

APPENDIX 6



Appeal Decision

Site visit made on 16 July 2007

by Mark Balchin BA(Hons) MRTPI

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

The Planning Inspectorate 4/11 Eagle Wing Temple Quay House 2 The Square Temple Quay Bristol BS1 6PN

2 0117 372 6372 email:enquiries@pins.gsl. gov.uk

Decision date:9 August 2007

Appeal Ref: APP/M3645/A/07/2037992

The Oxted Inn, Units 1-4 Hoskins Walk, Station Road West, Oxted, Surrey RH8 9HR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by J D Wetherspoon Plc against the decision of Tandridge District Council.
- The application Ref. TA/2006/910, dated 14 June 2006, was refused by notice dated 18 August 2006.
- The development proposed is the change of use of pavement for use as an external drinking/eating area.

Decision

- 1. I allow the appeal, and grant planning permission for the change of use of pavement for use as an external drinking/eating area at The Oxted Inn, Units 1-4 Hoskins Walk, Station Road West, Oxted, Surrey RH8 9HR in accordance with the terms of the application, Ref. TA/2006/910, dated 14 June 2006, and the plans submitted therewith, subject to the following conditions:
 - (i) The development herby permitted shall be begun before the expiration of 3 years from the date of this decision.
 - (ii) The external seating area hereby permitted shall not be available to customers, nor shall any chairs, seats or tables be placed thereon, outside the hours of 1100 to 2100.
 - (iii) All chairs, seats and tables shall be removed from the seating area by 2100 hours each day, and shall not be installed before 1100 hours each day.

Main Issue

2. I consider that the main issue is the effect of the proposed external seating and dining area on the living conditions of nearby residential occupants in relation to noise and disturbance.

Reasons

3. There are currently four tables adjoining the pub, which are situated immediately adjacent to the building on the edge of a courtyard. This open area is also used as a pedestrian route between the town centre and a leisure pool, supermarket and large car park to the south-east. There is a restaurant opposite, with flats above, while a railway line lies immediately behind the building. Two of the proposed tables would be located either side of one of the



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- main entrances to the building, with four others nearby adjacent to the southwest frontage of the pub.
- 4. The Council has identified particularly the occupiers of the flats above the pub as those who would be most affected by additional noise and disturbance. The appellant's evidence indicates that in summer months customers already use the courtyard adjacent to the pub. This has been corroborated by the freeholders of the site, and has not been contested by the Council. Although this activity appears to be in contravention of the original planning permission for the use, the Council has provided no evidence of complaints about noise or disturbance from the operation of the premises. Furthermore, the Police Authority has no evidence of crime or anti-social behaviour in the vicinity.
- 5. I do not consider that the likely increase in outside activity as a result of the proposal would have a significant impact. In this town centre location, I consider that any increase in noise and disturbance would be acceptable, bearing in mind the general activity and noise sources nearby. Furthermore, the Council has suggested that if the appeal were allowed, it should be subject to the area being available only until 2100 hours, which would replicate the limitation on the existing seating area. Such a restriction would help to limit late night noise and disturbance and to protect nearby residents.
- 6. I agree with the appellant that prospective occupants of a flat directly above a pub within the town centre are likely to expect, or to be aware of, a degree of noise and disturbance from the premises. In such a location, expectations of peace and quiet would, in my opinion, be limited, especially during the evenings.
- I conclude that the external seating and dining area would not harm the living conditions of nearby residential occupants in relation to noise and disturbance.
 The proposal would therefore not conflict with Policies BE1 and SH8 of the Tandridge District Local Plan 2001.
- 8. I agree with the Council that, for consistency, the conditions covering the activity should reflect those relating to the existing seating area. I have therefore imposed limited hours of availability and a requirement to remove all tables and chairs each day. I do not consider that there is a need to submit details of the means of enclosure of the seating area, as in this case, none has been proposed.

Mark Balchin



APPENDIX 7



Appeal Decision

Hearing held on 22 January 2008 Site visit made on 22 January 2008

by David Green MRICS DIPTP MRTPI

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

The Planning Inspectorate 4/11 Eagle Wing Temple Quay House 2 The Square Temple Quay Bristol BS1 6PN

2 0117 372 6372 email:enquiries@pins.gsi.g

Decision date: 7 March 2008

Appeal Ref: APP/F5540/A/07/2043424 Moon Under Water, 84-86 Staines Road, Hounslow, TW3 3LF

The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.

