This application is being taken to Planning Committee as a Major Scheme with a Legal Agreement.

1.0 SUMMARY

1.1 The proposal involves demolition of existing buildings within London Underground’s Acton Works site which is designated as a locally Significant Industrial Site (LSIS) in the Local Plan to provide a Train Modification Unit (TMU) building.

1.2 The proposed TMU represents a £20 million investment by LUL and it would deliver a major package of repair and upgrade works on the Central Line’s train fleet between 2018 and 2022. This is the first project that would be carried out in the new workshop and it would create approximately 150 additional jobs (100 daytime staff and 50 night-time staff). The total number of staff employed at the Acton Works site would increase to 730 during the daytime and 450 at night.

1.3 The proposals would contribute to increased local employment and industrial development at Acton Works and it is considered that the proposal is complementary to the function and character of the LSIS designation which covers the whole of Acton Works and there would be no harm to the surrounding neighbouring amenity and complies with the Policies.

1.4 The application is recommended for approval.
2.0 SITE DESCRIPTION

2.1 The proposed site of the TMU is at the south western edge of the Works site.

2.2 Acton Works was established in 1922 as main train overhaul facility for the Underground Group. It contains several buildings and sheds dating from 1922, 1932, 1950 and the 1980s. Many older buildings are now reaching the end of their service life and some only used for storage.

2.3 The Works site is a large triangular shaped plot bounded by track on all sides. Outside this triangle of track, to the north, east and west, London Underground has further properties and land. The triangle is formed by the District & Piccadilly Lines to the east and the permanent way entering the site to the west; with its junction to the Underground network lines to the
north at Acton Town Station. The third (south east) side of the triangle is the Kew Bridge Network Rail line.

2.4 The total Acton Works site area is approximately 13.4 hectares. The railway track on the eastern edge also forms a boundary between Ealing and Hounslow boroughs.

2.5 The Works site has its primary vehicle access from the east off Bollo Lane in Ealing. A secondary controlled access is available from Gunnersbury Lane adjacent to Acton Town Station, 370 metres from the Bollo Lane access. This leads to a small plot of land north-west of the permanent way

2.6 Bollo Lane and Gunnersbury Lane connect to the North Circular Road and the M4 to the south-west and northwards towards the A40/M40 and provides connectivity to the national road network.

2.7 There is a total of 340 parking spaces available on site of which 189 are used by private cars (including staff and visitors). There are two main car parking areas near the site entrance off Bollo Lane and to the rear on the western part of the site, with additional car parking adjacent to various key buildings on the site.

2.8 Acton Works has a Public Transport Accessibility (PTAL) Level of 3 with part of the site by the western and south western boundaries being PTAL 2 and PTAL 1a respectively.

2.9 Acton Works is designated as a locally Significant Industrial Site (LSIS) in the Local Plan. It site operates on a 24-hour basis and employs 630 daytime staff with 350 night time staff. Shift patterns are arranged around public transport working hours i.e. staff are always able to travel by underground or by bus, in addition to walking or cycling.

2.10 The proposed site of the development comprises railway sidings and there is one existing building – in a poor state and to be demolished - located to the south-west. The building is two storeys with a pitched roof and has a footprint of approx. 549 sq m (gross internal area).

2.11 To the north, east and south of this plot are large industrial and warehouse units forming part of the wider Acton Works depot. The western edge of the application site adjoins land at the London Transport Sports Ground, beyond which are houses and flats.

3.0 HISTORY

3.1 01477/A/LAW1 Use of premises as general industrial (B2).

   Lawful: 17/06/1997

3.2 00536/B/LAW1 Certificate of lawful development for the proposed construction of a two storey service control centre, with associated plant and equipment rooms, security fencing and four new car parking spaces.

   Lawful: 24/03/2010
4.0 DETAILS OF PROPOSAL

4.1 The application is by London Underground Ltd (LUL). LUL intends to develop the Works site to support the London Underground network operational maintenance function by replacing life expired assets, and consolidating and optimising their use of the facility. This application forms a part of this and proposes a new Trains Modification Unit (TMU), which is the initial phase of new works at this site.

4.2 The proposed TMU would carry out modifications and upgrades on all rolling stocks including wheel set overhauls, electrical installation, total train refurbishments and major fleet-wide modification projects.

4.3 The proposed building would extend to 7,815 sq m gross internal area and comprises 1,022 sq m two-storey staff accommodation with the rest of the building functioning as a single storey Class B2 workshop space.

4.4 The proposed layout of the TMU building has been driven by LUL’s functional requirement for a TMU facility, which would allow other areas of the Acton Works to be upgraded in the future.

