use leisure, retail and residential development with a town square. Policies TC1, TC2, TC3 and TC4 identify Hounslow as a Metropolitan Centre and outline the regeneration initiatives to redevelop town centre sites to encourage retail, leisure and entertainment growth, including a vibrant evening economy. Policy IMP1 states that the Council will take a plan led approach to growth and economic development, and IMP2 seeks to ensure delivery of Local Plan objectives through site allocations.
39. It is thus plain that regenerative town centre development as proposed here wholly accords with development plan policy and with the NPPF.
40. A major component of the proposed development is the provision of housing, including affordable housing. The NPPF emphasises that planning authorities should ensure the provision of new housing to meet the needs of their area. The London Plan<sup>28</sup> at policy 3.3 supports the need to boost significantly the supply of housing in London, requiring local authorities to seek to achieve and exceed relevant minimum annual housing targets. Policy 3.4 requires the "optimising" of housing potential, and policies 3.11 and 3.12 provide that London Boroughs should seek to maximise affordable housing provision.
41. The Local Plan<sup>29</sup> supports the London Plan in terms of delivery of demanding housing targets. Site allocations, including site 37 (the Order Land), aim to meet the supply target of 12,330 homes between 2015 and 2030 (Policy SC1). Policy SC2 seeks that 40% of any housing provided is affordable housing. That objective (so often not met in housing developments), will be more than met in this scheme. Policy SC4 provides that density should ensure efficient use is made of land. The proposed development fully complies with that objective.
42. Additionally, the Order development complies with policy in relation to good design. The Framework states at paragraph 56 that good design is a key aspect of sustainable development. Policy 7.5 of the London Plan states that development should make the public realm comprehensible at human scale, using gateways, focal points and landmarks as appropriate for people to find their way. The Mayor's Town Centres SPG refers<sup>30</sup> to the need for high quality design in the public realm.
43. The Local Plan also emphasises<sup>31</sup> the promotion of high quality urban design and architecture which creates attractive distinct and liveable places. That quality is delivered by the Order scheme.

---

<sup>26</sup> LBH/3a Appendix MCS 10, section 5.1

<sup>27</sup> CD 2.9

<sup>28</sup> CD 2.8

<sup>29</sup> CD 2.9

<sup>30</sup> LBH/3a Appendix MCS 10, SPG implementation 3.1 Public realm

<sup>31</sup> CD 2.9, policy CC2

44. The provision of the tall building element of the proposed development complies with the relevant policy guidance in policy 7.7 of the London plan and policy CC3 of the Local Plan, which specifically supports tall buildings in Hounslow Town Centre.

45. Overall, the purposes of the Order fully accord with the development plan and the NPPF.<sup>32</sup>

*(ii) Contribution to the economic, social or environmental well-being of the area*

46. The *economic* benefits will be substantial. The development will bring much-needed investment into the town centre. The town centre needs to deal with competition by diversifying its offer<sup>33</sup> and lacks a cinema and sufficient restaurants.<sup>34</sup> The cinema will bring a focus for leisure, community and social activity into the centre of the town. It will be surrounded by cafés, restaurants and other supporting uses, which will attract people throughout the day and evening, increasing footfall into the town centre. The greater attraction of the town centre as a result of the scheme will benefit existing retailers and businesses as well as new ones<sup>35</sup>.

47. The approved scheme accords with the Government's desire to increase flexibility in retail use classes. The commercial uses will be flexible as between use classes A1-A5, including shopping, financial and professional services, restaurants, public houses and hot food takeaways.

48. The jobs the scheme will bring, both during the construction phase and after development is complete, will benefit the economy of the Borough. There will be more spending in the town centre, from new residents, shoppers and those arriving purely for the leisure offer. This will underpin the economic fortunes of the whole town centre, as part of the outer London economy.

49. Development of this nature and of this scale represents a significant investment in the town centre, and its benefits to the economic well-being of Hounslow will be substantial.

50. The proposed residential development will bring substantial *social* benefits, both through the provision of housing generally and by the inclusion of affordable housing in particular. There is a pressing need for both market and affordable housing in the Borough. The scheme will provide 527 new homes of which 216 will be affordable. At 41% affordable housing, the scheme delivers more than the 40% proportion sought by policy SC2 of the Local Plan. The social benefits of the provision of this residential accommodation are magnified in this case by the fact that it will be provided in a highly sustainable location, at a town centre site with a Public Transport Accessibility Level of 6a.

51. The rest of the scheme will also be of social benefit. The facilities provided, including much needed leisure and retail accommodation, will provide a boost to the vitality and viability of the town centre. Furthermore, the creation of pedestrian squares where people can meet and congregate is a social benefit to

---

<sup>32</sup> LBH/3 Smith proof paragraphs 5.3-5.33 and paragraphs 6.4-6.16

<sup>33</sup> LBH/7 Parker proof paragraph 2.17

<sup>34</sup> LBH/7 Parker proof paragraph 2.4, and answers to xx by Bhogal (Obj13) and Rajib (Obj16)

<sup>35</sup> Parker answer to xx by Rajib (Obj16)

the town centre and the Borough as a whole. As well as having the potential to be used for cultural events, having large open traffic free areas will encourage social interaction and provide meeting places for residents, making the town centre a place that people will want to come to for social interaction.

52. There will be substantial *environmental* benefit from the scheme. The current environment is a large surface car park dividing the shops and flats of the Blenheim Centre from the rest of the town centre. The approved scheme as a whole is architecture of high quality, which will greatly contribute to the environment of the town centre. The 27 storey tower will provide a landmark building, marking the presence of the Metropolitan Centre. The development will also create a new and valuable public realm. The pedestrian environment will be greatly improved. There will be increased permeability between the existing High Street and Treaty Centre retail units and the new development.
53. In summary, the whole development contributes to the achievement of the promotion and improvement of the economic social and environmental well-being of the area. Accordingly, section 226 (1A) of the 1990 Act is satisfied.<sup>36</sup>

*(iii) Whether the purposes for which the Order Land is to be acquired could reasonably be achieved by other means*

54. The purposes of the Order are specific to the area covered by the Order, namely the High Street Quarter. In essence, the High Street Quarter itself needs regenerative development. Furthermore, the promotion of the town centre's vitality and viability needs the regeneration of the High Street Quarter. Accordingly, there are no alternative locations that would be suitable.
55. The whole of the Order Land is needed for the development. Some objectors have suggested that their interests are not required, or required only in part. The Authority's case is that all of the interests included in the Order are required so that the Scheme may proceed.
56. Piecemeal development of the Scheme would not be possible, because the scheme is by its nature a comprehensive and integrated whole. Indeed, no objector has suggested that piecemeal development would be feasible or appropriate.
57. In summary, therefore, it is clear that the purposes for which the Order Land is to be acquired could not reasonably be achieved by other means.

*(iv) Whether there are likely to be any impediments to the scheme going ahead*

58. There is every prospect that the scheme will proceed. There are no planning impediments to the scheme proceeding. Planning permission has been granted. The proposed development contrasts with previous schemes for the Order Land in that it is anchored around a full leisure offer with accompanying A3 uses, both of which are in short supply in the town centre, contains a more substantial residential element and is closely integrated with the High Street.
59. The development will be delivered by elements of the Barratt Developments PLC group of companies. Barratt Developments PLC ("Barratt"), the country's largest

---

<sup>36</sup> LBH/3 Smith paragraphs 6.17-6.29, LBH/2 Walsh proof section 4

house builder, is a FTSE 100 company with a market capitalisation of over £5bn, and net assets of £3.8.bn. Barratt has the financial resources to meet the costs of the development. The development will be brought forward by BDW Trading Limited and delivered jointly by Barratt London Limited and Wilson Bowden Developments Limited, who are Barratt group companies: BDW and Wilson Bowden have substantial experience in delivering major mixed use town centre regeneration developments.<sup>37</sup>

60. There will be ample demand for the commercial accommodation within the scheme.<sup>38</sup> An agreement with a cinema operator, Cineworld, has already been secured. With the cinema operator in place, there is every reason for confidence that there will be demand for the retail units. Indeed, terms have been agreed with four operators, and negotiations are progressing with others. Understandably, unit occupiers are frequently reluctant to commit so far ahead of a scheme's planned opening date, so this progress is highly satisfactory.
61. There is a clear demand as well as need for the residential accommodation. London generally and Hounslow in particular are experiencing a substantial increase in population. The pressure of demand for housing in Hounslow is shown by the fact that prices in Hounslow have risen by 29.5% since 2008 and are expected to grow by at least 12% over the next five years. An indication of demand and affordability in this area is provided by the Galliard scheme at Trinity Square in Hounslow, which sold out within three hours in November last year.<sup>39</sup>
62. BDW has entered into a development agreement with the Authority, and in the light of the above matters is confident that the conditions of that agreement will be fulfilled.<sup>40</sup>
63. Overall, there can be no doubt about the prospects of the scheme proceeding. The Authority's evidence on this matter was not challenged, either at the inquiry or in written submissions.

*(v) Human Rights and Equalities considerations*

64. In the reports of 9 December 2014<sup>41</sup> 17 March 2015<sup>42</sup> and 24 March 2015<sup>43</sup> the Authority considered the impact on human rights of those affected by the Order. In particular the Authority had regard to the rights to the peaceful enjoyment of possessions (Article 1, First Protocol). The extent of any interference with Article 1, or any other Convention rights, is justified and proportionate in the wider interest in order to secure the economic, social, physical and environmental regeneration of the town centre.
65. Furthermore, the requirements of Article 6 are satisfied. Any person with an interest in land included in the Order has had the opportunity to make a representation or objection, and to appear at the public inquiry, before the Secretary of State decides whether to confirm the Order.

---

<sup>37</sup> LBH/5 Robinson proof sections 3-5

<sup>38</sup> LBH/7 Parker proof section 4

<sup>39</sup> LBH/7 Parker proof paragraphs 4.9-4.10; LBH/5 Robinson proof paragraphs 6.3.7-6.3.10

<sup>40</sup> LBH/5 Robinson proof section 6.6

<sup>41</sup> CD 3.4 (the minutes are at CD 3.5)

<sup>42</sup> CD 3.6 (the minutes are at CD 3.7)

<sup>43</sup> CD 3.8 (the minutes are at CD 3.9)

66. In summary, it is submitted that there is a compelling case in the public interest that the Order Land should be compulsorily acquired in order to achieve the purposes set out in the Order, and that this outweighs the interference with the private interests held in the Order Land. The use of compulsory purchase powers to achieve the regeneration objectives for Hounslow is proportionate to the interference with human rights in the light of the statutory compensation available.
67. In relation to the Equality Act 2010 ("2010 Act") the Authority has taken into account the provisions of the Act. It has concluded, and it is submitted, that there is no evidence of any adverse impact on the interests protected by the Act as a result of the confirmation of this Order.
68. Section 149 of the 2010 Act requires that a public authority in the exercise of its functions should have regard to the need to eliminate discrimination, harassment and victimisation, advance equality of opportunity between persons who share a relevant protected characteristic (for example race) and persons who do not share it, and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
69. The Authority's duty under section 149 was considered in each of the reports of 9 December 2014, and 17 and 24 March 2015 referred to above, in essentially the same terms.<sup>44</sup> The Authority reached the view that the Order would have no adverse impact on interests protected by the 2010 Act.
70. As was pointed out in the reports<sup>45</sup> the owners of property interests affected by the Order are from diverse ethnic backgrounds, reflecting the demographic make-up of the Borough. Members of ethnic groups who are in a minority nationally make up a substantial proportion of the population of Hounslow. 51% of Hounslow residents are from BAME backgrounds, including 20% of Indian origin and a further 7% of Pakistani or Bangladeshi origin.<sup>46</sup> In those circumstances it was almost inevitable that some of those affected by the Order will be members of those ethnic groups (for example, the proprietors of the ITS convenience store (Obj16)). However, that does not mean that to proceed with the Order is contrary to the interests of persons from any particular ethnic group. The effect of the Order overall has to be considered. The High Street Quarter scheme will greatly enhance the vitality and viability of Hounslow town centre and the Borough generally, and in so doing will benefit the whole of the population, including those from ethnic minority backgrounds.

*Case for the Order; overall summary*

71. There is a compelling case for the confirmation of the Order, having regard to the provisions of the relevant Government guidance. As regards the objections to the Order, it is highly significant that none of the objections has challenged the principle of the Order or the principle of the scheme which it seeks to facilitate. That is a vital point. Everyone concerned in this matter understands that Hounslow town centre needs this scheme, and needs it to succeed. The relatively

---

<sup>44</sup> See eg CD 3.4 paragraphs 11.4-11.8 of the report of 9 December 2014

<sup>45</sup> See paragraph 11.7 of the report of 9 December 2014

<sup>46</sup> LBH/2 Brendon Walsh proof, paragraph 4.5, page 11

few detailed points that have been raised by way of objection need to be considered in that light.

72. The Authority has made efforts wherever possible to resolve the outstanding concerns of those whose interests need to be acquired through agreement and negotiation. Strenuous efforts to acquire by negotiation, summarised at length in Mr Conboy's evidence<sup>47</sup>, have been made since 2013. This process has continued up to the present, as shown by the objections withdrawn during the inquiry. No reasonable objection to the Order can be made on this ground. Where interests remain to be compulsorily acquired, the loss of these interests will be compensated in accordance with the compensation code.
73. In conclusion, there is a compelling case in the public interest for the confirmation of the Order. The Order should be confirmed in full<sup>48</sup> as soon as possible, so that this important regenerative development can take place, to the great benefit of Hounslow town centre and the area as a whole.

## **THE OBJECTIONS**

### **Maintained Objections – Appearances at the inquiry**

#### **Obj2 Specsavers Optical Superstores Limited – Leasehold interest in ground floor of 174 High Street (Plot 9 of CPO)**

##### **Case for the Objector<sup>49</sup>**

74. The property comprises an opticians and hearing aid centre, with ancillary staff and storage accommodation occupying the ground floor. There is a service yard area to the rear of the property, accessed from Prince Regent Road via Holloway Street. The Company has occupied the property since March 2015 in connection with its business. The Company employs 42 members of staff, most locally based and the business provides an important service within the town centre. The property was enlarged by the freehold owner in 2014 and has been extensively fitted out by the Company for the purposes of its business.
75. The grounds of objection are:
- The acquisition of the Company's interest in the property is not in accordance with the prevailing planning framework;
  - The acquisition of the Company's interest and subsequent removal of the property will have adverse economic, social, and environmental impacts for the town centre;
  - The Council has not made reasonable efforts to acquire the property by agreement;

---

<sup>47</sup> Document LBH4/Conboy proof section 5, page 11 onwards

<sup>48</sup> Subject to the minor amendment proposed in respect of Plot 20 following consideration of Obj12

<sup>49</sup> Document CD 3.12 See Original Objection Obj2

- There has been failure to provide the Company with continuity of trading.

*Acquisition contrary to the prevailing planning framework*

76. The Hounslow Town Centre Masterplan was published in December 2013 for use as a formal evidence base document for the emerging Local Plan. The Masterplan identifies the High Street Quarter as a mixed use development opportunity and emphasises the need to secure greater connectivity in the functioning of the town centre as a whole. However, 174 High Street is identified within the Masterplan as being retained and providing an opportunity for façade improvement and shopfront upgrade. By contrast, properties at 178-186 High Street (the other side of the entrance to Smithy Lane) are identified as opportunities for building improvement and redevelopment. The inclusion of 174 for acquisition in the Order and the omission of properties to the east is accordingly contrary to the planning policy framework.
77. The 2 upper floors of the building are occupied as offices by Bhogal Partners Solicitors. The Mayor of London 2013 Town Centre Health Check Analysis Report (March 2014) identified significant and increasing loss of office space within town centres. The removal of 174 High Street will exacerbate this trend in a town centre where there is already a shortage of quality office space. The approved Scheme does not include replacement office space. This again is in contradiction to the prevailing planning framework.

