

# MARK CONNELL REBUTTAL

**APPLICANT:** L&Q

**PROPOSED DEVELOPMENT:**

*Redevelopment of the site to provide a mixed use scheme of 441 residential units (Class C3) including 50% affordable housing with ancillary facilities, flexible uses (within Classes A1, A2, A3 and B1) and a nursery (Class D1). Comprising buildings of 12, 13, 16, 17 and 18 storeys in height, with associated cycle parking, car parking, playspace, landscaping and public realm improvements.*

**Site:** Citroen Site, Capital Interchange Way, Brentford, TW8 0EX

**Planning Inspectorate Reference:** APP/G6100/V/19/3226914

**Date:** 7 January 2020

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## **Appendix 1**

i. **Claire Dickinson Housing & Viability Supplementary rebuttal**

# 1. Introduction

- 1.1. This rebuttal is written in response to the proof of evidence submitted by Shane Baker on behalf of the London Borough of Hounslow. My rebuttal focusses on the issue of planning policy and the planning balance issues raised. An appendix rebuttal by Claire Dickinson of Quod concerns issues relating to housing supply and viability.
- 1.2. For brevity, I have not sought to repeat points made by others in separate rebuttals by Dr Miele (Heritage), Mr Brown (Design).
- 1.3. I have not sought to rebut all areas of disagreement as between the several parties, and so the failure to identify any matter in this Rebuttal should not be taken as signalling my agreement to it.

## 2. Points of Rebuttal

- 2.1. For ease of cross referencing this rebuttal follows the same order as that of the evidence provided by Mr Baker.

### Key Planning History of Surrounding Sites

- 2.2. Mr Baker sets out in the key Planning History of surrounding sites in his evidence. Paragraphs 3.18 to 3.22.

### Land at Chiswick Curve Roundabout

- 2.3. In paragraph 3.21, Mr Baker refers to the Land at Chiswick Curve and the refusal of the scheme by the secretary of state.
- 2.4. No mention is made of the current legal challenge to that decision. Furthermore, no reference is made to the Citadel permission on the site, which the Council has confirmed has been implemented. It should feature in the key planning history as it is a tall building that would appear in a number of the views relevant to this application.

### Capital Interchange Way Scheme 2

- 2.5. Mr Baker references LBH recent approval of the Capital interchange Way scheme on 5 September 2019. He states that:

*“The development was found to cause less than substantial harm to the significance of heritage assets at Strand on the Green through harm to setting, however the public benefits of the proposal was considered to outweigh that harm, in particular affordable housing provision was considered to outweigh this harm.”*

- 2.6. The Capital Interchange Way scheme shares a number of characteristics with the Citroen proposal at 50% affordable housing but provides less affordable housing than the Citroen site in absolute terms. 209 affordable homes versus 218 affordable homes. Furthermore, the scheme currently relies upon 22 units of affordable rent (as opposed to London Affordable Rent).

	1-4 Capital Interchange Way	%	Citroen	%
Affordable Rent	22	41	0	35
London Affordable Rent	63		66	
Shared Ownership	124	59	152	65

- 2.7. The density of the Capital Interchange Way scheme is greater than that of Citroen (500 dwellings per hectare vs 459 dwellings per hectare). The attempt by LB Hounslow to

argue that the public benefits are distinctly more favourable at Capital Interchange Way should not be accepted and is clearly inconsistent. Furthermore, the Capital Interchange Way scheme does not include a number of other public benefits that this application scheme possesses, such as public realm improvements.

## Emerging Planning Framework

### The Great West Corridor Masterplan.

- 2.8. Mr Baker's evidence gives weight to the GWC masterplan (CDD 07) in Paragraphs 5.69 to 5.73. It should be noted that the document contains a number of flaws and inconsistencies, and if it is being relied upon these should be noted as they are of direct relevance to the application scheme.
- 2.9. The 2019 GWC masterplan has the potential to deliver 7,000 new homes. This is clearly stated in the “vision” for the area (page 5). This figure is some 500 less than the minimum target for the Opportunity Area (7,500) and much less than the 9,000 “high target” referenced in the LBH Regulation 19 local plan review (Table 4.1). The Citroen site (as per the applicant’s scheme) is included in the GWC masterplan.
- 2.10. The capacity tables (7.2) for the GWC amount to 7,161 new homes - again, short of the minimum targets. The Brentford Stadium Quarter (in which Citroen falls) is anticipated to yield 2,889 homes (as well as other significant non-residential floorspace).
- 2.11. The application scheme is clearly drawn throughout. These include Figure 7.1 (Illustrative masterplan); 7.6 (Proposed and Uses) and Figure 7.9 (Proposed Walking and Cycling Network). Indeed, it is stated that “*FB6 / Citroen site development provides the central focus in the east cluster*” (of the Stadium quarter). It is also shown in 3-D on page 141.
- 2.12. Having established that the GWC masterplan does not meet its own brief for the number of homes, but accepts and models the Citroen scheme, it goes on to propose an unfathomable drop in scale. A Blue wash of 8 storeys (24m) height is proposed across the application site (together with 1-4 Capital Interchange Way, notwithstanding that the Council has already resolved to grant permission for a taller scheme on this site as set out below). Sections (Figure 7.10) do not marry with the heights sought in 7.13.
- 2.13. The Council has subsequently resolved to grant planning permission for 1-4 Capital Interchange Way at 12, 14 and 16 storeys in height. Considerably taller than the “general” height of 8 storeys proposed.
- 2.14. The masterplan cannot be reconciled with its own housing ambitions, let alone the local plan review and draft New London Plan.
- 2.15. Mr Baker's proof (5.72) cites the View Assessment Appendix [CD07A] and its references to the Citroen application not being an acceptable approach to scale. It too is fraught with inconsistencies.