4.5 The building would be approximately 160 metres long, 50 metres wide and 13.5 m high. The length of the building is led by the length of the 1992 Central Line eight-car trains.

4.6 A pedestrian route around the perimeter of the building is proposed. There would be large openings on the north western façade where the trains enter the building and on the north eastern façade where forklift truck access is required. The mass of the building steps down along the western façade, so do the size of openings contained within it.

4.7 There are different roof designs on the proposed building to define the activities taking place within the building. A pitched roof is positioned over the rail tracks with roof lights and the height of the workshop area is led by the scale of the cranes required to be used inside the space along the southern and north eastern areas of the building. A flat roof is proposed along the staff accommodation section.

4.8 A lightweight cladding system is proposed. The colour scheme and materials are part of the overall design concept and is considered in detail in paragraph 7.16 - 7.24.

4.9 There would be no changes to the access to the Works site.

4.10 The building would be fully accessible for all users and with lift access serving the staff accommodation and accessible toilets.

4.11 No additional car parking is proposed but an additional 16 long-stay and 8 short-stay cycle parking spaces would be provided.

4.12 The proposal would result in an additional 100 day and 50 night staff.
5.0 CONSULTATIONS

5.1 Two hundred and thirteen neighbours notified and the Gunnersbury Park, Garden Estate & Adjacent Areas Residents' Association on 06/03/2017. A site notice was posted on 15/03/2017, and the application was advertised in the local press on 17/03/2017. One individual objection was received as follows:

<table>
<thead>
<tr>
<th>Comment</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Workshop would be open 24 hours and create noise disturbing residents. We would like this area to remain quiet residential area.</td>
<td>See paras 7.09-7.11</td>
</tr>
</tbody>
</table>

5.2 Gunnersbury Park GE Residents' Association object:

The complex will be a huge structure that will overwhelm those living close to it and the workshop will be open 24 hours a day;

The noise will be stressful during the day and will disrupt residents’ sleep at night affecting their health especially those living at the lower end of Princes Avenue, and in Manor Gardens and Park Place;

The area is currently a quiet residential conservation area and the residents would like it to remain so.

6.0 POLICY

Determining applications for full or outline planning permission

6.1 The determination must be made in accordance with the development plan unless material considerations indicate otherwise. Local finance considerations must also be assessed.

The National Planning Policy Framework

6.2 The National Planning Policy Framework (NPPF) came into force on 27 March 2012 and has replaced national policies and guidance formerly contained in Planning Policy Statements and Planning Policy Guidance notes and some other documents. The Local Planning Authority (LPA) considers that, where pertinent, the NPPF is a material consideration and as such, it will be taken into account in decision-making as appropriate.

The Development Plan


6.4 The Local Plan documents can be viewed on the Planning Policy pages of the Hounslow website.
6.5 **Relevant London Plan Policies**

2.7 Outer London economy
4.1 Developing London’s economy
4.4 Managing industrial land and premises
4.12 Improving opportunities for all
5.1 Climate change migration
5.2 Minimising Carbon Dioxide Emissions
5.3 Sustainable Design and Construction
5.12 Flood risk management
5.13 Sustainable Drainage
5.18 Construction, excavation and demolition waste
5.21 Contaminated land
6.1 Strategic approach
6.3 Assessing effects on development on transport capacity
6.9 Cycling
6.13 Parking
7.1 Lifetime neighbourhoods
7.2 An Inclusive Environment
7.4 Local Character
7.5 Public realm
7.6 Architecture
7.15 Reducing and managing noise
8.3 Community Infrastructure Levy

6.6 **Local Plan**

**CC1**  Context and Character
**CC2**  Urban Design and Architecture
**ED1**  Promoting Employment Growth and Development
**ED2**  Maintaining the Borough’s Employment Land Supply
**ED4**  Enhancing local skills
**EQ1**  Energy and Carbon Reduction
**EQ2**  Sustainable Design and Construction
**EQ3**  Flood Risk and Surface Water Management
**EQ5**  Noise
**EQ7**  Sustainable waste management
**EQ8**  Contamination
**GB7**  Biodiversity
**EC1**  Strategic transport connections
**EC2**  Developing a sustainable local transport network
**IMP1**  Sustainable development
7.0 PLANNING ISSUES

The principle of the proposed development

7.1 At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking (Para 14).

7.2 The NPPF emphasises meeting local needs through providing high quality community services and good design, while protecting the local environment. It seeks to protect open space, with reference to specific local need and taking account of replacement or mitigation measures.