*Adverse economic, social and environmental impacts*

78. 174 High Street is fully let and occupied; approximately 56 people are employed within the building. If the property is demolished and the occupiers displaced, there is no guarantee the jobs provided within the building will be retained.
79. The property has received substantial investment in recent months. The freeholder has enlarged the premises in accordance with the 2014 planning permission, which was clearly consistent with the planning framework for the area, and the Company has expended considerable sums on fitting out and façade improvements. It is understood that the upper floor office accommodation has also been recently improved. The fabric of the property is thus in good condition and fully justifies being retained.
80. The floorspace of 174 High Street is broadly equivalent to that of 180-186 High Street which extends over 2 floors only. The latter premises appear to be of inferior quality, as indicated by the Council's Masterplan which identifies them for redevelopment. Against this background, the Objector maintains that 174 High Street should be retained, and if required the Order boundary revised to include properties at 180-186 instead to secure connectivity. There is no justification for including 174 High Street within the Order Lands.

*Reasonable efforts not made to secure the Objector's interest by agreement*

81. Government guidance states that the compulsory acquisition of land is intended as a last resort in the event that attempts to acquire by agreement fail. However in this case the Authority and its developer partner have yet to engage meaningfully with the Company. Initiating the Order process in advance of commencing substantive negotiations with the affected party runs counter to guidance. Accordingly the pursuit of the Order is premature.



*Failure to provide continuity of trading*

82. As a result of failure to engage with the Company there remains considerable uncertainty as to whether it would be possible for it to continue trading within the town centre if the Order is confirmed as currently proposed. A forced closure would mean potential loss of employment and loss of an important service within the town centre. This would cause social and economic harm.

**Response by the Authority**<sup>50</sup>

83. At the heart of this issue is the requirement for the High Street Quarter scheme to include the widening of Smithy Lane and its reconfiguration so as to create an active retail frontage on either side of the resulting link between the new town square and the High Street.

84. The Authority's case is that Smithy Lane is an important retail axis to the scheme. All three proposed connections between the High Street Quarter and the High Street are needed. However, Smithy Lane is the only one of those three connections with a visibility line connecting the High Street, the new town square, and the Blenheim Centre entrance and it provides a direct pedestrian route across the site. It will play a vital role as a gateway to the new scheme and as an inviting thoroughfare from the new scheme to the High Street. The properties included in the Order are required in order to widen Smithy Lane and provide new retail units on either side, so that Smithy Lane can fulfil this crucial function.

85. This pedestrianised link requires retail frontage on both sides to provide genuine retail continuity between the High Street and the new town square. The retail provision should include a run of smaller retail units, which would supplement the retail and leisure offer in the town square and provide a logical sequence of uses from the High Street to the new town square. Both Mr Wieszczycki<sup>51</sup> and Mr Parker<sup>52</sup> emphasised that the new town square must be linked to the High Street by a significant retail frontage in order to successfully connect with the existing town centre.

86. The connection must be inviting. It should have room for street furniture, and it must be wide enough for the active retail frontage on either side to be visible from the High Street. A thoroughfare of around 9-10 m width with active retail frontage to both sides was the minimum that Mr Wieszczycki would recommend for a link of this significance on a scheme of this scale<sup>53</sup>.

87. Mr Fulcher explained why Smithy Lane needs to be of the proposed width from the point of view of pedestrian comfort.<sup>54</sup> He drew attention to the Transport for London publication "Pedestrian Comfort Guidance for London". That document goes further than the guidance relied on by Mr Silcock<sup>55</sup>, whose pedestrian

---

<sup>50</sup> See documents LBH/3 paragraphs 7.3-7.5, LBH/4 sections 5.7,8-15 & 6.14, LBH/6 sections 3.26-3.31, 6.5.1-6.5.8 & 6.5.11, LBH/7 paragraphs 4.12-4.16 and LBH/12 paragraphs 60-74

<sup>51</sup> Document LBH/6 paragraphs 3.26-3.31 and paragraphs 6.5.1-6.5.8

<sup>52</sup> Document LBH/7 paragraphs 4.12-4.16

<sup>53</sup> Document LBH/6 paragraph 6.5.7

<sup>54</sup> Document LBH/8 section 4, pages 2-6

<sup>55</sup> Document 3/2a, in support of Mantle Investments Limited objection (Obj3 – later withdrawn)

capacity criteria derive from the Fruin level of service, which simply assesses crowding. The "Pedestrian Comfort" guidance is based on comfort and takes into account user perceptions as well as observed behaviours. The appropriateness of taking into account pedestrian comfort is established by the London Plan, which states<sup>56</sup> that public spaces should "contribute to the highest standards of comfort, security and ease of movement possible". Having regard to the appropriate pedestrian flow intensity and likely use of Smithy Lane<sup>57</sup>, Mr Fulcher was of the opinion that the proposed width of Smithy Lane was indeed required.

88. Thus, acquisition of 174 and 178-180 High Street, flanking Smithy Lane, is needed, so that Smithy Lane can be widened and provided with new retail units as proposed. Mr Parker gave a further reason in his oral evidence why these properties are required. He explained that for the High Street Quarter scheme to be a commercially attractive proposition control of the retail units flanking Smithy Lane is needed, in order to ensure the appropriate tenant mix.
89. Overall, Smithy Lane is a crucial gateway; a gateway to the High Street Quarter from the High Street, and vice versa. London Plan policy<sup>58</sup> emphasises the importance of gateways in the public realm. This gateway must be provided in accordance with the permitted scheme. If it is not so provided, Mr Parker emphasised that the scheme will not proceed, because it will be impossible to attract the necessary commercial tenants.
90. The supplementary photographs submitted by Mr Wieszczycki<sup>59</sup> graphically illustrate the importance of the scheme proposals in this regard. The contrast between the view through Smithy Lane between the High Street and the site of the High Street Quarter, as proposed in the scheme; and as it is now and would remain if the objections succeeded, is striking. The situation would be no better (and the scheme no more achievable) if only one side of Smithy Lane were redeveloped, even if that redevelopment provided the extra width required. Redevelopment of one side and leaving the other as it is now would produce a "lopsided" effect, with new development on one side and the existing "grim"<sup>60</sup> situation on the other (with no control by the management of the scheme).
91. In answer to questions the evidence for Specsavers was that it would be prepared to provide a return frontage on the side elevation of 174 High Street. However, with 174 (or even only Specsavers' interest) excluded from the Order, there would be nothing to compel Specsavers to take any action. It is hard to see why it would do so voluntarily, when this would require it to take, and pay for, extra space in the upper floors of the building. In any event, there are no firm proposals for any such amendments to the building - not even any illustrative drawings of what might be proposed. Moreover, any alterations to the external appearance of the building would require planning permission. Thirdly, whatever return frontage were provided to 174 High Street by Specsavers, that would still mean that on the east side of Smithy Lane there would not be the variety of retail units regarded as so important by Messrs Parker and Wieszczycki. Fourthly, the management of the High Street Quarter scheme would lack the control of the

---

<sup>56</sup> Document LBH/3a Appendix MCS 9 London Plan paragraph 7.16, page 281

<sup>57</sup> Document LBH/8 paragraphs 4.27-4.28, page 6

<sup>58</sup> Document LBH/3a Appendix MCS 9 London Plan, policy 7.5, page 281

<sup>59</sup> Document LBH/6c

<sup>60</sup> In Mr Parker's words

retail accommodation which Mr Parker said was so important. Fifthly, nothing Specsavers could do to alter 174 would alter the fact that the Smithy Lane "gateway" to the scheme would not be a single co-ordinated design, but an unattractive mixture.

92. A significant strand of Specsavers' argument as developed at the inquiry is that the central link between the High Street and the new town square could be moved westwards, thus enabling 174 High Street to be excluded from the Order Land. However, this would mean that other property not currently identified for acquisition in the Order would have to be acquired instead. Moreover, Mr Wieszczycki's response to this suggestion was that a requirement to move the link in this way would "unravel the scheme." In other words, the whole scheme would require redesign. In particular, he said that he could not see how the cinema could be accommodated, since at upper floor level the cinema occupies the full extent of the built footprint between Smithy Lane and the line of Alexandra Road to the west<sup>61</sup>. Further, with the link moved west, the sight line through the scheme from the High Street to the new town square and thence through to the Blenheim Centre entrance would be lost. Thus, this proposal by Specsavers is simply unworkable.
93. A further point relied on by Specsavers is that not all the options for accessing the High Street Quarter referred to in the Masterplan of 2013<sup>62</sup> involved access via Smithy Lane, and that the extent of widening now proposed was not shown. However, as Ms Smith has said in evidence, the Masterplan has no status as planning policy, being produced as part of the evidence base supporting the Local Plan<sup>63</sup>. The Masterplan itself states<sup>64</sup> that its purpose is not to undertake detailed design for sites, but instead to provide principles and guidance to be taken forward in detailed proposals. The Masterplan suggested a range of potential options, but was not intended to be overly prescriptive. It is noteworthy that the previous detailed scheme which was designed for the Order Land, the 2002 permission, also envisaged the provision of access between the High Street Quarter area and the High Street by demolition of High Street properties. In fact, the extent of demolition proposed then was greater than that proposed in the current scheme.<sup>65</sup>
94. The suggestion that reasonable efforts have not been made to secure Specsavers' interests by negotiation and that the Order has been pursued prematurely is unfounded. Mr Conboy's evidence<sup>66</sup> records that Specsavers were not in occupation of 174 High Street at the time when occupiers were first notified of the intention to make the Order and invited to the private exhibition held in July 2014. However, they were invited to the public exhibition as at that time Specsavers were in occupation of 152 High Street. Specsavers were contacted in January 2015 after the Land Registry title confirmed in December 2014 that Specsavers had entered into an agreement for lease. Discussions then

---

<sup>61</sup> See CD 4.7, page 143 (Level 3 Floor Plan)

<sup>62</sup> CD 2.3, page 48

<sup>63</sup> Ms Smith in oral evidence and at Document LBH/3 paragraph 7.4

<sup>64</sup> CD 2.3, page 6, paragraph 1.1

<sup>65</sup> CD 4.2; NB that demolition of 174 High Street (along with other properties) was permitted by this planning permission.

<sup>66</sup> See Document LBH/4 paragraphs 5.7.8-14 and 6.14.6-8

took place with Specsavers and suggestions were made as to alternative properties to which Specsavers could relocate instead. However, Specsavers decided that it was too late for them to abandon proceeding with 174 High Street.

95. Discussions have continued with Specsavers seeking to acquire its interest by agreement. Details of potentially suitable relocation properties have been sent to Specsavers but no feedback has been received. Guidance recognises that valuable time may be lost if an acquiring authority waits for negotiations to break down before starting the compulsory purchase process, and that it may often be sensible, given the time that the process may take, for the authority to initiate formal procedures. Having first had meaningful engagement with Specsavers in January 2015 and with no agreement reached to date not only with Specsavers but with a number of other owners and occupiers of land required for the scheme, the initiation of the compulsory purchase process was entirely justified and in accordance with guidance.
96. There has been active engagement with Specsavers since January 2015. Sufficient time has been made available to find suitable alternative accommodation and assistance provided in sourcing potentially available units. Whilst the development programme does not provide for the continuity of trade through relocation into the scheme, a number of potentially suitable opportunities within the town centre have been presented to the objector, which if deemed suitable and secured would have allowed for a continuity of trade.

**Obj16 Mr Rajib & Mr Arif, trading as ITS Convenient Store - Leasehold interest in ground floor of 178 High Street (Plot 10 of CPO)**

**Case for the Objector<sup>67</sup>**

97. The objector acquired a 15 year renewable lease of the ground floor of 178 High Street in May 2014. The Order seeks to acquire Nos 178-180 High Street so as to enable these properties to be demolished and replaced by a new form of development flanking a widened Smithy Lane link between the High Street and the new High Street Quarter.
98. ITS Convenient Store operates as an independent modern high street convenience store offering a wide range of foods and other convenience goods, specialising in particular in goods for the local Bangladeshi community. The store also includes a service centre providing a range of services such as worldwide courier and cargo, money transfer, PC and laptop repair and print and copy solutions. This is the only Bangladeshi food and groceries shop in central Hounslow. There are only 2 shops across west London offering authentic Bangladeshi products; the store also offers Bengali produce and halal produce.
99. The store has approximately 300-400 customers who are from the local community and regular High Street shoppers. The store relies on its High Street location for its trade and to enable its service centre to be competitive. The current location is essential to this business format. Since taking on the premises there has been significant expenditure on refurbishment.
100. The grounds of objection are:

---

<sup>67</sup> See Document 16/1

- The principle of the High Street Quarter scheme is not disputed; however, the "grand entrance" from the High Street is not necessary.
  - Acquisition of 178 High Street is not necessary; the property could be excluded from the Order without harming delivery of the wider scheme.
  - Compulsory acquisition of 178, 180 and 174 is purely for the developer's convenience/commercial interest; there is no public benefit.
  - Town centre regeneration should benefit existing businesses, not remove them.
  - The Order should not be confirmed unless the relocation needs of the ITS Convenient Store business are met. It is the only food and convenience operator in the High Street – the ethnic customers it serves will not be able to find an alternative. Demolition of such a store in the town centre is contrary to the public interest.
  - There has been no reasonable attempt to purchase the Company's interest by negotiation, nor any reasonable relocation plan offered.
  - The building is structurally sound and in good condition; there is no case in the public interest for its demolition.
  - Removal of the building would be contrary to the principles and proposals of the 2013 Masterplan; no good reason has been given for deviating from this. Retaining the existing building is a more sustainable option than demolition.
  - Having the main entrance from the High Street to the new development along Smithy Lane would lead to the further decline of the eastern part of the High Street. One of the main links should be further east.
101. Furthermore, the Order breaches the objector's human rights under Article 1 of the First Protocol: Every natural or legal person is entitled to the peaceful enjoyment of his possessions.
102. The objector wishes to remain in the property unless a satisfactory alternative can be offered or made available.

### **Response by the Authority<sup>68</sup>**

103. The points made at paragraphs 83-90 above, in respect of the acquisition of 174 High Street on the east side of Smithy Lane, apply equally to the objection by ITS Convenient Store in respect of 178 High Street on the western side. Acquisition of 178 and 180 High Street is essential to the provision of a well-designed and attractive link between the High Street and the new town square and to fully integrate the new High Street Quarter development with the town centre. It is essential that the High Street Quarter redevelopment initiative includes the widening of Smithy Lane and its reconfiguration so as to create an active retail frontage on either side of the resulting link between the new town square and the High Street.

---

<sup>68</sup> See documents LBH/3 paragraphs 7.3-7.5, LBH/4 sections 5.7.25-28 & 6.3, LBH/6 sections 6.5.1-6.5.8 & 6.5.13-6.5.15, LBH/7 paragraphs 4.12-4.16, LBH/8 section 4 and LBH/12 paragraphs 60-74

104. The evidence of Mr Wieszczycki<sup>69</sup> and Mr Parker<sup>70</sup> emphasises the Smithy Lane link's importance to the success of the scheme as a whole and its proper integration with the existing town centre. The existing Smithy Lane link is comparatively narrow and flanked by unattractive and unwelcoming building frontages and rear service areas. Leaving the Smithy Lane link as it is would not suffice – it is demonstrably an alley between buildings and there would be no control over the occupants either side of the “front door” to the new scheme. Its widening and reconfiguration with active retail frontages on either side to create an attractive and inviting space that will draw people in and encourage movement between the new town square and the High Street is fundamental to the success and commercial viability of the High Street Quarter development. Mr Wieszczycki and Mr Fulcher's evidence<sup>71</sup> also demonstrates that a significantly wider thoroughfare here is necessary to provide the necessary level of pedestrian comfort whilst also accommodating street furniture and allowing for the articulation of building frontages to enhance retail visibility from the High Street.
105. It is plain that an enhanced Smithy Lane link could not be provided without the acquisition of Nos 178-180 High Street and 174 High Street on either side of the lane. Without such acquisition it would not be possible to widen the thoroughfare to create an attractive and inviting street linking the existing High Street and the new scheme and to provide the active and vibrant retail frontage on both sides that is essential to the scheme's success.
106. The reason for having the main entrance to the scheme from the High Street along the Smithy Lane axis is clear. It reflects a historical route to the land behind and will provide a clear line of visibility through the central square of the new scheme to the Blenheim Centre entrance<sup>72</sup>. The Smithy Lane link to the High Street is not at the expense of linkage to the High Street further east, as the scheme also incorporates a link from the eastern end of the new town square to the High Street via Holloway Street. The redevelopment proposals are not in conflict with the 2013 Hounslow Town Centre Masterplan<sup>73</sup>. This provided a vision and set of development principles and options, but was not intended to be over-prescriptive, and has no status in planning policy terms. The Masterplan itself states<sup>74</sup> that its purpose is not to undertake detailed design for sites. The scheme accords with the Masterplan development principles concerning movement<sup>75</sup>, which include maintaining pedestrian access and visibility from the High Street to the Blenheim Centre frontage and providing at least two connections between the High Street Quarter site and the eastern and western High Street anchors.
107. Whilst the scheme necessitates the acquisition and demolition of 178-180 High Street (and also 174), this is absolutely crucial to the success and deliverability of the scheme and the very great social, economic and environmental benefits it will bring to Hounslow metropolitan centre. These benefits far outweigh the negative effects associated with the loss of a small number of existing buildings

---

<sup>69</sup> Document LBH/6 paragraphs 3.26-3.31 and 6.5.1-6.5.8

<sup>70</sup> Document LBH/7 paragraphs 4.12-4.16

<sup>71</sup> Document LBH/8 section 4

<sup>72</sup> See document CD 4.7 Design and Access Statement page 45 Proposed Masterplan

<sup>73</sup> Document CD 2.3

<sup>74</sup> Document CD 2.3, page 6, paragraph 1.1 and LBH/3 paragraph 7.4

<sup>75</sup> Documents CD 2.3 page 48, LBH/3 paragraph 7.4 and LBH/6 paragraphs 6.5.15.3-6.5.15.5

and the resulting displacement of existing uses and activities. There is a compelling justification in the wider public interest purpose for the acquisition proposed. Without the proper implementation of the scheme design, the High Street Quarter scheme would suffer due to the severely compromised access to Smithy Lane, and would therefore provide far less of an economic or social benefit to the community<sup>76</sup>. In fact the present proposal would involve the loss of fewer High Street properties than the previous scheme granted planning permission in 2002.