The appeal is made by J D Wetherspoon plc against the decision of the Council of the

London Borough of Hounslow.

The application Ref 01054/84-88/P20, dated 11 July 2006, was refused by notice dated

20 December 2006.

The application sought planning permission for change of use from ironmongers to ale, wine and food bar (A3 Class) without complying with a condition attached to planning permission Ref 1054/84-86/P12, dated 25 September 1990.

The condition in dispute is No 3 which states that: Hours of use shall be restricted to 10.30am till 11.30pm Monday to Saturdays, and 11.30am till 3.30pm and 6.30pm and

11.00pm on Sundays.

The reason given for the condition is: To safeguard the amenities of nearby residential property.

Decision

- 1. I allow the appeal and grant planning permission for change of use from ironmongers to ale, wine and food bar (A3 Class) at Moon Under Water, 84-86 Staines Road, Hounslow, TW3 3LF in accordance with the application Ref 01054/84-88/P20 dated 11 July 2006, without compliance with condition number 3 previously imposed on planning permission Ref 1054/84-86/P12 dated 25 September 1990 but subject to the other conditions imposed therein, so far as the same are still subsisting and capable of taking effect and subject to the following new condition:
 - 3) The use hereby permitted shall not be open to customers outside the hours of 07:00-00:30 the following morning, but subject to the following extended hours applying on specific dates:

07:00-01:00 the following morning on Thursday preceding Good Friday and on Sundays preceding Bank Holiday Mondays;

07:00-02:30 the following morning on Christmas Eve, Boxing Day and New Year's Eve; and

07:00-01:30 the following morning on Burn's Night (25 January), Australia Day (26 January), St David's Day (1 March), St Patrick's Day



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(17 March), St George's Day (23 April) and St Andrew's Day (30 November).

Procedural Matters

- 2. I note that both the planning application and this appeal were submitted on the basis of the site's address being 84-86 Staines Road, whereas the Council processed and determined the application on the basis of the address being 84-88 Staines Road. This matter was clarified during the hearing, with both parties agreeing that the latter address is correct. However, the premises were correctly described by the name of the public house and the Council used the correct postal address in its consultation and notification letters. Accordingly, I am satisfied that no person has been prejudiced as a result of this error.
- 3. I note also that the Council processed and determined the application on the basis that the hours of opening being sought for Burn's Night are 07:00-02:30, whereas documents accompanying the application specified 07:00-01:30. It was agreed by both parties at the hearing that the latter times were correct. As the Council's consultation and notification letters referred to longer hours than were in fact being sought, I am satisfied that no person has been prejudiced as a result of this error.

Main issue

 I consider the main issue to be the effect of the proposed variation of condition on the living conditions of neighbouring properties, with particular reference to noise and disturbance.

Reasons

- 5. The Moon Under Water comprises a large public house fronting the A315 Staines Road. It is located within a primarily three storey parade comprising commercial premises at ground floor level with residential accommodation above. The public house benefits from a paved yard to the rear, which provides an external seating area for customers. This area also contains a small canopy attached to the back wall of the building to afford a degree of shelter from the elements, mainly for the benefit of smokers. Access to the yard is gained solely via the public house itself. Closed circuit television cameras monitor activities throughout the public house, including at the building's street frontage and within the rear yard area.
- 6. I have identified the key development plan considerations as policies ENV-P.1.5 and S.1.4 of the London Borough of Hounslow Unitary Development Plan (UDP). Policy ENV-P.1.5 seeks to resist any development proposals which could result in unacceptable levels of noise nuisance to nearby or future occupiers. Policy S.1.4 relates specifically to non-retail uses outside primary and secondary frontages within the main shopping areas. It sets out a number of criteria against which changes of use from retail to non-retail are to be assessed, including whether there would be any adverse effect on residential amenity.
- 7. Evidence was presented at the hearing that, whilst the appeal premises do not fall within either a primary or a secondary shopping frontage as defined in the UDP, they do lie immediately adjacent to the delineated boundary of the town

centre. From observations made during my site visit, I consider the area to be primarily commercial; characterised by a range of retail and non-retail uses, large office buildings and, immediately to the rear of the site, a substantial bingo hall. I noted also that Staines Road is a busy highway and bus route. In my judgement, persons occupying residential accommodation above this shopping parade could be expected to balance a living environment heavily influenced by commercial activity against the advantages of proximity to town centre and public transport facilities.