7.3 Local Plan Policy IMP1 (Sustainable development) states that the Council “will take a plan-led approach to all growth and development within the Borough that is considered to be in accordance with the principles of sustainable development as set out in the NPPF, with a balance of social, environmental and economic dimensions”. This policy re-iterates the NPPF’s presumption in favour of sustainable development.

Locally Significant Industrial Site

7.4 The site is designated as a Locally Significant Industrial Site (LSIS) on the Policies Map and identified as continuing to be locally significant through the Hounslow Employment Land Review 2004 and 2011.

7.5 Local Plan Policy ED1 promotes employment growth and development and requires directing new industrial/warehousing developments on allocated sites and to the borough’s Strategic Industrial Sites, Locally Significant Industrial Sites and other existing industrial sites.

7.6 Local Plan Policy ED2 aims to maintain the Borough’s employment supply and it expects development proposals to provide an assessment demonstrating that the proposals do not compromise the objectives of the LSIS designations and/or, where relevant, with the objectives of Great West Strategic Outer London Development Centre.

7.7 The TMU would provide 7,815 sq m gross internal area of Class B2 floor space within a LSIS. The proposal would thus accord with the employment and industrial character of the LSIS and enable upgrade of the existing insufficient capacity and poor buildings to work on a new fleet of longer walk-through trains.

Employment generation

7.8 The proposed TMU represents a £20 million investment by LUL at Acton Works and it will deliver a major package of repair and upgrade works on the Central line’s fleet of trains between 2018 and 2022. This is the first project that would be carried out in the new workshop and it would create approximately 150 additional jobs (100 daytime staff and 50 night-time staff). The total number of staff employed at the Acton Works site would increase to 730 during the daytime and 450 at night. On completion of the Central Line works, the size of the TMU’s workforce would vary according to the future volume of projects.
7.9 The proposal would contribute to increased local employment and industrial
development at Acton Works and it is considered that the proposal is
complementary to the function and character of the LSIS designation which
covers the whole of Acton Works and complies with the Policies.

**Character and Appearance**

7.10 The National Planning Policy Framework requires development to achieve a
good design and should respond to local character and history, and reflect the
identity of local surroundings and materials, while not preventing or
discouraging appropriate innovation. It continues (Paragraph 60) that planning
decisions should not seek to impose architectural styles or particular tastes
nor stifle innovation, originality or initiative through unsubstantiated
requirements to conform to certain development forms or styles. It is, however,
proper to seek to promote or reinforce local distinctiveness.

7.11 Thus, any development on site must be considered in relation to local scale,
density, appearance and layout and the impact on neighbours, traffic and
parking.

7.12 Paragraph 64 of the NPPF says permission should be refused for poor
designed development that fails to take the opportunities available for
improving the character and quality of an area and the way it functions.

7.13 Paragraph 65 of the NPPF says local planning authorities should not refuse
planning permission for buildings or infrastructure which promote high levels
of sustainability because of concerns about incompatibility with an existing
townscape, if those concerns have been mitigated by good design.

7.14 London Plan policy 7.1 says new buildings and spaces should help reinforce
or enhance the character, legibility, permeability and accessibility of the
neighbourhood. Policy 7.4 says development should have regard to the
pattern and grain of existing streets in orientation, scale, proportion and
mass, and other policies including 7.5 and 7.6 also emphasise design
quality and ensuring development relates well to its surrounds.

7.15 Local Plan Policies CC1 (Context and Character) and CC2 (Urban Design
and Architecture) promote high quality design that enhances environmental
quality and townscape, respects the proportions of neighbouring buildings
and helps to create attractive, distinctive, and liveable places. It should
respond sensitively to a site, its characteristics and constraints, and the
layout grain, massing and height of surrounding buildings.

7.16 The height of the building would be less than the tallest structure at Acton
Works. The length of the building is dictated by functional requirements.

7.17 Although the proposal would be a large shed, its size and scale would be in
line with the other buildings within the Works. The length is led by that of the
new trains – eight-car configurations with an additional two metres
clearance provided from the end wall and two metres from the buffer stop.

7.18 Thus, the proposal, due to its industrial location would not harm the area’s
character and appearance and would relate well to scale, height and
massing in the locality in accord with London Plan and Local Plan policies.
7.19 The design of the roof has been a key element and different roof treatments have been used to define the activities taking place within the building.

7.20 A pitched roof is positioned over the rail track with roof lights to maximise natural light. The height of the workshop area is led by the scale of the cranes required inside the space along the southern and north eastern areas of the building.