108. The Authority has made prolonged and serious efforts to acquire the objectors' leasehold interest in the property by negotiation and to assist in their relocation to suitable alternative premises in the town centre<sup>77</sup>. Regular meetings to discuss and progress this have been held with the objectors and their professional representatives since January 2015 with the understanding that financial terms would be discussed once a suitable property was found. Whilst a number of alternative properties have been shortlisted, to date the objectors have not been able to secure what they consider a suitable property from which they would be happy to trade. The search is continuing with assistance on behalf of the Authority.

**Obj4 Allin Holdings Limited, Owner 166 and 168 High Street (Plots 3 and 4);  
Obj5 Canning International, Owner 164 High Street (Plot 2)**

**Case for the Objector<sup>78</sup>**

109. The Order seeks to acquire land forming parts of the rear yard and amenity areas behind Nos 164, 166 and 168 High Street, which in each case comprise ground floor retail units with residential flats above. In the case of 166 and 168 High Street the land subject to the Order includes 8 car parking spaces let out on individual licences to separate occupiers; in the case of 164 High Street the land is part of a comparatively large garden area.

110. The Order seeks to acquire Plots 2, 3 and 4 along with other land in order to provide a service yard behind the south-eastern block of the proposed High Street Quarter scheme ("the south-eastern service area"). The two objections advance the same grounds and evidence in relation to this aspect of the Order.

111. The overall thrust of the objections is that it is maintained that the Authority has not shown that acquisition of all of the land comprised in plots 2, 3 and 4 is necessary in order to provide an adequately sized and configured service yard to meet the operational requirements of this part of the High Street Quarter development. A smaller area, involving less land take, would suffice. In support of this contention it is pointed out that the south east service yard is significantly larger than the south-western yard, although it is clear that vehicles of a similar size and type will be used to service both yards as they are effectively serving the same kind of development.

112. Other options should be explored, such as reversing into the service area as opposed to turning within the yard. Within the context of a densely developed

---

<sup>76</sup> Document LBH/6 paragraphs 6.5.15.7 & 6.5.15.8

<sup>77</sup> Document LBH/4 paragraphs 5.7.25-5.7.27

<sup>78</sup> Document CD 3.12 See Original objections Obj4 & Obj5 and Documents 3/1 & 3/2a-3/2c

town centre location this is not uncommon and there is no evidence that this option would give rise to any adverse consequences in terms of local traffic or highway safety.

113. Evidence produced on behalf of the objectors<sup>79</sup> shows how a service vehicle of the size proposed could achieve access to and egress from the service area with significantly less acquisition of plots 2, 3 and 4, by tighter manoeuvring and, under one possible option, by service vehicles turning at the head of Matisse Road and reversing into the service yard. By these means there would be less acquisition of the private parking spaces at the rear of 166-168 High Street and little or no need for acquisition of garden area at 164 High Street, leaving such lands able to continue to perform their present function.
114. Government guidance makes clear that compulsory purchase powers should be used as a last resort, and that a compelling case in the public interest needs to be made. In this instance there is no evidence that the service yard needs to be of this size, and a compelling case in the public interest has therefore not been shown to exist. Furthermore, it is maintained that the Authority has not made sufficient effort to purchase through negotiation, and that as such it cannot be shown that resort to compulsory purchase is justified.

#### **Response by the Authority**<sup>80</sup>

115. These objections concern the design of the south-east service yard behind Building D in the proposed redevelopment scheme<sup>81</sup>. However, the proposed service yard is a restricted space which will need careful management in order to ensure that all users' needs are adequately catered for. It is not practical to reduce its area further, as proposed by the objectors.
116. The service yard will have to cater for the needs of a substantial amount of development. It will serve the needs of A1-A5 retail units 16, 17, 18 and 19 within the High Street Quarter scheme. It will also serve the 55 residential flats within Building D. Additionally, it will be used by 162-172 High Street, as provided by the section 106 Agreement<sup>82</sup>.
117. The objectors' witness Mr Silcock contended that the service yard need only accommodate one vehicle at a time, and that any land not needed for that one space should be excluded from the Order. To support this he produced sketches of 2 options to show that less space would be needed<sup>83</sup>. In cross-examination Mr Silcock conceded that option 1 was not practicable, because it would involve service vehicles performing turning and reversing manoeuvres within the pedestrian public space within the High Street Quarter.
118. The impact of suggested option 2 suggested for the objectors is illustrated on sketches 6 and 7 of Mr Silcock's evidence<sup>84</sup>. This arrangement would result in a

---

<sup>79</sup> Documents 3/2a-3/2c

<sup>80</sup> See documents LBH/4 sections 5.8.2-3 & 6.11-12, LBH/6 sections 5.5-5.12 & 6.6, LBH/8 section 5 and LBH/12 paras 75-88

<sup>81</sup> See document CD 4.7 page 45 and Scheme Drawing D 2100 Rev P1 Ground Floor Retail/Residential General Arrangement

<sup>82</sup> CD 4.4, paragraph 17.2, page 44

<sup>83</sup> See appendices to document 3/2

<sup>84</sup> Document 3/2 Appendices C and D



much-reduced servicing area, in order to retain parking spaces and garden area to the rear of 164, 166 and 168 High Street. However, such an arrangement would be unworkable. The small remaining unhatched area on these drawings would have to service new retail units 16-19, the 55 flats in Block D, and 162 and 170-172 High Street. In addition, vehicles from the objectors' premises would need to retain access over the service yard, and would need to be able to turn within it. The remnant service yard would only be able to accommodate one vehicle at a time, and would simply be inadequate. Mr Fulcher's evidence was that the service yard needs the flexibility to accommodate two vehicles at once<sup>85</sup>.

119. In asserting that only one space was needed, Mr Silcock relied<sup>86</sup> on the Draft Delivery and Service Plan (DDSP) appended to the submitted Transport Assessment. He said that the DDSP indicated that the south-east service yard needed to accommodate only two LGVs and one HGV per day. However, the DDSP deals with the servicing requirements only of units 16 and 17 and the 55 flats. It does not take account of the additional requirements of units 18 and 19, which were not proposed to use the south eastern service yard when the DDSP was written. Nor does it take account of the requirements of the High Street units which will need to use the service yard. That includes not only 162 and 170-172, but also 164-168, which even on Mr Silcock's proposals will need access over and turning space within the scheme service yard.
120. In any event, as paragraph 4.3.3 of the DDSP<sup>87</sup> makes clear, the DDSP was examining only "typical" levels of servicing activity. As Mr Fulcher said<sup>88</sup>, there is likely to be substantial variation in daily servicing traffic, depending on such factors as the season, the day of the week, and a particular occupier's servicing requirements. Having regard to these points, it is entirely to be expected that at some times two vehicles at once will need to use the service yard. One occupier may generate an untypically large amount of service traffic, a vehicle may arrive before its allotted time, or a vehicle may experience problems which extend the time it needs to remain in the service yard. Again, a resident of one of the flats may need a removal vehicle parked for an extended period. Further, the other service yards are restricted in space, so it may be necessary to use the south-east service yard for vehicles supporting maintenance of the scheme generally.<sup>89</sup>
121. In these circumstances, the south-east service yard requires the ability to accommodate two vehicles. All the service yards have been designed with this flexibility, including the south-west service yard, as Mr Fulcher confirmed in cross examination.
122. Overall, the Order is proposed so that a scheme which will greatly benefit the town centre may proceed. It would be wholly wrong for such a scheme to be left with inadequate servicing. The consequence would not be limited to operational difficulties. Mr Parker confirmed in evidence that potential commercial tenants will not take space within an inadequately serviced scheme.

---

<sup>85</sup> Document LBH/8 paragraphs 5.7-5.9

<sup>86</sup> Document 3/2 paragraph 3.3

<sup>87</sup> Contained in the extracts submitted to the inquiry

<sup>88</sup> Fulcher proof paragraph 5.8 (pages 8 and 9) and orally

<sup>89</sup> Mr Fulcher was asked in xx whether the north east service yard could fulfil this role, but he pointed out that the north east service yard will have to accommodate Post Office as well as scheme vehicles.

123. As regards the claims that the acquiring authority has not engaged in negotiation to acquire the parts of the properties concerned by agreement, formal offers were made to the freeholders of 164 High Street and 166-168 High Street for their respective interests in the areas of land concerned in October 2015. Canning International (164 High Street) has not accepted or rejected the offer and is still considering its position. The occupants of the premises have not objected to the Order. Allin Investments (166-168 High Street) purchased the property in July 2015 in full knowledge of the impending compulsory purchase. Further discussions as to an appropriate valuation of the property have taken place, with a counter proposal being made by the objector on 2 February 2016. Discussions are continuing with the objector in an effort to reach agreement.<sup>90</sup>

### **Maintained Objections – Objections by written submission**

#### **Obj8 Toplain Limited – Owner of 178-186 (even) High Street (Plot 10 of CPO)**

##### **Case for the Objector<sup>91</sup>**

124. Toplain Limited is the owner of 178-186 High Street, comprising ground floor retail units with ancillary accommodation and two residential flats above. Planning permission was granted in July 2013 for the extension of the existing first floor and erection of a second floor at 178-186 High Street to create additional commercial floorspace, three one-bedroom flats and five two-bedroom flats.
125. The Order seeks to acquire 178 and 180 High Street. This would prevent the development that has been permitted from going ahead; the part of the development within Plot 10 of the Order would be nullified and there would be difficulties of providing access to the upper floors of the remainder of the proposed scheme. Toplain Limited has responded to this by pursuing an alternative access arrangement; however, this would involve the loss of valuable retail area in 182-184 High Street.
126. Toplain Limited has expended significant time, effort and expense in submitting the planning application for the approved development, which accords with the Council's planning policies for the town centre. It is now incurring further expense in making a planning application for the revised access.
127. Toplain Limited does not object to the principle of the High Street Quarter development. Its concern is only in respect of the effect those proposals have on its property.
128. It is contended that compulsory acquisition is unnecessary in relation to 178 and 180 High Street. The High Street Quarter scheme provides for the replacement of the existing units at 178 and 180 with two relatively shallow retail units fronting the widened Smithy Lane access to the new public square. Toplain Limited has offered, and remains willing, to collaborate with the developers of the High Street Quarter scheme in redeveloping 178 and 180 High Street in accordance with the overall development plan, whilst retaining ownership of the land. With a minor revision to the scheme, this would enable Toplain Limited to

---

<sup>90</sup> Mr Conboy's proof document LBH/4 paragraphs 5.8.2 and 5.8.3

<sup>91</sup> Document 8/1

provide the access to the upper floors of 178 to 186 High Street and thereby implement the permitted development of the upper floors.

### **Response by the Authority**<sup>92</sup>

129. Toplain's objection concerns the scheme's effect on its ability to implement a proposal to provide eight flats above the company's properties at 178-186 High Street. As a result of the Order scheme, 178-180 High Street will be needed in order to create the enhanced, wider link with a new retail frontage at Smithy Lane between the new town square in the High Street Quarter scheme and the High Street. That will mean that two of the eight flats proposed by Toplain cannot be provided. Also, Toplain says that provision of access for the flats that will be provided in 182-186 High Street will necessitate the loss of an unspecified amount of retail space within those properties.
130. Plot 10 is included in the Order to facilitate the creation of the central gateway into the High Street Quarter from the High Street<sup>93</sup>. As explained in relation to preceding objections<sup>94</sup>, the gateway is essential to allow proper integration of the High Street Quarter into the High Street and wider Hounslow town centre, by ensuring an appropriate level of inter-visibility and connectivity. This is an essential aspect of the overall scheme and is the basis on which the planning permission was granted, the development agreement made and units within the scheme pre-let.<sup>95</sup>
131. It is acknowledged that acquisition of 178 and 180 High Street under the Order, if confirmed, would limit Toplain to a reduced development with an alternative access to the upper floors over 182-186 High Street. However, Toplain does not object to the principal thrust of the proposals for the High Street Quarter, only to the effect the proposals would have on its property. The acquisition of 178 and 180 High Street under the Order will result in two of the eight additional units in the Toplain scheme being lost (2 x 2 bedroom flats), if an alternative access provision can be provided. Toplain suggest that this access will be through 182-184 High Street, reducing the retail space within those units; however, the loss of retail space is not quantified.
132. The acquisition of 178-180 High Street is essential to the creation of the enhanced Smithy Lane gateway into the new High Street Quarter, which is fundamental to the success of the scheme. Whilst there will be loss of two retail units and two existing flats, together with the loss of the ability to construct two new 2 bedroom flats above, this is heavily outweighed by the new retail floorspace (9830m<sup>2</sup> of Class A) and 527 residential units that the High Street Quarter development will deliver, to the benefit of Hounslow. The Authority is willing to discuss alternative access arrangements, but there has been limited engagement by Toplain to date. Any financial loss suffered by Toplain as a result of the Order, including loss of development value in relation to the permitted scheme above 178-186 High Street, can adequately be dealt with through compensation.

---

<sup>92</sup> See documents LBH/11, LBH/3 paragraphs 7.3-7.5, LBH/4 sections 5.7.20-24, 5.9 & 6.8, LBH/6 sections 6.5.1-6.5.8 & 6.5.12 and LBH/12 paragraphs 98-100

<sup>93</sup> As set out in more detail at paragraphs 71-78 and 89-92 of this report

<sup>94</sup> See paragraphs 83-96, 103-108

<sup>95</sup> See images of the existing Smithy Lane and the proposed gateway at document LBH/6c

133. Toplain says that it is willing to collaborate with the developers in redeveloping 178 and 180 High Street in accordance with the overall development plan, while retaining ownership of the land. This is not a viable solution in that it does not provide the Authority or the Developer the necessary control over the "gateway" plots which is needed in order not only to deliver the scheme proposals for Smithy Lane, but also to ensure the right tenant mix into the future. Furthermore and in any event, Toplain does not have possession of 178 and 180. Both are subject of leases, in favour of Messrs Rajib and Arif (IT Convenient Store) and the Body Shop respectively. That means that Toplain is unable to enter into a collaborative scheme with the developers in relation to these properties.

**Obj6 Body Shop International PLC – Occupier of 180 High Street (Plot 10 of CPO)**

**Case for the Objector<sup>96</sup>**

134. Compulsory acquisition of 180 High Street along with 178 and 174 High Street is proposed in order to create a widened access from High Street into the new High Street Quarter scheme, including the creation of new retail units fronting each side of the widened access. The scheme will remove existing units to replace them with shallower units having the same approximate overall floor area, for which there may be no demand.