- 8. The Council has no objection to the proposed 07:00 opening time or to the "normal" closing time of 00:30, but it does object to the later closing times sought on nine specific dates throughout the year. During the hearing, clarification of the Council's case identified two main areas of concern regarding potentially harmful, late night, impact on the living conditions at first and second floor level above and adjoining the public house. These are noise caused by persons entering and leaving (or attempting unsuccessfully to gain access to) the premises, disturbance from anti-social behaviour, and noise from customers using the rear yard area and "smokers' shelter".
- 9. No evidence has been put before me as to the existing noise climate in this area at the times that the proposed extended hours would operate. It is clear, however, that other premises in the area offering food and drink remain open until the early hours of the morning. In this instance, the extended night-time hours being sought for the Moon Under Water would reflect those sanctioned under the Licensing Act 2003. I have been provided with considerable evidence concerning the manner in which the appeal premises are run, which demonstrates to me an efficient operation that takes care to avoid disturbance being caused to neighbouring uses. In these circumstances, I consider there to be little likelihood of unreasonable noise disturbance being caused, whether along the street frontage immediately beneath the upper floor accommodation or within the rear yard, which is more distant.
- 10. I have had regard to all material matters arising in this case, but I am mindful of the edge of town centre characteristics of the area, the busy nature of Staines Road, the manner in which the public house is operated and the limited number of occasions on which opening would extend beyond 00:30. Having regard to these considerations, in my judgement the additional night-time hours sought would not be harmful to the living conditions of the nearby residential accommodation. I therefore find the proposed variation of condition acceptable in the context of UDP policies ENV-P.1.5 and S.1.4. However, I consider it inappropriate for opening hours to be completely unrestricted and have imposed a new condition to reflect the terms upon which the application to the Council was made.

David Green

Inspector

APPEARANCES

FOR THE APPELLANT:

Duncan Parr BA DUPI DipTP FRGS MRTPI Cgeog MEWI Savills Hepher Dixon, Lansdowne House, 57 Berkeley Square, London, W1J 6ER

David Hart

J D Wetherspoon plc, Reeds Crescent, Watford, WD24 H26

FOR THE LOCAL PLANNING AUTHORITY:

Mark O'Leary

London Borough of Hounslow

DOCUMENTS SUBMITTED AT THE HEARING

- 1 Copy of letter dated 20 July 2006 from Hepher Dixon to the Council confirming the correct address of the application site as 84-88 Staines Road, Hounslow, TW3 3LF
- Copy of the Council's letter dated 2 August 2006 to neighbouring owners/occupiers, which correctly states the application site's address as 84-88 Staines Road
- Copy of the Secretary of State's direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004, relating to policies contained in the London Borough of Hounslow Unitary Development Plan
- 4 1:1250 scale Ordnance Survey extract showing the correct boundary of the appeal site and its location in relation to other licensed premises in the area
- 5 Copy of Premises Licence H00488 issued by the London Borough of Hounslow, relating to the Moon Under Water public house



APPENDIX 8



The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

Room 1404 Tollgate House Houlton Street Bristol BS2 9DJ

Direct Line Switchboard Fax No 0117-987-8927 0117-987-8000 0117-987-8769

GTN

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Anthony Bowhill & Associates 4 Leathermarket Street London SE1 3HN

Your Ref:

Our Ref:

T/APP/M5450/A/96/266360/P7

Date

15 APR 1997

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6 APPEAL BY J D WETHERSPOON PLC APPLICATION NO: EAST/84/96/FUL

- 1. I have been appointed by the Secretary of State for the Environment to determine this appeal against the failure of the Council of the London Borough of Harrow to give, within the prescribed period, notice of their decision in respect of an application for the change of use to A3 of No 34 High Street, Wealdstone, extending the existing public house at No 32, and installing a new shopfront at No 34. I held a local inquiry into the appeal on 2 and 3 April 1997.
- 2. From my inspection of the site and its surroundings and from the representations made, I consider the main issues in this case to be first, whether the proposed development would detract from the vitality and viability of the Wealdstone shopping centre; and second, whether it would detract unduly from the amenity enjoyed by neighbouring residents.
- 3. The appeal premises comprise a vacant shop unit on the ground floor of a 3-storey building. The accommodation above the shop unit is in residential use. The application provides for the erection of a small, single-storey, rear extension, which would be used for cooled storage. The remaining part of the yard at the rear of the appeal premises would be used as a beer-garden.
- 4. To the south the appeal premises abut the "Sarsen Stone" public house, which your clients propose to extend. There are two floors of residential accommodation above the "Sarsen Stone". Immediately to the south of the "Sarsen Stone" there is a betting office; and then a further vacant shop unit at the corner of High Street and Palmerston Road. Immediately to the north of the appeal premises there is a bank at the corner of the High Street and Peel Road, a pedestrian route which runs eastwards from the High Street to provide access to some public car parks. Beyond Peel Road there is a vacant supermarket, previously occupied by Safeways. On the west side of the High Street, opposite the appeal premises, there is a large public house called "The Queen's Arms".

COFIED BY





- 5. The London Borough of Harrow Unitary Development Plan (UDP), which was adopted in November 1994, classifies Wealdstone as a District Centre, and indicates that the appeal premises lie within a key shopping frontage. Policy S13 of the UDP states that the change of use of retail shops in key shopping frontages will normally be resisted unless certain criteria are met. One criterion is that the new use should provide a service which is directly related to shopping; and which will support the retail function. Another criterion is that a frontage appropriate to a shopping area should be maintained. There is no dispute that the proposed development would comply with both of these criteria.
- 6. A third criterion indicates that, in a District Centre, not more than 25% of the length of the key shopping frontage should be in non-retail use. In Wealdstone, about 31% of the relevant frontage length is non-retail. The effect of the proposed development would be to increase this figure to about 32.7%. Plainly the criterion would not be met. However, paragraph 5.46 of the UDP indicates that failure to meet this criterion need not lead automatically to a refusal of planning permission, provided that the proposed development would have benefits which would outweigh the potential adverse impact on the vitality or viability of the shopping area.
- 7. In the present case, I do not consider that the proposed development would have any adverse impact on the vitality or viability of the Wealdstone centre. The appeal premises have been actively marketed since October 1994, but no offer has been made by any prospective retail user. It is clear to me that the Wealdstone shopping area is in a very depressed state. Nearly 23% of the ground floor units in the District Centre are either vacant or to let. The evidence suggests that many traders in search of premises are pessimistic about Wealdstone's future.
- 8. I note that the Council are investing substantial sums in an improvement scheme which has included the removal of through traffic; the pedestrianisation of the High Street; and the provision of additional parking space. The scheme is not yet complete; in time it may give Wealdstone a competitive advantage and attract new business. But so far it does not seem to have arrested the decline in this centre. In this connection, I note that the Kwik Save supermarket at Nos 88-92 High Street is to cease trading in a few weeks time. That will almost certainly have the effect of reducing activity in the centre, depressing confidence yet further, and increasing the stock of vacant retail property.
- 9. In these circumstances I can see little likelihood of the appeal premises being reoccupied for retail use in the immediate future. If the present appeal were dismissed, I think it more probable that this accommodation would remain vacant for an indefinite period. It would generate no activity; and it would detract from the vitality of the centre.
- 10. By contrast, it seems to me that the proposed development would make a positive contribution to the commercial life of Wealdstone. The very fact that one of the many vacant shop units in the High Street would be restored to a beneficial use, providing some 6 additional jobs, would itself be a significant advantage. Your clients expect that the business done by the "Sarsen Stone" would double as a result of the proposed enlargement. In a recent survey, this public house attracted over 120 patrons before 1730 hours on a weekday; and almost 200 customers during shopping hours on a Saturday. I have no doubt that its business would increase with a more spacious layout and the additional attraction of a beergarden. I note that your clients' public houses elsewhere attract more visitors than certain neighbouring retail outlets. In my view, the proposed development would be bound to bring

extra vitality to Wealdstone High Street; and the increased activity generated could well result in more trade for existing businesses in this centre.