7.21 A flat roof is proposed for the low level roof to the staff accommodation. This lower level roof helps to limit the impact of the building on the surrounding area. The higher roof forms are stepped back and define the main workshop area within the ‘book ends’ that identify the crane and track entrances.

7.22 A lightweight cladding system is proposed. The north west and south eastern ends of the building would have the same block colour treatment over the full height of the façade marking the beginning and end of the long elevation. These two elements bookend the lower level green roof. Below the green roof the façade fades from a lighter to darker tone of green to ground this element of the building. Above the first floor of the green roof, the elevation becomes a mix of light coloured translucent and opaque panels.

7.23 The design and colour scheme are considered appropriate for this industrial setting. Therefore the proposal is considered to be compatible with the area, although to ensure appropriate quality for the development the materials would need to be approved by condition (3).

7.24 The proposals are considered to comply with the NPPF, the London Plan and Local Plan Policies.

Impact on the neighbours

7.25 Local Plan Policies CC2 (Urban design and architecture) and EQ5 (Noise) state that new development should protect neighbours’ living conditions.

Noise

7.26 One of the main concerns of this proposal is its potential noise impact on neighbours. The submission includes a noise assessment of potential noise and vibration impacts associated with the TMU.

7.27 A baseline noise survey was undertaken by the Noise and Vibration Team at London Underground and long term noise measurements were conducted continuously over days, including weekdays and weekend, during both day and night-time hours at five locations (see the image below) representative of the closest noise sensitive receptors.

7.28 The baseline noise survey identified:

- The main existing noise source along the north-western boundary of the site (represented by Position 1) includes constant noise from an air conditioning unit on the roof of a building opposite the tracks within Acton Works.
- Noise originating from within Acton Works and the rustling of vegetation dominated the noise ambient along the **western boundary** of the site (represented by Position 2).

- The most dominant noise sources along the **south-western boundary** of the site (represented by Position 3) would be expected to be from the playing fields and noise from vehicles using the car park located south of the monitoring location.

- The acoustic climate along the **southern boundary** of the site (represented by Position 4) is be dominated by trains travelling along the Network Rail line along the southern boundary of Acton Works and by noise from maintenance workers testing and talking within the compound at the north-west corner of Chiswick Park Estate, where the noise equipment was installed.

- Noise from train movements and vehicles using the car park to the south east of Acton Works are the main sources of noise along the **southeastern boundary** of the site (represented by Position 5).

- Aircraft noise and birdsong were also a dominant source at all locations.

7.29 The Noise Assessment goes on to identify potential construction noise impacts that may result from the proposals, vibration impacts and operational noise impacts.

7.30 Potential noise impacts resulting from operation of the TMU including any proposed fixed building services and plant items associated development on the existing nearest noise sensitive receptors were identified with reference to BS4142. The TMU workshop would operate 24 hours seven days a week and based on the baseline noise survey, the existing nearest sensitive receptors to the west and south of the site are already exposed to noise from train movements along the tracks to the existing TMU within the Acton Works site and from the Network Rail line to the south. Noise from activities at Chiswick Park Estate have also been identified at the nearest sensitive receptors to the south of the site.
7.31 The train movements along the realigned tracks to the TMU are not expected to change upon completion of the proposed development. Noise from the proposed fixed building services and plant items associated with the development, such as air conditioning units, air vents, compressors, generators, etc, may therefore contribute to the current noise climate at these sensitive receptors.

7.32 The TMU would be used to deliver, repair and update the Central line’s fleet of trains between mid 2018 and 2022 and be used for other LUL projects after this period. The workshop would require compressed air to be supplied to workshop tools and equipment along the length of the four train and one bogie maintenance roads. It has been assumed in the noise assessment that the compressor and dryer units supplying compressed air would be contained within the workshop.

7.33 Natural ventilation would be supplied where possible, however roof mounted ventilation plant would also be fixed for rooms that require additional ventilation. There would be three air conditioning units mounted on the external western wall. The closest sensitive receptors to these plant are on Park Place at approximately 55 metres and on Princes Avenue at 75-metres from the application site (both represented by Location 2). The closest sensitive receptors on Manor Gardens (represented by Location 3) to these cooling units are located at around 130 metres. The sensitive receptors to the north of the site (on Princes Way, represented by Location 1) and to the south of the site (on Silver Crescent and Thorney Hedge Road, represented by Location 4) are further away from these cooling units and would not have direct line of sight to them, therefore they would be expected to be subject to lower noise emission levels from them.