135. Such public interest benefit as may arise does not justify the interference with private property rights and the disturbance of long-established and successful businesses that would be caused. Widening of the Smithy Lane access can be achieved without acquisition of 180 High Street, for example by shifting the access point to the east. The acquiring authority has failed to investigate such an alternative.

136. In addition, it is said that the acquiring authority has failed to seek to acquire the Objector's interest by negotiation.

**Response by the Authority<sup>97</sup>**

137. The case for acquiring 180 High Street along with 178 and 174 in order to widen Smithy Lane and create an enhanced pedestrian gateway into the High Street Quarter scheme with active and attractive retail frontages on both sides of the street has already been set out in response to other objections to the acquisition of these properties<sup>98</sup>. The creation of such an entrance to the scheme is fundamental to the scheme as a whole and cannot be achieved without the acquisition of Nos 178-180 and 174.

138. The scheme has been carefully designed so as to ensure its commercial viability and deliverability. In addition to securing planning permission for the scheme, the Authority has entered into a developer partnership agreement. Evidence has been provided to the inquiry as to commercial viability, and letting prospects and intentions, including in relation to the new retail units proposed on

---

<sup>96</sup> Document CD3.12 See Original objection Obj6

<sup>97</sup> See documents LBH/3 paragraphs 7.3-7.5, LBH/4 sections 5.7.29 & 6.10, LBH/6 sections 6.5.1-6.5.8 & 6.5.10 and LBH/12 paragraphs 62-74

<sup>98</sup> As set out at paragraphs 83-92 of this report

Smithy Lane south<sup>99</sup>. No evidence has been produced to challenge the Authority's evidence in this regard.

139. Overall, the loss of the three existing retail units is far outweighed by the much greater amount of unrestricted Class A floorspace that the scheme will deliver, and the interference with private property interests is amply justified by the very substantial economic and social benefits to the community that the scheme represents.
140. The position of the link through Smithy Lane uses the historical route from the High Street to the land behind, and its position is critical as it provides a clear sightline through the new town square to the entrance to the Blenheim Centre to the north. Shifting the position of the link to the east would alter the balance of Blocks A, B, C and D within the High Street Quarter scheme and make the scheme unworkable<sup>100</sup>. It would in any case necessitate the acquisition of other High Street properties not presently included within the Order.
141. Discussions have taken place with the objector since December 2014 and it has been made clear that the acquiring authority is open to negotiating acquisition of the objector's interest by agreement. However, this has not progressed because Body Shop have not to date found other premises they are willing to commit to<sup>101</sup>.

**Obj12 Legal and General Assurance Society Limited ("the Fund")- Owner of the Blenheim Centre and associated lands (Plots 14-17, 19, 20 and 22 of CPO)**

**Case for the Objector<sup>102</sup>**

142. The Fund is the owner of the Blenheim Centre and also owns various associated areas of land identified for acquisition in order to carry out the High Street Quarter development, comprising areas of Alexandra Road, Prince Regent Road and Matisse Road, a surface car park area off Alexandra Road and areas of basement car parking beneath Prince Regent Road. The original objection letter set out concerns regarding maintenance of access and services to the Blenheim Centre during the construction period of the scheme and thereafter; provision of boundary treatment and works proposed to Prince Regent Road and safeguards to prevent adverse environmental effects on the Blenheim Centre while construction takes place. Its subsequent representation raises specific concerns about the extent of title proposed to be acquired in relation to Prince Regent Road.
143. The Fund currently owns the portion of Prince Regent Road which runs along the south side of the Blenheim Centre from its junction with Alexandra Road to its junction with Matisse Road (Plots 19 and 20). The Authority is proposing to acquire this area of private road and bring it up to adoptable standard and secure its dedication as public highway. Plot 19 also delineates an area of basement car park beneath Prince Regent Road that was constructed as part of the Blenheim

<sup>99</sup> See paragraphs 46-51 above and Parker proof doc LBH/7 section 4

<sup>100</sup> See Doc CD 2.3 page 45 Proposed Masterplan

<sup>101</sup> See Conboy proof document LBH/4 paragraph 5.7.29

<sup>102</sup> Document 12/1

Centre development to create a connection through to the second phase of the Key Site 1 development. The Fund accepts that this link is no longer required and that this area of basement can be acquired and the link effectively blocked up as part of the High Street Quarter development.

144. The Fund is agreeable to part of Prince Regent Road being acquired and dedicated as adoptable public highway. However, it is concerned that the northerly part of this strip of land (which in the main comprises pavement) overlies parts of the basement car parking and service rooms to the Blenheim Centre. The Fund seeks formal assurance that no part of the basement area will be acquired other than that required in connection with the works proposed within Plot 19. Moreover, the Fund is concerned that the acquisition of the roadway above and subsoil below this part of the basement area will have an adverse effect on any future disposal of the asset and its underlying value. It therefore seeks to retain this part of Prince Regent Road within its own title. It is willing to commit to entering into a legal mechanism which will guarantee that the land in question is brought up to adoptable standard and subsequently adopted by the Council as Highways Authority.
145. In addition the Fund now identifies four areas of Plot 20<sup>103</sup> for which it says there is no justification for acquisition. These are at the two entrances to the Blenheim Centre basement car parking and service area; a small part of the Rotunda structure in front of the Blenheim Centre; and a part of the pumping station compound which services the Blenheim Centre. Their acquisition would have an adverse effect on the retained title of the Blenheim Centre and the asset's marketability and value. Accordingly, these four areas should be excluded from the Order Lands.

#### **Response by the Authority**<sup>104</sup>

146. The plots of land currently in the ownership of Legal and General are essential to the scheme proceeding. Plot 14 comprises the Blenheim Centre residents' car park which is located in the north-west corner of the Alexandra Road and Holloway Street car parks. Plot 17 adjoins the car park and forms part of a footpath within the Alexandra Road and Holloway Street car parks. Upon these two plots of land will sit parts of Block A and B of the consented development.
147. Plots 15, 16, and 19 relate to an area of the Blenheim Centre basement car park and the surface of the road and pavement above. This area of the basement was originally formed to create a connection between the Blenheim Centre phase 1 and phase 2 car parks, but with phase 2 not progressed, this area is occupied by car parking spaces. This area of land is required to allow construction of Block B.
148. The Authority confirms that it will not acquire any part of the basement area except for that contained in plots 15, 16, 18<sup>105</sup> and 19 and will provide Legal and General an assurance confirming the same. So far as plot 19 is concerned, the objector recognises that this area of the basement beneath the existing road was constructed in order to provide a subterranean link-way through to a subsequent

<sup>103</sup> See Map Appended to Document 12/1

<sup>104</sup> See document LBH 13/1

<sup>105</sup> Plot 18 is in the ownership of the Authority but forms part of the basement car park

phase of the original scheme. The link is no longer required and Legal and General accept that this area of basement can be acquired and the link effectively blocked by the construction works forming part of the new development<sup>106</sup>.

149. Plots 20 and 22 form parts of Prince Regent Road and Matisse Road and an area of pavement on the north side of Prince Regent Road. The portions of the roads that are in Legal and General's ownership are private. Uninterrupted access is required over these roads to allow access to the basement car park and service yard to be constructed. The acquisition of these plots will allow the Authority and the Developer to undertake the necessary works to bring the roads to an adoptable standard and then dedicate and adopt the roads and associated pavement as a public highway. The acquisition of the pavement area within plot 20 is to allow continuity of public access around the site both during construction and on completion of the development.
150. The drawing titled *Highways Areas for Adoption under Section 38 Agreement*<sup>107</sup> shows the areas of land proposed to be adopted by the Council as Highways Authority. The yellow area shows the area of footway proposed to be adopted and the pink the extent of the carriageway. The drawing also shows the extent that the basement area<sup>108</sup> extends under the pavement. The Council has been seeking the adoption of the road and pavement area since the Blenheim Centre was constructed in 2006 but to date no agreement has been reached. This is principally on account of the works required to put the road into an adoptable standard not being undertaken.
151. Furthermore, in order for the Council to adopt the carriageway of Prince Regent Road the road will need adequate street lighting which is also publicly maintained. The lighting columns are located within the pavement area and therefore the Council would need this area to be acquired to allow for the adoption of the road.
152. The further representation from Legal and General<sup>109</sup> identifies that the affected areas where it has concerns over the extent of the proposed acquisition of its title relate to an area shown edged blue and four discrete blue cross-hatched areas, all falling within plot 20 and shown on its submitted plan<sup>110</sup>.
153. Dealing first with the blue-edged pavement area, the acquisition of this area of land is required to allow continuity of public access around the new development, both during the construction period and following completion. As explained in the evidence of Ms Smith and Mr Wieszczyk, a key aspect of the scheme is to successfully integrate the existing Town Centre, the High Street Quarter and the Blenheim Centre.
154. An offer has been extended to Legal and General that this area of land would not be acquired under the Order if the section 38 agreement for the adoption of the pavement area was completed before 30 September 2016, but this was not accepted and a timescale has yet to be agreed. Consequently, inclusion of the

---

<sup>106</sup> Document 12/1 paragraph 3.2

<sup>107</sup> LBH13/1 Appendix 1

<sup>108</sup> See LBH13/1 Appendix 2

<sup>109</sup> Document 12/1

<sup>110</sup> See plan appended to document 12/1

pavement area in the Order is required to provide the necessary certainty that it is brought to an adoptable standard and adopted.

155. Whilst a matter of compensation, the acquisition and adoption of the pavement area (excluding any basement falling under these areas save as to the aforementioned plots) is not considered to have an adverse impact on the subsequent disposal of the asset or its value. Once the pavement area is adopted as public highway, the question of whether the strata of land underneath the pavement area is within the ownership of Legal and General or the Council will be immaterial to any valuation.
156. Turning to the four cross-hatched areas, the area immediately south of the entrance to the Blenheim Centre basement car park is the pedestrian crossing point between the footpath of Alexandra Road and the proposed public footway (following acquisition and adoption) on the north side of Prince Regent Road. This land is required in order to create a continuous route of public access around the site and between the two areas of public adopted footway. It therefore cannot be excluded from the Order.
157. Similarly with the second cross-hatched area, this lies immediately south of the eastern entrance/exit ramp to the Blenheim Centre basement car park and the Centre's service yard. This part of the road forms the roundabout junction between Prince Regent Road and the service yard/car park access, and is included in the Order so it can be acquired by the Authority, brought to an adoptable standard and then adopted as a public highway. It is not appropriate for only part of the circulating road that forms the roundabout to be public adopted highway. The whole of the circulating carriageway must be adopted to ensure that vehicles can access the car park and servicing areas of the consented development.
158. The exclusion of the area of land to that sits to the north of the roundabout junction and to the south of the entrance/exits to the car park and service yard is not possible. It is required in order for a public crossing point to be created between the two areas of public footpath on either side of the road in the event that Legal and General do not agree to the adoption of other areas of footpath that fall outside of the Order Lands<sup>111</sup>.
159. The full extent of the entrance way road area is required in order to create a continuous route of public access around the site and between the two areas of public adopted footway. This footpath will provide one of the principal pedestrian routes from the development to Hounslow East Underground Station.
160. Following acquisition of these areas the land will be brought to an adoptable standard and adopted as a public highway. As public highway, Legal and General, its tenants and the public will be able to continue to access the car park and service yard by passing over the land and the Council can ensure that the crossing is maintained to minimum highway standards. In any intervening period between acquisition and adoption, rights will be granted to Legal and General to ensure they enjoy the same provision of access as currently enjoyed. Deeds outlining these rights have been provided to Legal and General.

---

<sup>111</sup> As shown on drawing at LBH/13 Appendix 1



161. As regards the two smaller cross-hatched areas, these form part of the rotunda feature at the entrance to the Blenheim Centre and part of a pumping house area to the south of Prince Regent Road. The Authority accepts that these areas do not need to be acquired and is happy to exclude them from the Order. An amended Order Lands Plan and Order Schedule in respect of plot. 20 is provided<sup>112</sup>.

**Obj1 Kentucky Fried Chicken (GB) Limited – Occupier of 182-184 High Street (Plots 56-58 of CPO)**

**Case for the Objector<sup>113</sup>**

162. The Order seeks to acquire rights over parts of the property in order to facilitate the implementation of the adjacent High Street Quarter proposals. The Objector maintains that the acquisition of the rights will affect the trading ability of the restaurant and may interfere with access, servicing and means of escape.

163. Further representations are that it is unreasonable to acquire rights to oversail by crane without a time limit for such rights or detail as to the way such rights would be exercised. Insufficient attempts have been made to secure the rights sought by agreement or to propose and agree suitable arrangements for the continued provision or the protection of access. It cannot be said that it is necessary to compulsorily acquire the rights concerned.

**Response by the Authority<sup>114</sup>**

164. The rights sought are to temporarily occupy service area land at the rear of the property in order to construct the High Street Quarter scheme on the land adjacent and to ensure that access is maintained to the rear of all of the properties at 182-196 High Street and to the party wall of 182 High Street with 180 High Street in order to ensure that this can be protected and made good. Crane oversailing rights are also required to allow for construction of new buildings within the scheme.

165. It is not expected that the acquisition of rights will affect the trading ability of the restaurant. Discussions with the objector have taken place since March 2015 with details provided about access at the rear of the property for staff and deliveries, and the requirement for alterations to their fire exits discussed and drawings showing a potential solution issued. Discussions have progressed with the objector and a legal pack of documents has been issued to them including both temporary rights during construction and permanent rights over the new development's service yard which adjoins 182-184 High Street. However, on account of the business currently occupying the property under a continuation tenancy following the expiry of their lease (and the landlord opposing a renewal) there are limitations as to the form of agreement that the objector can reasonably enter into without Toplain's approval of the arrangements.

166. There will be a requirement for fire exit arrangements to be varied permanently on account of the new buildings being constructed as part of the

---

<sup>112</sup> Documents LBH/14, LBH/15

<sup>113</sup> Document CD 3.12 See original objection Obj1 and subsequent letter confirming position Document 1/1

<sup>114</sup> See documents LBH/4 sections 5.9 & 6.15, LBH/6 section 6.7 and LBH/12 paragraph 89

development. Drawings have been provided showing a viable solution to ensure that emergency egress from the building is maintained and the timing of these works can be done in such a manner as not to interfere with the safe occupation of the property.

167. A legal agreement has been issued to the objector providing that the right to oversail the property by crane will expire on the completion of the development.

**Obj9 SJR Retail LLP, Obj10 The Carphone Warehouse Limited, Obj11 Deichmann-Shoes UK Limited – Owner and Lessees of 188, 188a and 188b High Street (Plots 59 and 60 of CPO)**

**Case for the Objectors<sup>115</sup>**

168. The Order creates new rights in favour of the Authority that override the current rear service access arrangements to the rear of the premises, to the detriment of the operation of the occupying businesses. The Statement of Reasons simply says that rights for construction purposes will be temporarily acquired over the rear part of the premises. Temporary rights of pedestrian access will be provided and new rights of vehicular access will be granted permanently in the future. However, no negotiations have been offered to cover the timescale of the impact or the future arrangements that need to be put in place for the reasonable continued use and operation of the High Street premises.
169. There has been no explanation of any need to stop up the public access at the rear that is currently available, and there is no evident support for this in planning policy or documentation supporting the development scheme that the Order seeks to promote.
170. It is also pointed out that the covering letter accompanying the official notice of the making of the Order contained errors in respect of the deadline for objections and the address to which objections were to be sent.

**Response by the Authority<sup>116</sup>**

171. The rights sought are to temporarily occupy service area land at the rear of the property in order to construct the High Street Quarter scheme on the land adjacent and to ensure that access is maintained to the rear of all of the properties at 182-196 High Street. Crane oversailing rights are also required to allow for construction of new buildings within the scheme.
172. The property is owned by SJR Retail LLP and occupied by Deichmann Shoes UK (188 and 188a High Street) and The Carphone Warehouse (188b High Street). Meetings have been held with the owner and occupiers, both individually in respect of Deichmann Shoes UK and SJR Retail and collectively. All three parties instructed Pinsent Masons to advise on legal matters and a proposal for an agreement covering both the temporary and permanent arrangements, including rights to be granted to the owners, was issued in September 2015. Since this date there has been progress by the parties' legal advisers, although the agreements remained uncompleted at the time of the inquiry.