- 2.16. An “appropriate height scenario” matrix is provided in that document. Mr Baker confirms that the Citroen site is not included in the height matrix (para 5.73). It is therefore not the application site that is erroneously being considered by the authors when the document concludes appropriate heights at Fountain Leisure are 13 and 14 storeys in the matrix. It is the leisure centre itself.
- 2.17. The adjacent Fountain Leisure centre is closer to the Wellesley Road Conservation Area. Development here is more sensitive to impact on heritage assets. Consistent with other urban design principles in the GWC masterplan, namely the stepping up of scale from the conservation area, the heights of Citroen application are appropriate.

### **Draft London Plan**

- 2.18. In Paragraph 5.74 of Mr Baker's evidence he states

*“At this stage only limited weight is to be given to the draft plan due to it being only in the pre-adoption stage with unresolved objections to a number of policies including housing numbers.”*

- 2.19. I do not agree with this statement. The Mayor of London released the “Intend to Publish” version of the London Plan on 9 December. Following the Panel of Inspectors report in October 2019, the Mayor has accepted their recommendations on Housing numbers. It should also be reiterated that the recommendations pertained to the deliverability and appropriateness of small site targets not larger and strategic sites such as Citroen. Furthermore, there are no unresolved objections to the housing targets of the proposed Great West Corridor Opportunity Area. I therefore attach more than limited weight to the draft London Plan. Indeed, I attach significant weight to the emerging plan (and in particular, the housing numbers).

### **Quality**

- 2.20. The Statement of Common Ground between LBH, GLA and the applicant, states that “*It is agreed that the overall proposals provide satisfactory levels of daylight and sunlight to all homes.*” (CDF 01 Para 3.42). Yet, Mr Baker's evidence (para 6.9) states that the scheme cannot be considered high quality on the basis of 75 rooms not meeting minimum daylight standards. I do not agree with this statement.
- 2.21. The BRE guidance should be applied flexibly. It is interpretative guidance and particularly in urban environments, deviation is common. The NPPF is clear about optimisation of precious land resources and the role of such guidance. Paragraph 123 (c) of the NPPF states:

*c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework.*

*In this context, when considering applications for housing, authorities **should take a flexible approach in applying policies or guidance relating to daylight and sunlight**, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).*

2.22. Non-compliance does not preclude high quality. If it were then the bar was not met at 1-4 Capital Interchange Way nor on a number of other major schemes in the borough.

2.23. In disputing the design credentials, Mr Baker also goes on to state that

*“...there is no justification in terms of aiding legibility in the townscape or in terms of hierarchy of buildings in the townscape for it to contain the tallest buildings in the area. The site is not a major public transport interchange, not in a town centre, and would not comprise a key activity node or major destination and so has little in the value in waymarking and has no civic or significant visual importance in itself.”*

2.24. This statement ignores the fact that the site is located next to a key junction between the north and south circulars and the elevated M4. The site is accessible by a number of public transport modes. A number of the Council's documents refer to providing a focal building in this area. The site is a key activity node. It is located next to the new Brentford FC stadium. It is also located next to the Fountain Leisure Centre, a key leisure facility for the London Borough of Hounslow. The site has value in delivering public realm.

2.25. In paragraph 6.21 Reference is made to the Lionel Road Stadium scheme not complying with development plan by the Council. This is correct. However, this was not solely on the issue of heritage as inferred. It should be noted that there are a number of reasons why the application was advertised as a departure from the plan. At that time the scheme did not include any affordable housing and was a designated waste site. Neither apply to Citroen.

2.26. Mr Baker's evidence states “*A well designed scheme should be sympathetic to local character and history, but this scheme is not.*” However, Mr Baker provides no design analysis or critique of the architecture, the choice of materials, layout or orientation – his assertion is unsupported by any evidence. For brevity I do not seek to repeat the design analysis of others or that in my original evidence. However, I do note that Mr Baker's evidence fails to consider the National Design Guide as a material consideration, against which the scheme performs very well.

## **Housing Supply**

2.27. Mr Baker contends that the Council has a deliverable supply equivalent to over 10 years of its minimum annual target. A summary table is provided. However, the included appendices on the 5-year supply requirement are not properly cited as to their origin, nor the document from which they are summarised, in order to allow meaningful interrogation. Nonetheless, as clearly set out in the supplementary rebuttal by Claire

Dickinson appended to this rebuttal, this supply is based on annual targets less than half of that in the New London Plan (822 v 1,782). Furthermore, the Housing Delivery Test has shown underperformance by LBH in previous years (78%) necessitating a buffer.

### **Planning Balance**

- 2.28. Mr Baker starts his Planning Balance conclusion by stating that “The Appeals...”. This is incorrect. The application is not being appealed. It has been called in by the Secretary of State following the Mayor of London’s decision to resolve to grant planning permission.
- 2.29. The evidence of Valerie Scott also makes this incorrect reference. The front cover of Dr Scott states that it is an *appeal by L&Q against the refusal of planning permission*”. The position of the Planning Authority (The Mayor of London) is that planning permission should be granted.

[Ends]