7.34 The three cooling units would be mounted on the external western wall of the building. The submission states that the details of those plant are not yet known, however there a condition (9) can ensure that appropriate noise limits would be achieved at the nearest noise sensitive receptors as suggested by the Noise Assessment and in its Table 7.4:

<table>
<thead>
<tr>
<th>Monitoring Position</th>
<th>Period, T</th>
<th>Lowest Measured L_{eq,1} (daytime) / L_{eq,night} (dB)</th>
<th>Acoustic Feature Correction dB(A)</th>
<th>Hourslow Council Noise Criteria (dB)</th>
<th>Recommended L_{eq, T} dB at Residential Receptors</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Day</td>
<td>50</td>
<td>0 to +18</td>
<td>-5</td>
<td>27-45</td>
</tr>
<tr>
<td></td>
<td>Night</td>
<td>50</td>
<td>0 to +18</td>
<td>-5</td>
<td>27-45</td>
</tr>
<tr>
<td>2</td>
<td>Day</td>
<td>44</td>
<td>0 to +18</td>
<td>-5</td>
<td>21-39</td>
</tr>
<tr>
<td></td>
<td>Night</td>
<td>41</td>
<td>0 to +18</td>
<td>-5</td>
<td>18-36</td>
</tr>
<tr>
<td>3</td>
<td>Day</td>
<td>47</td>
<td>0 to +18</td>
<td>-5</td>
<td>24-42</td>
</tr>
<tr>
<td></td>
<td>Night</td>
<td>42</td>
<td>0 to +18</td>
<td>-5</td>
<td>19-37</td>
</tr>
<tr>
<td>4</td>
<td>Day</td>
<td>42</td>
<td>0 to +18</td>
<td>-5</td>
<td>19-37</td>
</tr>
<tr>
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<td>Night</td>
<td>40</td>
<td>0 to +18</td>
<td>-5</td>
<td>17-35</td>
</tr>
<tr>
<td>5</td>
<td>Day</td>
<td>43</td>
<td>0 to +18</td>
<td>-5</td>
<td>20-38</td>
</tr>
<tr>
<td></td>
<td>Night</td>
<td>36</td>
<td>0 to +18</td>
<td>-5</td>
<td>13-31</td>
</tr>
</tbody>
</table>
7.35 The Noise Assessment advises that both the building envelope and the access shutter doors should provide a measure of noise reduction to the outside from activities occurring inside.

7.36 The Noise Assessment concludes that the recommended limits from all permanent fixed building services plant items as well as from activities within the proposed TMU in this table can be achieved at residential receptors. This report recommends a condition (9) to ensure these levels are achieved and that neighbours’ living conditions are thus protected.

7.37 The Noise Assessment also identifies mitigation measures for managing constructions impacts alongside the submitted outline construction management plan. To ensure that neighbours are protected, condition 5 would require noisy building works to be limited to between 8 am to 6 pm on Mondays to Friday and 9 am to 1 pm on Saturdays only.

7.38 The Assessment concludes that, provided the recommended rating levels in Table 7.4 for workshop activities and any fixed building services associated with the proposals are met, noise from the development should not result in any change or adverse impact on the noise environment at nearby noise sensitive receptors. Recommended condition 9b would require submission of a post-completion Noise Assessment to ensure compliance with London Plan policy 7.15 and Hounslow Local Plan policies CC2 and EQ5.

Parking, servicing and access

7.39 Local Plan policy EC2 seeks to promote a more sustainable local travel network and to maximise opportunities for walking, cycling and using public transport. It aims to ensure that developments provide at least a minimum number of cycle parking spaces and an appropriate maximum number of car parking spaces consistent with London Plan standards.

7.40 London Plan policy 6.3 also requires development proposals to ensure that impacts on transport capacity and the transport network are fully assessed, and development should not harm safety on the transport network.

7.41 Local Plan policy EQ7 requires development proposals to incorporate suitable arrangements for waste management, including transport access.

7.42 The primary controlled vehicle access to the wider site is from Bollo Lane to the east with a secondary controlled access from Gunnersbury Lane to the north. Both roads are in Ealing Borough. As the site covers a large area its PTAL varies from 1a (very poor) to 3 (moderate). However, the site is within 600 m of Acton Town Underground Station (Piccadilly and District) and is also 1000 m from Chiswick Park Underground Station (District), and 800 m of South Acton Station (Overground). Two bus routes serve the Bollo Lane entrance and two routes serve the secondary access off Gunnersbury Lane. Gunnersbury Estate Controlled Parking Zone covers the residential area to the north and west. It operates 9:30am - 11:30am and 3:30pm - 5:30pm Monday to Friday.