---

<sup>115</sup> Document CD 3.12 See original objection letter Obj9-11

<sup>116</sup> See documents LBH/4 sections 5.9 and 6.7 and LBH/12 paragraph 89

173. Planning policy and supporting documents seek that the High Street Quarter development is integrated with the High Street. Successful integration extends not to only permeability through improving access between the new development and the High Street but also the rationalisation of space to maximise the development opportunity and quality of the public realm. The formation of shared service yards and service roads provides this and these can only be created through the stopping up of Wells Lane as the construction of the new buildings sits above this land and it would be unsafe to allow vehicles to pass through the work site during construction. On completion of the phase of development comprising Block A (the Cinema block that sits immediately north of 188, 188a and 188b High Street) access across the service yard to access their land will be provided to all owners and occupiers of the adjoining High Street units. Temporary access arrangements will also be put in place for the duration of the construction works. A legal pack has been issued detailing both the temporary and permanent rights to be granted over the land so as to ensure continued access and egress from the rear of the property for servicing.
174. While it is regrettable that the covering letter could be interpreted as being inconsistent with the official notice, it is not believed that any confusion or prejudice was caused. SJR Retail LLP's objection was made within the period in any event. The covering letter stated that objections be made by 30 June while the official notice stated that objections be made before 30 June. The National Planning Casework Unit accepted objections made after that date. The covering letter stated that the address of the Secretary of State was on "Cornwall Road" rather than "Colmore Row". However, letters addressed to "Cornwall Road" were safely received by the Secretary of State. No prejudice was caused by this error.

**Obj7 B&M Retail Ltd, Occupier of Units 1 & 1a Ground Floor, Blenheim Centre (Plots 20-24)**

**Case for the Objector<sup>117</sup>**

175. Although the Statement of Reasons supporting the Order refers to the maintenance of access and egress to and from existing properties through the construction and operational phases of the scheme, no details of how access will be maintained and protected are provided. Such access is essential to the operation of the Objector's business. The Order should not be confirmed until a comprehensive plan of action detailing this has been produced and approved by the affected parties.

**Response by the Authority<sup>118</sup>**

176. This concern emanates from the inclusion of a significant part of Prince Regent Road that extends across the front of the Blenheim Centre [plot 20] in the Order. The inclusion of the road is to enable it to become a public highway and the works proposed comprise repairs to bring it to an adoptable standard and some public realm works to achieve integration with the new development. The focus of these works is the part of the road that is situated immediately south of the Blenheim Centre for which access across it is afforded to taxis, buses and bicycles only. The road works will be undertaken in a manner that limits any

---

<sup>117</sup> Document CD 3.12 See original objection letter Obj7

<sup>118</sup> See documents LBH/4 sections 5.9 and 6.9 and LBH/12 paragraph 89

disruption and will not interfere with access to the service area – no works are expected to be undertaken to any other area of the road.

177. It has been confirmed to the objector that during the construction works access to the Blenheim Centre will be maintained via Alexandra Road and Prince Regent Road. The construction works will require customers to walk around the perimeter of the existing car park but, with the exception of Holloway Street which will be stopped up (and which does not itself provide direct access to Prince Regent Road), the other highways will continue to be open for customers, staff and servicing traffic to access the Blenheim Centre. The elevated height of the ground floor of the Blenheim Centre should ensure that the centre remains visible but in addition signage will be put around the site confirming that the retail units within the centre remain open and navigating the public along Alexandra Road.
178. Access to the service area of the Blenheim Centre from Prince Regent Road will not be impeded at any time. Condition 4 of the planning permission provides that a Construction Management Plan is to be approved by the Local Planning Authority, to include measures to ensure the safety of all users of the public highways in the vicinity of the site. An agreement has been presented to the owner of the Blenheim Centre (Legal and General) as to the transfer of the land which forms Prince Regent Road, the grant of rights over the road and the timing of construction works. This agreement, to which the Authority is a party, will provide the objector with the security they seek in respect of this part of their objection.

**Obj17 Mrs Gupta, Lessee of Parking Spaces within Plot 14 (Alexandra Road car park)**

**Case for the Objector<sup>119</sup>**

179. The Objector leases two car parking spaces within the surface car park owned by Legal and General Assurance Society Limited in conjunction with the Blenheim Centre. She does not wish to give up her existing spaces, which are convenient. She is concerned that she may not be provided with suitably sized and located spaces in replacement for those lost. Furthermore, she has concerns that there will be no temporary alternative to the existing spaces while the new car park is being built.

**Response by the Authority<sup>120</sup>**

180. Mrs Gupta is a non-statutory objector – her interest in land is not being acquired under the Order, as the leasehold interest in the 85 Blenheim Centre residents' car park spaces have been excluded from it.
181. The replacement residents' car parking spaces will be located in the basement of the new development in an area that will be clearly designated and located in a convenient location for access to the Blenheim Centre. The size of the car parking spaces will not be substantially different to that of the existing spaces. It is not clear which plan Mrs Gupta is referencing when referring to her replacement spaces as these have not been designated and as such any concern

---

<sup>119</sup> Document CD 3.12 See original objection Obj17

<sup>120</sup> See documents LBH/4 sections 5.9 and 6.2 and LBH/12 paragraph 92

relating to the size and location of the spaces may be the result of a misunderstanding of a drawing. The existing Blenheim Centre residents' car park was always proposed as a temporary measure by the developer of the Blenheim Centre, with phase 2 of the consented scheme seeing the land developed, thus the 'lift and shift' provisions entered into the leases. The new car park will be more secure and covered. A letter clarifying these matters has been sent to Mrs Gupta and a meeting offered to discuss any concerns.

182. An assurance has been given to all of the leaseholders of a car parking space that the number of relocations will be kept to a minimum and that at all times their car parking space will be available in accordance with their lease i.e. within 250m of the entrance foyer. Until the construction programme is finalised the exact number and position of the relocations will not be known but they will all be within the curtilage of the development site. Leaseholders will be regularly updated as to the temporary arrangements. The leasehold interests of the car parking have been excluded from the Order and so protection is afforded to the owners that the temporary spaces will be within 250m of the foyer; if this condition is not met the spaces cannot be moved.

### **Objections withdrawn during the inquiry**

#### **Obj3 Mantle Investments Limited, Owner of 174 High Street (Plot 9)**<sup>121</sup>

183. Mantle Investments objected to the Order by way of a statement submitted with a letter dated 26 June 2015<sup>122</sup>. This was supplemented by statements of evidence prior to the inquiry<sup>123</sup>. The thrust of its case was that it objected to the wholesale loss/removal of 174 High Street, contending that a lesser scheme would suffice. It drew attention to the fact that the existing three storey building would be replaced by a single storey structure, and argued that the loss of the premises would harm the town centre.
184. The thrust of the Authority's response to the objection was the same as its reply to Obj2 Specsavers Optical Superstores Limited, summarised at paragraphs 83-90 above. Acquisition of 174 High Street and the formation of a widened and enhanced gateway with an active retail frontage into the High Street Quarter scheme is crucial to its success. A lesser or alternative scheme retaining the existing premises at 174 High Street is not viable or practicable. The loss of the premises is far outweighed by the public benefits to the community that the High Street Quarter scheme will deliver.
185. During the inquiry Mantle Investments Limited reached agreement with the Authority regarding the acquisition of the property and withdrew its objection to the Order and evidence in support of this by way of a letter dated 9 March 2016<sup>124</sup>.

---

<sup>121</sup> See original objection Obj3 and document 3/3; documents LBH/3 paragraphs 7.3-7.6 , LBH/4 sections 5.7.3-5.7.7 & 6.13, LBH/6 sections 6.5.1-6.5.9 and LBH/12 paragraphs 57-74

<sup>122</sup> Document CD 3.12 See original objection Obj3

<sup>123</sup> Documents 3/1, 3/2a

<sup>124</sup> Document 3/3

**Obj13 Bhogal Partners Solicitors, Lessee of 1<sup>st</sup> and 2<sup>nd</sup> Floors of 174 High Street (Plot 9)**<sup>125</sup>

186. Bhogal Partners lodged an objection to the Order by way of a letter dated 30 June 2015 and submitted a statement prior to the inquiry. The main points of objection were that the loss of the premises was not indicated by the 2013 Masterplan; the scheme would cause the removal of a professional firm providing employment and training; the loss of office stock would be contrary to development management policies; there had been investment in the premises since 2012; the company needed a town centre location with good footfall.
187. The thrust of the Authority's response to the objection was in the main the same as its reply to Obj2 Specsavers Optical Superstores Limited, summarised at paragraphs 83-90 above. Acquisition of 174 High Street and the formation of a widened and enhanced gateway with an active retail frontage into the High Street Quarter scheme is crucial to its success. A lesser or alternative scheme retaining the existing premises at 174 High Street is not viable or practicable. The loss of the premises is far outweighed by the public benefits to the community that the High Street Quarter scheme will deliver. The contention that the scheme would result in a loss of office accommodation is ill-founded, since the premises occupied by Bhogal Partners has an authorised A2, rather than B1, use (following a planning application by Bhogal Partners themselves)<sup>126</sup>. The scheme will provide 9,830m<sup>2</sup> of flexible A1-A5 floorspace, which will contribute greatly to the employment base of the Borough and far outweigh the loss of A2 floorspace at 174 High Street.
188. During the inquiry Bhogal Partners reached agreement with the Authority regarding the acquisition of its interest in the property and withdrew its objections to the Order by way of a letter dated 14 March 2016<sup>127</sup>.

**Obj14 Royal Mail Group Limited and Royal Mail Estates Ltd, owner and occupier of Plot 47**<sup>128</sup>

189. Royal Mail operates its Hounslow delivery office on land immediately to the east of the High Street Quarter development site. Plot 47 includes part of the exit road from the depot. The Order also includes rights to oversail part of the delivery office site (Plot 48). Royal Mail lodged an objection to the Order by way of a letter dated 29 June 2015 and submitted a statement prior to the inquiry. In summary the main points of objection were that insufficient justification had been provided for the inclusion of Plots 47 and 48 in the Order; the absence of planning permission represented a serious impediment to the High Street Quarter proceeding and there was no evidence of ability and intention to fund and deliver the scheme; the proposed scheme could compromise Royal Mail's ability to perform its statutory function as a Universal Service Obligation provider and no

---

<sup>125</sup> See original objection at document CD 3.12 Obj13 and document 13/3; documents LBH/4 sections 5.7.16-5.7.19 & 6.5, LBH/6 sections 6.5.1-6.5.8 & 6.5.15 and LBH/12 paragraphs 57-74 & 93-94

<sup>126</sup> Document LBH/3 paragraph 7.6

<sup>127</sup> Document 13/3

<sup>128</sup> Document CD 3.12 See original objection Obj14 and document 14/1; documents LBH/4 sections 5.8.6 & 6.4, LBH/6 section 6.4 and LBH/12 paragraphs 95-97

guarantees had been provided as to how its operating arrangements would be protected.

190. The acquisition of plot 47 is required in order to create the new north-eastern servicing area behind Building C of the High Street Quarter redevelopment and to integrate the delivery office access to Prince Regent Road with this. Oversailing rights are required to enable construction of Building C. Planning permission has been granted for the High Street Quarter development.
191. The Authority has throughout the process of making and promoting the Order fully recognised the importance of ensuring that Royal Mail can continue to fulfil its statutory duties. Drawings have been presented to Royal Mail showing how their operations will be able to continue during construction and once the scheme is operational. The drawings have been accepted and agreement has been reached. Further, the conditions of the 2016 planning permission will ensure that construction works will not interfere with Royal Mail's operations and that the residential units within the scheme and the Delivery Office can co-exist harmoniously.
192. During the inquiry Royal Mail reached agreement with the Authority in respect of the above matters and withdrew its objections to the Order by way of a letter dated 16 March 2016<sup>129</sup>.

**Obj15 Lawford Properties Limited, owner of 198 High Street (adjoining Plot 12)**<sup>130</sup>

193. Lawford Properties Limited owns 198 High Street, a commercial premises currently benefiting from the use of a loading bay on Alexandra Road at the rear of the property. It lodged an objection to the Order by way of a letter sent on 30 June 2015<sup>131</sup>, supplemented by evidence submitted prior to the inquiry<sup>132</sup>. The basis of the objection was that the existing loading bay facility would be lost and no satisfactory alternative provided, and that this would render the premises unusable.
194. The Authority's evidence in response was that 198 High Street would be serviced from the new south-west service yard, and that the property's right to such access is protected by the section 106 agreement<sup>133</sup>.
195. During the inquiry Lawford Properties Limited reached agreement with the Authority in respect of this matter and withdrew its objection to the Order by way of a letter dated 16 March 2016<sup>134</sup>.

**Other Submissions**

196. During the inquiry a written submission was received from Hounslow Central Residents' Association<sup>135</sup>. The submission seeks to acquaint the inquiry with the

---

<sup>129</sup> Document 14/2

<sup>130</sup> See document CD 3.12 original objection Obj15 and documents 15/1 & 15/2; documents LBH/4 sections 5.7.16-5.7.19 & 6.5, LBH/8 section 6 and LBH/12 paragraph 91

<sup>131</sup> See original objection Obj15

<sup>132</sup> Document 15/1

<sup>133</sup> Mr Fulcher's evidence document LBH/8 section 6

<sup>134</sup> Document 15/2

<sup>135</sup> Document 18/1

Association's concerns about the some elements of the planning application proposals for the High Street Quarter development and the manner of the Council's consideration of the application. Appended to the submission is a copy of the Association's statement dated 1 December 2015 to the Department for Communities and Local Government setting out its concerns and the reasons why it wished the Secretary of State to call in the planning application.

197. In response, the Authority pointed out that the substance of the points raised by the Association relate to the merits of the High Street Quarter planning application proposals in certain respects and the Council's consideration of these matters. The call-in request by the Association was rejected and planning permission has subsequently been granted for the development concerned. Although the submission acknowledges that its request for call-in had been rejected, it goes on to express surprise that the application had been called in after all<sup>136</sup>, suggesting confusion concerning the purpose of the current inquiry.

---

<sup>136</sup> See final paragraph on page 1 of document 18/1



## **INSPECTOR'S CONCLUSIONS**

198. My conclusions are structured as follows. I first deal with matters relating to the planning justification for the scheme which the Order seeks to facilitate and the likelihood of it proceeding if the Order is confirmed. I then turn to the individual objections lodged against the Order and set out my conclusions as to the merits of each objection, including whether the public benefit which would arise from the Order outweighs the private loss that would be incurred. Finally, I set out my overall conclusions as to whether the Order should be confirmed in the light of the preceding findings.

199. In this section, the numbers in italicised square brackets [ ] refer to the paragraphs of the earlier sections of this report from which my conclusions are drawn.

### **Planning justification for the development supported by the Order.**

200. The Order is made under the provisions of section 226(1)(a) of the Town and Country Planning Act 1990 as amended by section 99 of the Planning and Compulsory Purchase Act 2004. These provisions enable land to be compulsorily acquired "if the authority think that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land". Subsection (1A), inserted by section 99 of the Planning and Compulsory Purchase Act 2004, requires that a local authority must not exercise the above power unless they think that the development, re-development or improvement is likely to contribute to the promotion or improvement of the economic, social or environmental well-being of their area. The Council's Statement of Reasons confirms that the Order is made on this basis. [22- 24]

201. Notwithstanding the above provisions, the compulsory acquisition of land or interests in land is intended as a last resort. Compulsory purchase needs to be fully justified, its use being restricted to cases where there is a compelling case in the public interest, sufficiently justifying interference with the human rights of those with an interest in the land affected.