- 11. Furthermore the proposed shopfront and the conversion of the back yard to a beergarden would improve the appearance of the appeal premises. Your clients intend to invest about £250,000 in the refurbishment of the building. That will do no harm to the confidence of existing or prospective traders in Wealdstone; both public and private investment will be needed if the decline in this centre is to be arrested. In my view, the proposed development would bring significant benefits which clearly outweigh the advantages of reserving the appeal premises for retail occupation.
- 12. Policy S13 of the UDP also indicates that the change of use of retail premises in a key shopping frontage should neither create nor add to a harmful concentration of non-retail uses. Paragraph 5.47 of the supporting text suggests that harm will arise if the concentration of non-retail uses adversely affects the character of the centre or undermines the contribution which the particular frontage makes to the centre as a whole. I note that in dealing with a previous appeal concerning No 98 High Street, Wealdstone, the Inspector concluded that harm would arise if half (or more) of the units in a given frontage were in non-retail use. However, paragraph 5.47 of the UDP makes it clear that the form of an unacceptable concentration of non-retail uses may vary according to local circumstances. Consequently, the previous Inspector's assessment, based on the particular circumstances of one case, should not be regarded as definitive.
- 13. The proposed development would clearly add to the concentration of non-retail uses; if it were to proceed there would be no Class A1 retail premises in the frontage between Peel Road and Palmerston Road. However, for the reasons given in paragraphs 7 to 11 above, I am not persuaded that that would be harmful. The proposed use would not create a "blank" frontage. The enlarged public house would be open for business for most of the normal shopping day. The proposed development would certainly attract more customers than a vacant shop, and might well generate more activity than some retail outlets; and it would improve the appearance of this part the centre. In my view, it would be likely to have a beneficial effect on the vitality and viability of Wealdstone High Street.
- 14. I turn now to consider the likely effect of the proposed development on residential amenity. Policy E46 of the UDP requires that there should be a high standard of design in all new developments, which should have regard to the impact on the community. Policy E51 indicates that in assessing planning applications, the Council will have regard to the level of noise which will result from the proposed development.
- 15. In the present case, I note that it is your clients' policy that no music should be played in their public houses. As a result, their premises generate relatively little noise. I also note that the "Sarsen Stone" has been effectively sound-proofed, so that noise from inside the existing public house is not discernible in the residential accommodation above. I know of nothing to suggest that a similar level of sound-proofing could not be achieved in the appeal premises. I understand that it will not be necessary for potentially noisy ventilation equipment to be installed on the roof of the proposed cooled store extension. Instead this can be located in the same area as the equipment which currently serves the existing public house. In my view, it would be appropriate to impose planning conditions to deal with these matters.

- 16. The proposed development will be likely to result in increased numbers of people entering or leaving the "Sarsen Stone" late in the evening. There is clearly a risk that neighbouring residents could be disturbed by customers using raised voices, slamming car doors and so on. However, there are already a number of catering establishments which stay open late in this part of Wealdstone High Street. For instance, in addition to the "Sarsen Stone" and the "Queen's Arms", there is a McDonald's fast food restaurant immediately to the south of Palmerston Road, which closes at 2300 hours; and a hot food take-away on the opposite side of the High Street, which remains open until 0300 hours. It seems to me that local residents are already at risk of some nocturnal disturbance. I see no reason why that risk should increase significantly as a result of the proposed development. In any event, the appeal premises are in a District Centre with an established evening economy. People who live in such a location cannot reasonably expect the same degree of tranquillity as might typify a residential estate.
- 17. The proposed beer-garden could clearly be a source of disturbance to the occupants of the flats above and adjacent to the appeal premises. That facility would have a maximum capacity for about 60 customers. During the daytime and early evening, the level of noise generated in the beer-garden would probably not be much greater than the ambient noise level already experienced in this area, which has been measured at between 53 and 56 dB(A)Leq. I note that your clients intend to provide an acoustic screen above the proposed cooled store extension; and to line the walls of the beer-garden with material which will absorb sound. Those measures should be of benefit and can be secured by the imposition of a condition.
- 18. However, occasional shouts and bursts of laughter in the beer-garden would almost certainly be audible in the adjacent residential accommodation, particularly if windows were open. I understand that if two customers in the garden were to shout at one another simultaneously, a noise level of about 59 dB(A)Leq would result at the residential facade. Application of the standard set out in BS8233:1987 suggests that the maximum noise level external to a bedroom window should be 50 dB(A)Leq. I conclude that the use of the beer garden late at night could prevent neighbouring residents from sleeping.
- 19. As far as I am aware, the flats which overlook the beer-garden each have only one bedroom. In view of this they are unlikely to be occupied by families with children. In the circumstances I consider it reasonable to impose a condition which would permit the beer-garden to be used up until 2200 hours.
- 20. I have considered the other conditions suggested at the inquiry. I do not consider it appropriate to impose any condition restricting the hours during which the enlarged public house might be open. In my view that is a matter which should be dealt with under licensing law. Paragraph C3 of Annex C to PPG1 makes it clear that planning powers should not normally be used to secure objectives achievable under other legislation. Nor do I consider it necessary to impose a condition restricting the benefit of the permission to the appellants. Otherwise, the conditions suggested seem to me to be both necessary and reasonable.
- 21. I have taken account of all the other matters raised, including the various appeal decisions cited, but I do not find any of these factors to be sufficient to outweigh the considerations which have led me to my decision.
- 22. For the above reasons and in exercise of powers transferred to me, I hereby allow this appeal and grant planning permission for the change of use to A3 of No 34 High Street,