7.43 No additional car parking is proposed. However, due to the site’s proximity to various rail and bus routes, it is expected that most of the additional staff would travel by public transport, which LUL already encourages. To this
end, the Planning Statement commits to structuring the shifts so that underground services are still operating for staff coming or going to the site. Unrestricted parking is available on streets east of Bollo Lane.

7.44 16 long-stay and 8 short-stay cycle parking spaces would be provided in addition to the existing provision, which complies with the London Plan standards. Shower facilities and lockers would also be available within the building. Condition 7 would secure full details of the additional cycle parking spaces so that they are available prior to occupation.

7.45 Addition to the submitted Construction Management Plan, condition 8 would require further details to be submitted to ensure the construction traffic would not be detriment to the area’s highway situation.

**Environmental considerations**

**Contamination**

7.46 The site appears to have been the subject of past industrial activity, which poses a high risk of pollution to controlled waters. This warrants further site investigation (see Condition 4). The NPPF advises that where there is suspicion, or where evidence suggests that there may be some contamination, planning permission may be granted subject to conditions that development may not start before site investigation and assessment have been done and that the development itself should incorporate any remedial measures necessary. London Plan Policy 5.21 (Contaminated Land) and Local Plan Policy EQ8 (Contamination) are the relevant local policies.

**Trees and landscaping**

7.47 Local Plan policy GB7 seeks to protect and enhance the Borough’s natural environment and to increase the quantity and quality of the borough’s biodiversity and avoid or mitigate significant adverse biodiversity impact or, as a last resort, compensate for it. The policy also expects development to contribute to greening the borough, by incorporating landscaping, tree planting and other biodiversity measures such as bat and bird boxes.

7.48 The site contains no TPO trees however the submission includes an Arboricultural Report that shows there are no trees with outstanding value at the site that would preclude development. The report identified only one group of trees which is visible from the public domain and would contribute in some way to the amenity value of the area, however this largely consists of scrubby species and poorly formed trees and so its removal would be acceptable. The other identified trees within the site identified have limited public value and are mostly poorly formed specimen.

7.49 Condition 6 would ensure the proposal provides satisfactory replacement landscaping and trees.

**Sustainability**

7.50 Local Plan Policy EQ1 requires all developments to meet the carbon emission reduction requirements set out in the London Plan.
London Plan Policy 5.2 requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy (i.e. be lean, be clean, be green). Policy 5.7 also requires proposals to provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation, where feasible.

The proposal would reduce regulated carbon emissions by 8% through passive design and energy efficiency measures alone. This falls short of the London Plan target of 35% reduction over the Building Regulations Part L2A target emission rate and this would be offset by contribution towards Carbon Offset Fund. Recommended condition 10 would require the applicant to commit to installing a solar PV system in order to secure the carbon dioxide reductions stipulated in the Energy Statement (i.e. an 11% reduction in carbon dioxide emissions).

In relation to the Carbon Offset Fund payment, the Local Plan provides for carbon offset payments where developments cannot secure required carbon dioxide reductions on-site. This mechanism is available for all relevant developments, and not just those that are referable to the Greater London Authority. This proposal would be required to offset the equivalent of a 27% carbon dioxide emissions reduction against a Building Regulations Part L (2013) compliant baseline. This amount has been calculated at £113,238. This payment and the associated Section 106 agreement would need to be confirmed following clarification as to whether the development would include a solar photovoltaic system. The installation of such a system would secure further on-site carbon dioxide emission reductions and so result in a reduced Carbon Offset Fund payment.

Depending on the final carbon dioxide emission reductions (dependent upon any solar PV system), the applicant will be required to make an associated payment to the Carbon Offset Fund through a Section 106 agreement.

The site-wide sustainability would be assessed using an internationally recognised standard (CEEQUAL). Condition 11 would ensure that the CEEQUAL level of ‘Excellent’ is achieved.

Flooding

The submission also includes a drainage strategy. Conditions 12 and 13 would ensure the development is in line with relevant Local Plan Policy EQ3 and London Plan Policy 5.13.

Legal Agreement (Section 106)

Local Plan Policy IMP3 seeks to ensure that developments fully mitigate the impacts of development on an area through a Section 106 agreement, where necessary or appropriate, having regard to supplementary planning document and that developments provide the Community Infrastructure Levy (CIL) payments required by the Mayor of London’s and Hounslow.

A payment or other benefit offered in a Section 106 agreement is not material to a decision to grant planning permission and cannot be required unless it complies with the provisions of the Regulations 2010 (regulation 122), which provide that the planning obligation must be:
• necessary to make the development acceptable in planning terms
• directly related to the development; and
• fairly and reasonably related in scale and kind to the development.