#### *Whether the purpose for which the land is being acquired fits with the adopted planning framework for the area*

202. The Order Land lies behind the north side of Hounslow High Street and is part of an area first identified as a priority development area as part of the work in the Hounslow Town Centre Plan of 1980 and then identified as Key Site 1 in the 1990 Plan for Hounslow Town Centre. The subsequent Unitary Development Plan (adopted 1996 and review adopted 2003) identified Key Site 1 as an opportunity to accommodate accessible new retail, commercial and leisure facilities as part of the Local Planning Authority's policy of promoting the regeneration of the town centre. [25]

203. In 2002 planning permission was granted for the development of Key Site 1, which included the area the focus of the Order. However, whilst Phase 1 of that development (the Blenheim Centre to the north) was subsequently completed, the Order Lands themselves were not developed (although the permission for that development remains extant). [26]

204. The current development plan comprises the London Plan and the Hounslow Local Plan (adopted in 2015). The London Plan identifies Hounslow as a Metropolitan Centre. Policy 2.15 says that proposals should sustain and enhance the vitality and viability of town centres and accommodate economic and/or housing growth; the Plan also envisages the use of compulsory purchase powers for site assembly. The Mayor's Supplementary Planning Guidance on town centres encourages boroughs to bring forward development which will regenerate town centres. [37]
205. Hounslow Local Plan policies identify Hounslow as a Metropolitan Centre and outline the regeneration initiatives to redevelop town centre sites to encourage retail, leisure and entertainment growth, including a vibrant evening economy. Policy IMP1 states that the Council will take a plan led approach to growth and economic development, and IMP2 seeks to ensure delivery of Local Plan objectives through site allocations. The site is identified as a major regeneration objective, being allocated for leisure, retail and residential development with associated parking provision. [27, 38]
206. If confirmed the Order will facilitate the delivery of a major mixed use development incorporating leisure, entertainment and retail uses within the town centre, which will boost significantly its attractiveness and vitality in these terms. [28-31]
207. As regards national planning policy, paragraph 23 of the NPPF states that local planning authorities should set out policies for the growth of town centres and, where town centres are in decline, plan positively for their future to encourage economic activity. The Framework also encourages planning authorities to work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. The Government's Planning Policy Guidance on Ensuring the Vitality of Town Centres also states that planning authorities should plan positively to support town centres, in order to generate local employment, promote beneficial competition within and between town centres and create diverse places where people want to live, visit and work. [36]
208. I conclude that the purpose of the Order of assembling land in order to deliver a major town centre regeneration scheme for Hounslow wholly accords with development plan policy and national planning policy.
209. The proposal which the Order seeks to unlock would also deliver a significant number (527) of new residential units, of which 41% would comprise affordable housing [28]. The NPPF emphasises that planning authorities should ensure the provision of new housing to meet the needs of their area. The London Plan supports the need to significantly boost the supply of housing in London, requiring local authorities to seek to achieve and exceed relevant minimum annual housing targets, and to seek to maximise affordable housing provision. [40]
210. The Local Plan reflects the thrust of the London Plan, seeking to deliver demanding housing targets. The Order Land is amongst the site allocations (Site 37) which together aim to meet the supply target of 12,330 homes between 2015 and 2030 (Policy SC1). Policy SC2 seeks that 40% of any housing provided is affordable housing. The scheme that the Order would facilitate would meet this objective, and comply with policy objectives of achieving densities that make

efficient use of land and focus housing in highly accessible and sustainable locations. [41]

211. Additionally, the development scheme that the Order would enable complies with policy objectives concerning good design. The NPPF states at paragraph 56 that good design is a key aspect of sustainable development. Policy 7.5 of the London Plan and the Mayor's Town Centres Supplementary Planning Guidance seek to promote high quality, legible design in the public realm. The Local Plan also emphasises the promotion of high quality urban design and architecture which creates attractive, distinct and liveable places. The Local Planning Authority has considered the design aspects of the development associated with the Order against the relevant policy requirements (including consideration of the tall building element of the proposal against policies 7.7 of the London Plan and CC3 of the Local Plan) through planning application P/2015/0913, and has determined the proposals as acceptable in these terms. [33, 42-44]
212. Some objectors have sought to contend that the development associated with the Order does not comply with the Masterplan produced to guide the formulation of a detailed development scheme for the area. However, this criticism is made in respect of just one aspect of the development proposals (the widening of the short section of Smithy Lane involving the demolition of 174 High Street), not the scheme as a whole. Moreover, the Masterplan is not an adopted planning policy document; no such adopted policy is offended by this aspect of the development proposals. Still further, the Masterplan document is not prescriptive, its purpose being to establish guiding principles and indicate potential options. The possible options indicated in this respect are not stated to be the only possibilities. This matter does not disturb my conclusion as to the Order's consistency with the planning framework for the area. [75; 93]
213. The (now withdrawn) contention that the demolition of 174 High Street would be contrary to policies seeking to retain B1 office space was similarly misplaced, since the floorspace affected is Class A2 rather than B1 and would be replaced by a much greater quantum of flexible A1-A5 floorspace in the new scheme. Again, this matter does not disturb my conclusion on this issue. [187]
214. I conclude that the purpose for which the land is being acquired fits with the adopted planning framework for the area.

*Whether the Order would facilitate development that is likely to contribute to the promotion or improvement of the economic, social or environmental well-being of the area*

215. The development that the Order would facilitate represents a major and much-needed injection of investment into Hounslow town centre, which has suffered from a lack of retail and leisure development in recent years and loss of trade to competing centres. The proposed development of the High Street Quarter includes a 10 screen cinema; 9830m<sup>2</sup> of new retail, restaurant and café floorspace; a new town square and other public realm improvements; 527 residential apartments; underground parking and travel facilities. The development will add a major element of leisure-related activity to the town centre, diversifying its offer and enhancing the metropolitan centre's attractiveness relative to other competing centres. The cinema, cafés, restaurants and other supporting uses will attract people throughout the day and evening, bringing additional footfall and spending into the town centre. The

increased attraction of the town centre will benefit existing retailers and businesses as well as new ones [12-13, 28, 46].

216. The jobs that development of the High Street Quarter will bring, both during construction and subsequently, will benefit the local economy. There will be more spending in the town centre, from new residents and those attracted by the centre's enhanced facilities. This additional activity and spending will underpin the economic fortunes of the metropolitan centre. I share the Council's view that development of this nature and scale represents a significant investment in the town centre, and that its benefits to the economic well-being of Hounslow will be substantial. [48-49]
217. The provision of the new cinema and other leisure/retail facilities will also bring social benefits, through boosting the vitality and viability of the town centre. The creation of a more welcoming and attractive public realm, where people will want to spend time and socially interact, is a further social benefit. [51]
218. The proposed residential element of the scheme will bring substantial social benefits. It will deliver more than 500 residential units, of which more than 200 will be affordable housing, in a highly accessible and sustainable town centre location and where there is a pressing need for both market and affordable housing. [50]
219. The High Street Quarter development will transform the existing unprepossessing and underutilised area of surface car parks behind the High Street, replacing them with a well-designed urban environment that will considerably enhance the town centre. The new development will create a new and attractive area of public realm and an improved pedestrian environment. It will link and integrate the Blenheim Centre development with the town centre, providing enhanced connectivity with the High Street and associated developments. These matters represent a significant environmental benefit. [52, 15]
220. None of the objections made has challenged the principle of development of the High Street Quarter; there is wide acceptance that the town centre needs a development such as this. [71]
221. I conclude that the Order will facilitate the carrying out of development in relation to the Order Land, and that the development will, for the reasons advanced by the Council, contribute to the promotion of the economic, social and environmental well-being of the area. Accordingly, I conclude that the requirements of sections 226(1)(a) and 226(1A) of the Town and Country Planning Act 1990 (as amended) are satisfied.

*Whether the purposes for which the Order Land is to be acquired could reasonably be achieved by other means*

222. The purposes of the Order relate specifically to the development of the High Street Quarter, consistent with Site 37 as allocated in the Hounslow Local Plan. Development of the High Street Quarter is needed to regenerate the fortunes of the town centre and to provide the integration needed between the Blenheim Centre, High Street Quarter and the High Street; there are no alternative sites on which development achieving the same economic, social and environmental benefits could be promoted. [12-13, 54]

223. The High Street Quarter development is a large-scale and complex scheme, which by its nature requires a comprehensive and integrated approach to its delivery. Unifying the interests in the lands concerned is critical to this. A piecemeal approach would not be feasible; indeed, no objector has suggested that piecemeal development would be possible or appropriate. [55]

224. I conclude that the purposes for which the Order Land is to be acquired could not reasonably be achieved by other means.

*Whether there are likely to be any impediments to the development associated with the Order going ahead*

225. There are no planning impediments to the High Street Quarter development proceeding. Detailed development proposals have been drawn up and full planning permission for the scheme has recently been granted. [33, 58]

226. The scheme proposals differ from the previous unfulfilled scheme for the Order Land in that it is anchored around a full leisure offer with complementary A3 uses, contains a larger residential element and is closely integrated with the High Street. There is clear demand for the residential accommodation that the scheme would provide. The evidence also points to ample demand for the commercial accommodation proposed. An agreement with Cineworld has already been secured for the operation of the multi-screen cinema which anchors the commercial elements of the scheme. [58, 60-61]

227. The Authority has entered into a Development Agreement with BDW Trading Ltd, a member of the Barratt Developments group. The development will be delivered on the ground jointly by Barratt London Limited (the residential element) and another subsidiary of Barratt Developments Plc, Wilson Bowden Developments Limited (focused on the commercial property development). With such agreement in place I consider that there is every prospect of the scheme proceeding. No challenge has been made to the Authority's evidence on this matter. [19, 59]

228. For reasons of timing the inquiry did not deal with objections to the highways stopping up order needed to enable the development scheme to proceed [8]. If there are outstanding objections to the highways stopping up order, these clearly will need to be considered on their merits. However, I found nothing in the evidence before me to suggest any likely impediment in this regard.

229. I conclude that there are no evident impediments to the development associated with the Order proceeding.

*Human Rights and Equalities considerations*

230. In making the Order the Authority took into consideration the impact on human rights of those affected and its public sector equality duties under section 149 of the Equality Act 2010 [64-70]. I conclude in relation to these matters following my conclusions in relation to each of the remaining objections, to which I now turn.

### **The objection by Specsavers Optical Superstores Limited (Obj2)**

231. Confirmation of the Order would result in the demolition of 174 High Street as part of the comprehensive redevelopment scheme that is proposed and the

displacement of the Specsavers' operation that currently operates from the ground floor of the premises. The loss to Specsavers arising from the acquisition of the premises it occupies is plain. The company is successfully trading from this High Street location; the Company has expended considerable sums on fitting out the property and façade improvements. There is no guarantee that the Specsavers' operation, and the significant employment that this provides, will be relocated to other premises nearby if the Order proceeds. [74-75, 78-79, 82]

232. The acquisition of 174 High Street to facilitate the High Street Quarter development plainly would extinguish the existing Specsavers' operation. There is no certainty that equally suitable and well-placed premises for the company to relocate to will be found in the vicinity, although a reasonable "churn" of commercial property on the High Street can be expected and the High Street Quarter scheme will considerably enhance trading conditions in Hounslow Town Centre.
233. However, the acquisition of 174 High Street and its demolition so as to enable the re-modelling, through widening and enhancement, of the Smithy Lane link between the High Street and the new town square in the High Street Quarter is crucial to the success of the scheme. The route from the entrance to the Blenheim Centre through the heart of the High Street Quarter development and the new town square to the High Street is fundamental to the design and functionality of the new development and its successful integration with its surroundings. Providing an attractive and inviting space linking the new square with the High Street is a key component of the wider scheme; acquisition of the properties either side is essential, so as to enable the creation of a pedestrian street with appropriate comfort levels, street furniture and a lively and visible retail frontage to both sides. [83-90]
234. I do not consider that the contention by Specsavers that 174 High Street could be excluded from the Order and the building retained and remodelled so as to permit Specsavers' continued occupancy of the existing building is realistic. If the building, or Specsavers' interest in it, were omitted from the Order there would be nothing to compel it to take action. The likely outcome would be a narrower, only partly-improved Smithy Lane link with a poor street frontage to its east side, with no control for operators of the wider scheme over the appearance and occupancy of this key gateway into the new High Street Quarter. This would significantly alter and substantially undermine the scheme design, seriously threatening its commercial attractiveness and deliverability. [91]
235. The alternative suggestion that the central link between the High Street and the new town square could be shifted westwards so as to enable 174 High Street to be excluded from the Order is neither practicable nor desirable. First, this would mean that property not presently identified for acquisition in the Order would have to be acquired instead. Second, and in any event, realigning the central link in this way would necessitate a complete scheme redesign. The balance between the constituent blocks of development within the scheme would radically alter. Crucially, the size of the block containing the anchor multi-screen cinema would be reduced, meaning that this could no longer be accommodated as designed. Furthermore, the fundamental principle of a central axis and line of visibility from the High Street through the new town square to the Blenheim Centre entrance and occupying the historical line of Smithy Lane would be lost. [92]

236. The complaint that the proposed scheme does not accord with the 2013 Masterplan for the High Street Quarter has no real basis. The Masterplan has no status as planning policy. It was devised to provide principles and guidance, to inform the development of detailed proposals. Whilst suggesting a range of potential options, it was not intended to be prescriptive. The scheme accords with the planning policy framework for the area, and the detailed proposals that the Order would facilitate (including the demolition of 174 High Street) have the benefit of planning permission. [93, 28]
237. The Authority has provided a detailed account of the efforts it has made to engage and negotiate with each of the objectors, including Specsavers. This demonstrates that it actively engaged with Specsavers when it was confirmed that a lease agreement for occupation of 174 High Street had been entered into. The Authority actively sought to acquire Specsavers' interest by negotiation and has put forward potentially suitable alternative premises for consideration. This dialogue commenced some months before the Order was made. I consider that the criticisms made of the Authority in this regard are unfounded. [94-95]
238. I recognise that the development programme associated with the Order does not permit continuity of trading for Specsavers through relocation into the order scheme. However, a number of potentially suitable alternative premises have been notified to the objector, which if deemed suitable and acquired would have provided continuity of trading. The prospect of suitable alternative premises being found remains. [96]
239. Based on the foregoing, I conclude that retention of 174 High Street so as to permit Specsavers' continued occupation of the premises would fundamentally undermine the quality of the High Street Quarter development scheme that could be delivered. Exclusion of the property from the Order would render the critical Smithy Lane element of the High Street Quarter scheme undeliverable and put the scheme as a whole at significant risk.
240. The more radical suggestion of shifting the planned central link between the High Street and the new town square further to the west is unrealistic and unworkable. It would require the acquisition of other premises not included in the Order, and in any event would necessitate a complete redesign of the High Street Quarter development. Even if a satisfactory alternative scheme were possible, this would require a renegotiation of the entire development process.
241. Upholding the Specsavers' objection would, at best, significantly delay delivery of a much-needed regeneration scheme and substantially lessen the improvements to the town centre that the scheme would bring and the quality of the resulting urban environment. At worst it could undermine the High Street Quarter scheme to the extent that it did not proceed at all.
242. Taking into account all of the points advanced by Specsavers and having regard to my conclusions concerning the planning case for the Order, I conclude that the development that the Order would facilitate would bring public benefits that clearly outweigh the loss that the objector would suffer. A redevelopment scheme designed so as to avoid displacement of Specsavers from its present location would not bring about comparable public benefits. Accordingly, the private loss in this case is not disproportionate when set against the public benefit that would arise.