Wealdstone, extending the existing public house at No 32, and installing a new shopfront at No 34, in accordance with the terms of the application (No EAST/84/96/FUL) dated 5 February 1996 and the plans submitted therewith, subject to the following conditions:

- 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this letter.
- 2. Notwithstanding the provisions of Part 3 of Schedule of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) the premises the subject of this permission shall be used only for purposes falling within Class A1 (Shops) or Class A3 (Food and Drink) of the Town and Country Planning (Use Classes) Order 1987 and for no other purpose.
- 3. No hot food shall be sold for consumption off the premises.
- 4. The development hereby permitted shall not commence until details of arrangements for access to and egress from the appeal premises for disabled people have been submitted to and approved by the local planning authority. The approved arrangements shall be provided before the use hereby permitted begins, and shall be retained thereafter.
- 5. The external materials to be used in the construction of the extension hereby permitted shall match those used in the existing building.
- 6. The development hereby permitted shall not begin until a scheme detailing the arrangements required for ventilation and fume extraction has been submitted to and approved by the local planning authority. The approved arrangements shall be provided before the use of the premises hereby permitted begins, and shall be retained thereafter.
- 7. The premises shall not be used for the playing of live or recorded music.
- 8. Before the development hereby permitted commences, a scheme shall be agreed with the local planning authority which specifies the provisions to be made for the control of noise emanating from the site;
- 9. The beer-garden shall not be open to the public after 2200 hours or before 0900 hours on any day;
- 10. The development hereby permitted shall not commence until a scheme for the storage and disposal of refuse has been submitted to and approved by the local planning authority. The approved arrangements shall be provided before the use hereby permitted begins, and shall be retained thereafter.
- 23. An applicant for any consent, agreement or approval required by a condition of this permission has a statutory right of appeal to the Secretary of State if consent, agreement or approval is refused or granted conditionally or if the authority fail to give notice of their decision within the prescribed period.

- 24. The developer's attention is drawn to the enclosed note relating to the requirements of the Building Regulations 1991 with respect to access for disabled people.
- 25. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Yours faithfully

MICHAEL HURLEY BA DipTP MRTPI

Michael Halen

Inspector

T/APP/M5450/A/96/266360/P7

APPEARANCES

FOR THE APPELLANTS

Mr Christopher Whybrow QC

Instructed by

Anthony Bowhill and Associates

4 Leathermarket Lane London SE1 3HN

He called:-

Mr T Martin

Chairman and Chief Executive

J D Whetherspoon plc

Mr P Ferrari BLndEcon

Property Consultant

Mr P Allen BSc DipM MCIM MIOA

Noise Consultant

Mr A Bowhill MA LLM BSc FRICS FRTPI -

Planning Consultant

FOR THE COUNCIL

Mr Nigel Hewitson BA LARTPI

Solicitor, Harrow LBC

He called:-

Mr P Illiffe BA MRTPI

Development Control Officer,

Harrow LBC

DOCUMENTS

1	Attendance list
2	Council's letter giving notice of the inquiry
3	Letters from interested persons
4	Appendices to Mr Martin's evidence
5	Illustrated brochure submitted by Mr Martin
6	Appendices to Mr Ferrari's evidence
7	Appendices to Mr Allen's evidence
8	Appendices to Mr Bowhill's evidence
9	Plans and photographs submitted by Mr Bowhill
10	Appendices to Mr Iliffe's evidence
11	Extract from the "Harrow Informer" - 28/3/97
12	Extract from "Planning" - 7/3/97
13	Environmental Health Officer's recommendation
14	Planning appeal decisions