7.59 The NPPG provides guidance on use of planning obligations, which may impose a restriction or requirement, or provide for payment to make acceptable development proposals that might otherwise not be acceptable in planning terms. The Council’s Planning Obligations Supplementary Planning Document (adopted March 2008) contains guidance on imposing planning obligations in compliance with such guidance. These may offset shortfalls in the scheme or mitigate a development’s impacts.

7.60 The following draft Heads of Terms are likely to form the basis of the Section 106 agreement, all of which are considered to satisfy one or more of the three Regulation 122 tests referred to above:

i) **Carbon Offset Fund payment,**

ii) **Considerate Contractors Scheme**

It is appropriate that the developer registers to the Considerate Contractors Scheme. All sites registered with the Scheme are monitored by an experienced industry professional to assess their performance against the eight point Code of Considerate Practice which includes the categories Considerate, Environment, Cleanliness, Good Neighbour, Respectful, Safe, Responsible and Accountable.

iii) **Construction training**

In accordance with the Council’s Planning Obligations & CIL SPD

8.0 **EQUALITIES DUTIES IMPLICATIONS**

8.1 In response to its Equalities Duties and the Equality Act 2010 it is considered that there are no relevant implications that the Council needs to assess further in this case and that, in determining this application, the Council has complied with its duties.

9.0 **COMMUNITY INFRASTRUCTURE LEVY**

9.1 Some new developments granted planning permission will be liable to pay Community Infrastructure Levy (CIL) to the Mayor of London and Hounslow.

9.2 CIL is payable on new floor space or where a new dwelling is created or the net floor area increase exceeds 100 square metres.
### Mayor’s £35 per square metre (m²)

<table>
<thead>
<tr>
<th>Hounslow:</th>
<th>Housing:</th>
<th>Supermarkets, superstores and retail warehousing:</th>
<th>Health care, education and emergency services facilities:</th>
<th>All other uses: £20/m²</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>East £200/m²</td>
<td>£155/m²</td>
<td>£0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Central £110/m²</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>West £70/m²</td>
<td></td>
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</tr>
</tbody>
</table>

9.3 This proposal would be liable to pay Community Infrastructure Levy as there would be an increase of 7,266 m² of gross internal area within the site.

9.4 The proposal would create minimum CIL charge of £254,310 for the Mayor and £145,320 for Hounslow.

**10.0 RECOMMENDATION: APPROVAL**

1. That planning permission be granted subject to the following conditions and securing the abovementioned planning obligations by the prior completion of a satisfactory legal agreement or unilateral undertaking made under Section 106 of the Town and Country Planning Act 1990 and other appropriate legislation, the exact terms of which shall be negotiated by appropriate officers within the Department of Regeneration, Economic Development and Environment on the advice of the Assistant Director Corporate Governance.

2. The satisfactory legal agreement or unilateral undertaking outlined above shall be completed and planning permission issued by 22/09/2017 or such extended period as may be agreed in writing by appropriate officers within the Department of Regeneration, Economic Development and Environment or within Legal Services.

3. If the legal agreement or unilateral undertaking is not completed by the date specified above (or any agreed extended period), then the Assistant Director – Community Safety, Regulatory and Development Services or Head of Development Management is hereby authorised to refuse planning permission for the reason that the proposal should include planning obligations required to make the development acceptable in planning terms in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010, development plan policies and the Planning Obligations SPD, as described in this Report.

4. Following the grant of planning permission, where (a) requested to enter into a deed of variation or legal agreement in connection with the planning permission hereby approved and by the person(s) bound by the legal agreement authorised in paragraph 1 above, and (b) where the planning obligations are not materially affected, and (c) there is no monetary cost to the Council, the Assistant Director – Community Safety, Regulatory & Development Services or Head of Development Management is hereby authorised (in consultation with the Chair of the Planning Committee and upon the advice of the Assistant Director Corporate Governance) to enter into a legal agreement(s) (deed of variation) made under Sections 106 and/or 106A of the Town and Country Planning Act 1990 and other appropriate legislation.
5. If planning permission is refused, the Assistant Director Community Safety, Regulatory and Development Services or Head of Development Management (in consultation with the Chair of the Planning Committee) is hereby authorised to approve any further application for planning permission validated within 12 months of the date of refusal of planning permission, provided that it (a) duplicates the planning application, and (b) that there has not been any material change in circumstances in the relevant planning considerations, and (c) that a satisfactory legal agreement or unilateral undertaking securing the obligations set out in the Report is completed within any specified period of time.