---

**The objection by Mr Rajib & Mr Arif, trading as ITS Convenient Store (Obj16)**

243. I recognise that the objectors enjoy a stable lease in respect of the ground floor of 178 High Street and have built up a successful business, particularly serving (although not limited to) the local Bangladeshi community. I note also that there has been significant expenditure on the premises, and that the store relies on its High Street location for its trade and to enable its service centre to be competitive. [97-99]
244. As regards the specific points of objection raised against the Order, the reasons why the Order seeks to acquire 178-180 High Street are clear. As with 174 High Street flanking the eastern side of Smithy Lane, acquisition of 178-180 on its western side is essential in order to provide the attractive and well-designed gateway into the new High Street Quarter from the High Street itself, linking the High Street with the new town square that will be the focus of the High Street Quarter and forming part of the new retail axis running through the Quarter from the High Street to the Blenheim Centre to the north. The widening of Smithy Lane and its reconfiguration to create an attractive and welcoming pedestrian environment and an active retail frontage on either side of the resulting link between the new town square and the High Street is critical to the quality and success of the regeneration scheme as a whole. [83-90, 103-104]
245. On this basis it is plain that acquisition of 178 High Street is necessary to the delivery of a successful regeneration scheme for the High Street Quarter. As with the arguments advanced above in relation to the exclusion of 174 High Street from the Order, non-acquisition of 178 High Street would mean that it would not be possible to widen and re-model the existing unattractive thoroughfare to create an inviting street with an active and vibrant retail frontage on both sides. Such improvement to Smithy Lane is fundamental to the quality of scheme that can be delivered and to its success. [103-105]
246. The suggestion that the compulsory acquisition of 178, 180 and 174 is purely for the developer's convenience/commercial interest and that there is no public benefit is plainly misplaced. There is a clear public benefit in securing a well-designed, high-quality scheme that will help to regenerate Hounslow town centre and bring about the substantial economic, social and environmental benefits identified in the earlier paragraphs 215-221 of my conclusions above. Whilst the interests of a small number of existing businesses in Hounslow are adversely affected by the Order and a small number of properties would be lost, the interference with private interests in these terms is heavily outweighed by the public benefit of the Order scheme through town centre investment and improvement, new jobs and spending and significant new housing, retail and leisure provision. [46-53]
247. The assertion that the proposed scheme does not accord with the 2013 Masterplan for the High Street Quarter is not well founded. The Masterplan has no status as planning policy. It was devised to provide principles and guidance, to inform the development of detailed proposals. Whilst suggesting a range of potential options, it was not intended to be prescriptive. In any event, the scheme accords with the Masterplan principles concerning connectivity and integration with the High Street. The scheme also provides two other links with the High Street, one of which lies further to the east where the objectors say linkage is needed. It accords with the overall planning policy framework for the



area, and the detailed proposals that the Order would facilitate (including the demolition of 178 High Street) have the benefit of planning permission. [93, 106, 28]

248. The compulsory acquisition of the objectors' interest in 178 High Street represents an interference with the objectors' human rights under Article 1 of the First Protocol (entitlement to the peaceful enjoyment of possessions). However, the very substantial social, economic and environmental benefits the scheme will bring to Hounslow metropolitan centre far outweigh the negative effects associated with the loss of a small number of existing buildings and the resulting displacement of existing uses and activities. The interference with human rights is justified by the very great public benefit that the scheme will bring.
249. I have also considered the Order's effect in relation to public sector equality duty considerations, given the evidence that the objectors' business caters especially for particular ethnic groups in the local community [98-100]. However, given the evident local demand for such a facility and the size of the centre, the range of premises within it and the natural "churn" of commercial property in such locations, it is reasonable to anticipate that a successful relocation of the business to suitable alternative premises can be achieved. I note that the acquiring authority has identified a number of potentially suitable alternative properties in the course of its discussions with the objectors since January 2015 [108].
250. Moreover, when considering the overall effect of the Order it is plain that the High Street Quarter scheme will facilitate development which will create extensive and wide-ranging, locally-accessible opportunities for leisure and recreational activity, benefitting all sectors of the ethnically diverse local population, especially those less able to travel further afield. The scheme will also promote more affordable housing in a highly-accessible town centre location, which again may particularly benefit certain groups with a relevant protected characteristic. [46, 50-51, 70]
251. The evidence provided by the acquiring authority shows that it has made prolonged and serious efforts to assist in the objectors' relocation to suitable premises elsewhere in the town centre. A number of properties have been shortlisted over the past months, although to date the objectors have not been able to secure a property they consider suitable. On this evidence it is plain that the acquiring authority has made every attempt to acquire the objector's interest by negotiation, before resorting to compulsory purchase. [108]
252. Having regard to all of the matters raised, I conclude that the level of private loss caused to the objector by the Order is not disproportionate when set against the considerable public benefit that would arise from the redevelopment scheme that it would facilitate.

#### **Objections by Allin Holdings Limited (Obj4); Canning International (Obj5)**

253. The objectors raise similar objections to the Order, which seeks to compulsorily acquire land forming part of the rear curtilages of 164, 166 and 168 High Street in order to enable the creation of a service yard behind the south eastern block of the proposed High Street Quarter scheme. The essence of the objections is that the Authority has not shown that acquisition of all of the land comprised in plots 2, 3 and 4 of the Order is necessary in order to provide an

adequately sized and configured service yard to meet the operational requirements of this part of the High Street Quarter development; it is contended that a smaller area, involving less land take, would suffice. [111]

254. The objectors point out that the south eastern service yard is smaller than its south western counterpart, which is designed to accept vehicles of a similar size and type. They also suggest that alternative manoeuvring options should be explored, such as reversing into the service area instead of turning within the yard. [111-113]
255. However, from the Authority's evidence it is clear that the objectors' contention that the service yard need only accommodate one vehicle at a time underestimates the overall level of use that this service yard would need to accommodate. The yard is required to meet the combined needs of retail units 16-19 within the new scheme, the 55 residential flats within Building D and numbers 162-172 High Street. Furthermore, at least some of the manoeuvres suggested by the objectors that would be required as a result of a smaller service area were conceded under questioning to be impractical. Having considered the evidence, I agree that the service yard needs to be able to accommodate two large vehicles simultaneously, and that a well-designed, easily used service area is important to the success of the scheme. I conclude that all of the land that the Order seeks to acquire in this respect is necessary for the scheme it would facilitate to proceed. [115-122]
256. Although the objectors also claim that the acquiring authority has failed to engage in negotiation to acquire the parts of the properties concerned by agreement [114], the evidence provided by the Authority clearly demonstrates that this is not the case. The Order is plainly needed if further delay to the High Street Quarter scheme is to be avoided. [123]
257. I conclude that a clear case has been shown why all of the land included within the Order is needed to meet the Order's purpose, and that the level of loss to these objectors would not be disproportionate when set against the public interest in delivering the High Street Quarter scheme.

#### **Objection by Toplain Limited (Obj8)**

258. Confirmation of the Order would deprive Toplain Limited of the ability to implement the permission it possesses for additional development above 178-186 High Street, since the Order seeks to enable acquisition of 178-180 High Street. This would physically prevent 2 out of the 8 flats permitted in the Toplain development from being built. It is also said that alternative access arrangements to the remaining upper-level proposals will reduce the retail area of the remaining units, although there is no detail on this. I recognise that Toplain has spent time, effort and money developing its scheme. [124-126]
259. However, the Authority has produced detailed and convincing evidence to show why the widening and enhancement of the Smithy Lane entrance from the High Street into the High Street Quarter site is necessary and fundamental to the quality and success of the High Street Quarter development as a whole. It is clear from this evidence that the acquisition of the High Street properties on both sides of Smithy Lane is required to achieve the necessary improvement to the public realm and create a vibrant and effective connection between the High Street and the new High Street Quarter [83-96, 103-108, 130]

260. Although Toplain suggests that it is willing to collaborate with the High Street Quarter scheme developers in redeveloping 178-180 in accordance with the overall scheme, whilst retaining ownership of the land [128], I do not regard this as realistic. Such an approach would not provide sufficient unified control over this key part of the site to deliver the planned High Street Quarter development in its approved form, which in any event is not compatible with implementation of the Toplain proposals at the upper level due to the re-modelling of Smithy Lane. [133]
261. I conclude that the interference with the private rights of Toplain Limited is a necessary part of the Order and is proportionate in relation to the public benefits that the Order would bring about through delivery of the High Street Quarter scheme.

### **Objection by Body Shop International PLC (Obj6)**

262. Body Shop International is the current occupier of 180 High Street. The thrust of its objection is that the acquisition of 178-180 High Street and consequent displacement of Body Shop's business operation at 180 is unjustified, given that the new retail units that would replace those lost to the scheme would be of similar floor area yet of a shallower configuration, for which it is said demand is doubtful. It is contended that improvement of the Smithy Lane connection could equally be achieved by shifting the access route eastwards, thereby avoiding the need to acquire 180 High Street. [134-135]
263. However, the Authority has produced robust, detailed and convincing evidence demonstrating that the widening and enhancement of the Smithy Lane connection between the High Street and the new town square within the planned High Street Quarter is a crucial part of the regeneration scheme and fundamental to its delivery and overall success. The creation of such an entrance to the scheme is fundamental to the scheme as a whole and cannot be achieved without the acquisition of Nos 178-180 and 174. [137; 83-92]
264. The Authority has also produced expert professional evidence confirming the commercial rationale underpinning the High Street Quarter proposals and the resultant mix and location of commercial units, planned retail tenant mix and letting prospects and intentions, including in relation to the new retail units proposed on Smithy Lane south. No substantive evidence has been submitted which counters this [138; 46-51].
265. The suggestion that acquisition of 180 High Street and the interests of its occupiers could be avoided by reconfiguring the High Street Quarter proposals so as to shift the Smithy Lane link eastwards is unrealistic. The alignment of the Smithy Lane link is critical and integral to the design of the High Street Quarter, since it will provide a direct and visible route through the new town square towards the entrance to the Blenheim Centre to the north. Moving the Smithy Lane link further to the east would undermine this key aspect of the scheme's legibility and functionality. In addition it would affect the configuration of the constituent development blocks within the High Street Quarter, making the scheme as presently configured unworkable. It would also require the acquisition of High Street properties not identified in the Order [140].
266. The claim that the Authority has failed to seek to acquire the Objector's interest by negotiation [136] is without foundation; the Authority has produced

evidence of its attempts to engage constructively with the objector since December 2014 [141].

267. Overall, the loss of commercial floorspace resulting from the acquisition of 180, 178 and 174 High Street and the interference with private rights that this would involve is far outweighed by the public benefits arising from the retail, leisure, and public realm enhancements that the scheme will deliver and the boost to the town centre that it will provide.

### **Objection by Legal and General Assurance Society Limited (Obj12)**

268. The objector clarified its concerns in the form of a written submission during the course of the inquiry. The concerns relate to the extent of title proposed to be acquired in relation to Prince Regent Road, particularly in relation to the effect of acquisition on the objector's title relating to the basement area of the Blenheim Centre. Whilst there is no objection to the Authority acquiring the redundant element of the basement area identified as Plot 19 in the Order, it is opposed to acquisition of that part of the Prince Regent Road pavement area (within Plot 20) which overlies other subterranean parts of the Blenheim Centre development. The objector seeks to exclude all of the pavement area forming the northerly portion of Prince Regent Road from the Order, restricting the Order Land here to the extent of the vehicular carriageway. The objector also identifies four discrete sub-areas within Plot 20 which it maintains are not reasonably required for the purposes of the Order. [142-145]

269. The portion of the Blenheim Centre basement parking area within Plot 19 and immediately to the south (Plots 15, 16, 18) is no longer required to form an underground link southwards, but is needed to enable the construction of Block B within the High Street Quarter scheme. The objector accepts this. Moreover, the Authority confirms that it will not acquire any part of the basement area except for that contained in plots 15, 16, 18 and 19 and will provide an assurance to Legal and General stating this. [146-148]

270. Plot 20 comprises parts of Prince Regent Road and Matisse Road which remain in private ownership at present. Uninterrupted access is required over these roads to allow access to the basement car park and service yard to be constructed. Acquisition of the pavement area within Plot 20 is needed to allow public access around the site both during construction and on completion of the development. It is needed to allow the Authority and the Developer to undertake the necessary works to bring Prince Regent Road to an adoptable standard and then dedicate and adopt the roads and associated pavement as a public highway. The Authority's evidence shows the areas of land (pavement and carriageway) proposed to be adopted by the Council as Highways Authority, which corresponds to the land included within the Order. The Council has been seeking the adoption of the road and pavement area since the Blenheim Centre was constructed in 2006, but no agreement has been reached and further works are required to bring the road up to adoptable standard, including lighting columns within the pavement area. Attempts to secure the objector's agreement to carry out the works required to the pavement area have not succeeded. [149-155]

271. Turning to the four discrete sub-areas within Plot 20 identified by the objector, the two areas adjacent to the entrance and exit roads serving the Blenheim Centre basement car park are required in order to provide a public pedestrian route across these access/egress points and connect with the public footway on

either side of the crossing points. The eastern parcel of land identified also includes part of the vehicular highway proposed for completion and adoption as part of the scheme. These two areas of land therefore need to remain within the Order. [156-160]

272. However, the Authority recognises that the remaining two areas, comprising a small part of the rotunda feature in front of the Blenheim Centre and part of a pumping house compound to the south of Prince Regent Road, do not need to be acquired for the purposes of the Order. I conclude that these two areas should therefore be excluded from the Order, as now proposed by the Authority. [161]

273. Save for the aforementioned two areas, I conclude that the acquisition of the objector's lands as identified in the Order is justified by the evidence and necessary for the purposes of the Order.

#### **Objection by Kentucky Fried Chicken (GB) Limited (Obj1)**

274. The Order seeks to acquire rights over parts of the property so that the High Street Quarter proposals can be implemented. The objector has voiced concerns that the operating and trading ability of the business will be adversely affected. Complaint is also made that the rights sought to oversail by crane are without limitation. It is also stated that insufficient attempt has been made to acquire the rights by agreement. [162-163]

275. Rights are required to temporarily occupy service area land at the rear of the property in order to construct the High Street Quarter scheme on the adjacent land, and to ensure that access is maintained to the rear of all of the properties at 182-196 High Street and to the party wall of 180/182 High Street so that this may be protected and made good. Crane oversailing rights are also required to allow for construction of new buildings within the scheme. There is a clear requirement for all of these rights so that the High Street Quarter scheme can be carried out. Discussions have taken place with the objector since March 2015; access, egress, operating requirements and all other matters raised have been considered, and solutions proposed. The Authority has issued a legal pack of documents, outlining both temporary rights during construction and permanent rights over the new service yard thereafter, aimed at protecting the objector's interests. However, it is not possible to progress matters further in the absence of the freehold owner's (Toplain) approval of the arrangements. [164-167]

276. I conclude that the acquisition of the rights sought is necessary for the purposes of the Order, and that the extent of private loss associated with this is proportionate to the public benefits of the scheme.

#### **Objection by SJR Retail LLP (Obj9); The Carphone Warehouse Limited (Obj10); Deichmann-Shoes UK Limited (Obj11)**

277. The objectors are the owner and lessees of 188/188a/188b High Street. The Order seeks to acquire rights over the rear part of the property which override the present service access arrangements. The objectors say that this will be detrimental to the operation of the occupying businesses, and inadequate protection of their interests has been offered. It is also claimed that a need to stop up the public access at the rear has not been explained and that there is no support for this in planning policy or documentation concerning the scheme. [168-169]

278. The rights sought to temporarily occupy service area land at the rear of the property are plainly needed in order to construct the High Street Quarter scheme on the land adjacent and to ensure that access is maintained to the rear of all of the properties at 182-196 High Street. Following completion of the development rights are to be granted to ensure continuing access to the rear of the properties via the new south-western service yard area. The acquiring authority issued a proposal for an agreement covering both the temporary and permanent arrangements, including rights to be granted to the owners, in September 2015. This has subsequently been progressed, although the process has not been completed. [171-173]
279. One of the guiding principles of the High Street Quarter proposals is successful integration of development with the adjoining High Street. In terms of the approved scheme design, this has involved modification of the servicing and access arrangements at the rear of the High Street in order to achieve an integrated approach through the formation of shared service yards and service roads. Temporary and permanent rights will be granted over the land so as to ensure continued access and egress at the rear of the property for servicing. The loss of the current access arrangement via Wells Lane will therefore be replaced by private access rights; this is clearly justified by the public interest of achieving a well-designed scheme that integrates properly with the surrounding urban fabric, maximises the beneficial use of land and creates a high quality townscape and public realm. [173]
280. The objections also raised procedural matters concerning errors in the covering letter accompanying the official notice of the making of the Order [170]. However, objections made after the deadline indicated were accepted as valid, and letters addressed incorrectly as a result of that particular error were safely received. There is no evidence that any prejudice has been caused by these errors [4, 174].
281. I conclude that the acquisition of the rights sought is necessary for the purposes of the Order, and that the extent of private loss or interference associated with this is proportionate to the public benefits of the scheme.

**Objection by B&M Retail Ltd (Obj7)**

282. The objector is the occupier of a retail unit within the Blenheim Centre. The concern raised is that there is a lack of detail as to how access/egress to the objector's business will be maintained during the construction of the High Street Quarter scheme and thereafter. It is argued that these details should be resolved before the Order is confirmed. [175]
283. As the Authority explain, this objection relates to the arrangements for access and passage along Prince Regent Road during construction of the approved development scheme and after its completion. Acquisition of the land is needed so that repairs can be undertaken to Prince Regent Road, bringing it up to adoptable standard. The Authority states that the road works will be undertaken in a manner that limits any disruption and will not interfere with access to the service area. Details of how access to the Blenheim Centre will be maintained during construction works have been communicated to the objector, and an agreement has been presented to the owner of the Blenheim Centre (Legal and General) as to the transfer of the land which forms Prince Regent Road, the grant of rights over the road and the timing of construction works. The development

scheme provides for satisfactory access in respect of the Blenheim Centre thereafter. [176-178]

284. I conclude that the acquisition of the rights sought is necessary for the purposes of the Order, and that the extent of private interference associated with this is proportionate to the public benefits of the scheme.

### **Objection by Mrs Gupta (Obj17)**

285. The objector leases two parking spaces within the surface car park owned by Legal and General Assurance Society Limited in conjunction with the Blenheim Centre. The private car park will be built over by the High Street Quarter scheme. The objector does not wish to lose her spaces, which she regards as convenient; she is concerned that she may not be provided with suitably sized and located spaces in replacement, and that there will be no temporary alternative while the new car park is being built. [179]

286. Mrs Gupta is a non-statutory objector. Her interest in the land is not being acquired, as the leasehold interests in the residents' parking spaces within the surface car park have been excluded from the Order. The Blenheim Centre residents' parking spaces are subject to a "lift and shift" provision in their leases. This is because the surface parking spaces were proposed as a temporary measure by the developer of the Blenheim Centre, until such time as phase 2 of the original development scheme was implemented. The lessees of the existing spaces will be provided with replacement spaces in the basement of the new development in an area that will be clearly designated and located in a convenient location for access to the Blenheim Centre, under the terms of the existing leases. The replacement spaces have not yet been designated; however, the size of the car parking spaces will not be substantially different to that of the existing spaces. The leasehold interests of the objector are protected in that parking spaces will be made available at all times within 250m of the Blenheim Centre entrance foyer, as per the existing lease provisions. [180-182]

287. On this basis it is clear that Mrs Gupta will not suffer loss or interference with her private interests as a result of the Order.

### **Withdrawn objections**

288. The objections to the Order by **Mantle Investments Ltd (Obj3)**, **Bhogal Partners Solicitors (Obj13)**, **Royal Mail Group Limited and Royal Mail Estates Ltd (Obj14)** and **Lawford Properties Limited (Obj15)** were all unconditionally withdrawn during the course of the inquiry [185, 188, 192, 195]. Consequently it is not necessary to give these objections further consideration.

### **Other submissions**

289. During the inquiry a written submission was received from the Central Hounslow Residents' Association. The submission states that the Association, whilst generally supportive of the concept of developing the site, was opposed to certain elements of the current High Street Quarter proposals and felt that aspects of the application had not received proper scrutiny by the Council when being determined. However, the points now reiterated concerning the Association's views on certain aspects of the scheme content and design are not relevant to the question of whether the Compulsory Purchase Order should be confirmed; these opinions were considered by the Council as part of the planning

application process. The Council came to the view that planning permission should be granted; that permission has now been issued and constitutes the established position against which the case for the Order falls to be considered. Complaints about the extent to which the Council had regard to various matters in arriving at its decision on the application fall outside the ambit of this inquiry and report; other avenues exist whereby such assertions may be dealt with.  
[196-197]

290. Nothing in the Central Hounslow Residents' Association submission disturbs my earlier conclusions that the purpose for which the Order is made fits with the adopted planning framework for the area and that there are no evident impediments to the development associated with the Order going ahead.

### **Overall conclusions**

291. The reason for the Order is to promote the delivery of a major regeneration initiative for Hounslow town centre through the development and revitalisation of an underutilised, environmentally unsatisfactory and visually unattractive part of the central area. The redevelopment scheme which the Order would facilitate fits with the adopted planning framework for the area and is fully supported by the direction and substance of national and local planning policies. The Order is needed so that all of the land interests required for this purpose can be unified.
292. The Authority considers that the acquisition will facilitate the carrying out of redevelopment or improvement on the land, and that the scheme which the Order seeks to deliver would contribute to the promotion or improvement of the economic, social and environmental well-being of its area. I conclude that its position is fully justified, and that the statutory provisions of sections 226(1)(a) and 226(1A) of the Town and Country Planning Act 1990 (as amended) concerning the compulsory acquisition of land are met.
293. The proposed redevelopment scheme associated with the Order has planning permission and a development agreement is in place with the scheme developer. Subject to consideration of any objections to the highways stopping up order, there is no apparent planning, funding or other impediment to the scheme and it is likely to be delivered if the Order is confirmed and the land interests are unified.
294. The modification to the Order requested by the Authority marginally reduces the land area to which the Order applies, following the Authority's recognition that acquisition of two small areas within the Order as made is not necessary to enable the Order's purpose to be achieved. In the light of all of the evidence I am satisfied that the remaining lands and rights sought by the Order are necessary to ensure that the redevelopment proposals may proceed.
295. Having considered all of the remaining objections to the Order I have concluded in each case that the public benefits arising from the Order clearly outweigh the private harm that the objector would suffer. I conclude that the expropriation of private interests and the private loss that would occur in each case would not be disproportionate and is fully justified in the wider public interest. In considering each objection I have borne in mind any interference with the human rights of the persons concerned, in particular the right to peaceful enjoyment of possessions. However, in each case I am satisfied that the extent of such interference is necessary and proportionate, set against the very clear



major public benefits in economic, social and environmental terms that the scheme would bring.

296. I have also had regard to public sector equality duty considerations in arriving at my recommendation. The effect of the Order overall will be to greatly enhance the vitality and viability of Hounslow town centre and the Borough generally, through the delivery of the High Street Quarter scheme. The scheme will bring wide-ranging opportunities for leisure and cultural activity in Hounslow, together with a significant boost to affordable housing provision in a highly accessible town centre location. In so doing it will benefit the whole of the population, including those sharing a relevant protected characteristic such as race or disability. I find no evidence of any adverse impact on the interests protected by the Equality Act 2010 arising from confirmation of the Order.

297. Overall, and having regard to all relevant considerations, I conclude that there is a compelling case in the public interest for the Order, which clearly outweighs the private loss arising from the expropriation of the land and rights concerned and is sufficient to justify the interference with human rights involved.

### **Recommendation**

298. I recommend that the London Borough of Hounslow (Hounslow High Street Quarter) Compulsory Purchase Order 2015 be confirmed with the following modification:

The removal of parts of Plot 20, consistent with the amended Order schedule and Order Map comprising inquiry documents LBH/14 and LBH/15 and appended to this report.

*Alwyn B Nixon*

**Inspector**

**Appended:** Document LBH/14, LBH/15

## **APPEARANCES**

### **FOR THE COUNCIL (THE ACQUIRING AUTHORITY):**

Timothy Corner QC	Instructed by Dentons
He called:	
Brendon Walsh MBA	Director of Regeneration, Economic Development and Environment, London Borough of Hounslow
Marilyn Smith MA DipTP MRTPI	Head of Development Management and Enforcement, London Borough of Hounslow
David Conboy MSc MRICS	Compulsory Purchase and Regeneration Director, GL Hearn (part of Capita PLC)
Will Robinson BSc MRICS	Development Director, Wilson Bowden Developments Limited
Chris Wieszczycki MA Arch RIBA	Principal Director TP Bennett LLP
Alistair Parker BA BPL MRICS MRTPI	Partner, Cushman & Wakefield
Paget Fulcher BSc(Eng) CEng MICE MCIHT	Technical Director, AECOM Infrastructure and Environment Ltd

### **FOR ALLIN HOLDINGS LTD (OBJ4) and CANNING INTERNATIONAL (OBJ5):**

Ms Katie Helmore, of Counsel	
She called	
Paul Silcock BSc MCIHT	Director, EAS Transport Planning Ltd

### **FOR ITS CONVENIENT STORE (OBJ16):**

Mr Alimun Rajib	ITS Convenient Store
-----------------	----------------------

### **FOR SPECSAVERS OPTICAL SUPERSTORES LTD (OBJ2):**

Mr Hugo Lord	Property Surveyor for Specsavers Group Property
--------------	---

## **CORE DOCUMENTS PROVIDED BY THE ACQUIRING AUTHORITY**

1. GOVERNMENT GUIDANCE AND LEGISLATION
  - 1.1 Circular 06/04 Compulsory Purchase and the Crichel Down Rules
  - 1.2 Guidance on compulsory purchase process and the Crichel Down Rules
  - 1.3 National Planning Policy Framework
  - 1.4 National Planning Policy Guidance (extracts)
  - 1.5 Ministerial Statement on Planning for Growth (March 2011)
  - 1.6 Town and Country Planning Act 1990 (extracts)
  - 1.7 Local Government (Miscellaneous Provisions) Act 1976 (extracts)
  - 1.8 The Acquisition of Land Act 1981 (extracts)
  - 1.9 The Compulsory Purchase Act 1965 (extracts)
  - 1.10 Compulsory Purchase (Inquiries Procedure) Rules 2007

## 2. DEVELOPMENT PLAN AND RELATED COUNCIL DOCUMENTS

- 2.1 London Borough of Hounslow Unitary Development Plan (December 2003) extracts
- 2.2 London Borough of Hounslow Town Centres Health Check 2011
- 2.3 London Borough of Hounslow Hounslow Town Centre Masterplan (dated July 2013 and published by the Council December 2013)
- 2.4 London Borough of Hounslow Annual Monitoring Report 2012-2013 extract
- 2.5 London Borough of Hounslow Joint Retail Needs Study Update: Further Update of London Borough of Hounslow 2013
- 2.6 London Borough of Hounslow Authority Monitoring Report 2013-2014 extract
- 2.7 London Borough of Hounslow Corporate Plan 2014 – 2019
- 2.8 Consolidated London Plan March 2015 extracts
- 2.9 London Borough of Hounslow Local Plan (adopted 15 September 2015) extracts

## COMPULSORY PURCHASE ORDER AND SUPPORTING DOCUMENTS

- 3.1 The Order and Schedule
- 3.2 Order Map
- 3.3 Statement of Reasons
- 3.4 London Borough of Hounslow Mayor and Cabinet Report dated 9 December 2014 (In- principle resolution) extract
- 3.5 Minutes from Mayor and Cabinet Meeting 9 December 2014
- 3.6 London Borough of Hounslow Mayor and Cabinet Report dated 17 March 2015 (formal resolution) extract
- 3.7 Minutes from Mayor and Cabinet Meeting 17 March 2015
- 3.8 London Borough of Hounslow Report to Council dated 24 March 2015 extract
- 3.9 Minutes of Council meeting held on 24 March 2015 endorsing the Cabinet's decision to use compulsory purchase powers
- 3.10a London Borough of Hounslow Planning Committee Report dated 5 November 2015
- 3.10b London Borough of Hounslow Planning Committee Addendum dated 5 November 2015
- 3.11 Minutes of London Borough of Hounslow Planning Committee Meeting 5 November 2015
- 3.12 Objections

## **PLANNING APPLICATION DOCUMENTS FOR APPLICATION REFS: P/2000/0680 (PLANNING REFERENCE: 00616/F/P5) AND P/2015/0913 (PLANNING REFERENCE 00616/F/P19)**

- 4.1 Decision notice dated 31 July 2002 for planning application ref: P/2000/0680 (Planning Reference: 00616/F/P5)
- 4.2 Approved plans for application ref: P/2000/0680 (Planning Reference: 00616/F/P5)
- 4.3 Decision notice dated 8 February 2016 for planning application ref: P/2015/0913 (Planning Reference 00616/F/P19)
- 4.4 Section 106 agreement dated 8 February 2016 between (1) BDW Trading Limited; and (2) The Mayor and Burgesses of the London Borough of Hounslow
- 4.5 Schedule of approved plans for application ref: P/2015/0913

- (Planning Reference 00616/F/P19) and plans
- 4.6 Planning Statement for planning application ref: P/2015/0913  
(Planning Reference 00616/F/P19) (dated February 2015)
- 4.7 Design and Access Statement for planning application ref:  
P/2015/0913 (Planning Reference 00616/F/P19) (dated February  
2015)

## **INQUIRY DOCUMENTS**

### **LONDON BOROUGH OF HOUNSLOW**

- LBH/1 Council's Statement of Case
- LBH/1a Tracked change update of the Statement of Case, February 2016
- LBH/1b Addendum to the Statement of Case, February 2016
- LBH/2 Proof of evidence of Brendon Walsh, Regeneration
- LBH/2a Summary proof of evidence of Brendon Walsh, Regeneration
- LBH/3 Proof of evidence of Marilyn Smith, Planning
- LBH/3a Appendices to proof of evidence of Marilyn Smith, Planning
- LBH/3b Summary proof of evidence of Marilyn Smith, Planning
- LBH/4 Proof of evidence and appendix of David Conboy, Surveyor
- LBH/4a Summary proof of evidence of David Conboy, Surveyor
- LBH/5 Proof of evidence of Will Robinson, Developer
- LBH/5a Appendices to proof of evidence of Will Robinson, Developer
- LBH/5b Summary proof of evidence of Will Robinson, Developer
- LBH/6 Proof of evidence of Chris Wieszczycki, Architect
- LBH/6a Appendices to proof of evidence of Chris Wieszczycki, Architect (video)
- LBH/6b Summary proof of evidence of Chris Wieszczycki, Architect
- LBH/6c Supplementary images – Smithy Lane, Chris Wieszczycki, Architect
- LBH/7 Proof of evidence of Alistair Parker, Commercial
- LBH/7a Appendices to proof of evidence of Alistair Parker, Commercial
- LBH/7b Summary proof of evidence of Alistair Parker, Commercial
- LBH/8 Rebuttal proof of evidence and appendices of Paget Fulcher, Highways
- LBH/9 Formalities Folder
- LBH/10 Opening Statement by the London Borough of Hounslow
- LBH/11 London Borough of Hounslow response to written representation by Toplain  
Limited (document 8/1)
- LBH/12 Closing submissions by the London Borough of Hounslow
- LBH/13 London Borough of Hounslow response to the written representation by  
Legal and General
- LBH/14 Amended Compulsory Purchase Order Plan in relation to Plot 20
- LBH/15 Amended Compulsory Purchase Order Schedule in relation to Plot 20

### **KENTUCKY FRIED CHICKEN (OBJ1)**

- 1/1 Position letter dated 24 February 2016 on behalf of Kentucky  
Fried Chicken

### **MANTLE INVESTMENTS LTD (OBJ3) ALLIN HOLDINGS LTD (OBJ4) CANNING INTERNATIONAL (OBJ5)**

- 3/1 Proof of evidence of Ian Coward, on behalf of Mantle Investments Limited, Allin  
Holdings Limited and Canning International
- 3/2 Proof of evidence and Appendices of Paul Silcock on behalf of Mantle  
Investments Limited, Allin Holdings Limited and Canning International

3/3 Letter withdrawing Mantle Investments Ltd objection dated 9 March 2016

**TOPLAIN LIMITED (OBJ8)**

8/1 Written representation on behalf of Toplain Limited

**SJR RETAIL LLP (OBJ9) CARPHONE WAREHOUSE LTD (OBJ10) DEICHMANN-SHOES UK LTD (OBJ11)**

9/1 Written representation on behalf of SJR Retail LLP, Carphone Warehouse Limited and Deichmann-Shoes UK Limited

**LEGAL AND GENERAL ASSURANCE SOCIETY LIMITED (OBJ12)**

12/1 Written representation on behalf of Legal & General Assurance Society Limited

**BHOGAL PARTNERS SOLICITORS (OBJ13)**

13/1 Proof of evidence of Bhogal Partners Solicitors

13/2 Letter dated 2 March 2016 from Bhogal Partners to Dentons

13/3 Letter withdrawing Bhogal Partners objection dated 14 March 2016

**ROYAL MAIL GROUP LIMITED (OBJ14)**

14/1 Proof of evidence of Steve Griffith on behalf of Royal Mail Group Limited with Summary and Appendices

14/2 Letter withdrawing Royal Mail objection dated 16 March 2016

**LAWFORD PROPERTIES LIMITED (OBJ15)**

15/1 Proof of evidence of Paul Silcock on behalf of Lawford Properties Limited

15/2 Letter withdrawing Lawford Properties objection dated 16 March 2016

**ITS CONVENIENT STORE (OBJ16)**

16/1 Proof of evidence of ITS Convenient Store

**HOUNSLOW CENTRAL RESIDENTS' ASSOCIATION**

18/1 Written representation by Hounslow Central Residents' Association