That planning permission be granted subject to the following conditions:

1. **A1A Time Limit**
   The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
   
   **Reason:** To accord with the provisions of Section 92(1) of the Town and Country Planning Act 1990.

2. **B5 Detailed Applications**
   The proposed development shall be carried out in all respects in accordance with the proposals contained in the application and the plans submitted therewith (16010-01-102-S3-P3 Existing Block Plan and Existing Site Plan; 16010-01-106-S3-P2 Existing Elevations; 16010-01-108-S3-P1; 16010-01-124-S1-P1; 16010-01-105-S3-P2; 16010-01-101-S3-P3; 16010-01-113-S3-P4; TMU-BPR-Z00-16010-01-110-S3-P2; Planning Statement; Transport Statement; Arboricultural Report; Drainage Strategy & SUDS Assessment; Construction Management Plan; Noise Assessment; Energy Statement; Received 27/02/2017; Energy Statement Addendum by ch2m; Received 27/03/2017.) and approved by the Local Planning Authority, or as shall have been otherwise agreed in writing by the Local Planning Authority before the building is used.
   
   **Reason:** To ensure the development is carried out in accordance with the planning permission.

3. **B4 Materials - Samples**
   No development shall take place until samples of the materials to be used in the construction of the external surfaces of the hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
   
   **Reason:** In order that the Council may be satisfied as to the details of the development in the interests of the visual amenity of the area and to satisfy the requirements of policy CC1 (Context and Character).
**Phased Contamination Condition**

Before the development hereby permitted commences:

a. A contaminated land **Phase 1 desk study** report shall be submitted to, and approved in writing by the Local Planning Authority. Should the Phase 1 report recommend that a **Phase 2 site investigation** is required, then this shall be carried out and submitted to, and approved in writing by the Local Planning Authority. The site shall be investigated by a competent person to identify the extent and nature of contamination. The report should include a **tiered risk assessment** of the contamination based on the proposed end use of the site. Additional investigation may be required where it is deemed necessary.

b. If required, a **scheme for decontamination** of the site shall be submitted to the Local Planning Authority, for written approval. The scheme shall account for any comments made by the Local Planning Authority before the development hereby permitted is first occupied.

During the course of the development:

c. The Local Planning Authority shall be notified immediately if additional contamination is discovered during the course of the development. A competent person shall assess the additional contamination, and shall submit appropriate amendments to the **scheme for decontamination** in writing to the Local Planning Authority for approval before any work on that aspect of development continues.

Before the development is first brought into use:

d. The agreed scheme for decontamination referred to in clauses b) and c) above, including amendments, shall be fully implemented and a written validation (closure) report submitted to the Local Planning Authority for approval.

**Reason:** Contamination is known or suspected on the site due to a former land use. The LPA therefore wishes to ensure that the development can be implemented and occupied with adequate regard for public and environmental safety.
Hours of demolition and construction

No demolition or construction work shall take place on the site except between the hours of 8am to 6pm on Mondays to Friday and 9am to 1pm on Saturdays and none shall take place on Sundays and Public Holidays without the prior agreement of the Local Planning Authority.

Reason: To protect neighbours' living conditions in accordance with adopted Local Plan policy EQ5.

Landscaping (amended)

Prior to the works above the ground level, full details of soft landscape works which shall include (planting plans with BS specifications; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities with BS standards where appropriate; implementation programme)have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved.

Reason: In the interest of biodiversity, sustainability, to protect neighbours’ privacy and to ensure that a satisfactory standard of visual amenity is provided and maintained in accordance with Local Plan policies CC1 (Context and Character) and CC2 (Urban Design and Architecture).

Cycle Storage

No development shall commence until full details (including manufacturers' specifications) of secure covered cycle parking facilities (for not less than 24 cycles) for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. These facilities must be in addition to the existing facilities on the site. The approved facilities shall conform to current guidance such as the TfL London Cycling Design Standards and the West London Cycle Parking Guidance in design and layout and be fully implemented and be made available for use before the first occupation of the development and thereafter retained for use at all times without obstruction.

Reason: To support sustainable transport objectives in accordance with adopted local plan policy EC2.
Construction Logistics Plan

No development shall take place, including any works of demolition, until a Construction Logistics Plan has been submitted to, and approved in writing by, the local planning authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall include:

i. a site plan (showing the areas set out below)

ii. confirmation that a pre-start record of site conditions on the adjoining public highway will be undertaken with the relevant highway authorities and a commitment to repair any damage caused

iii. provision for the parking of vehicles of site operatives and visitors

iv. provisions for loading, unloading and storage of plant and materials within the site

v. details of access to the site, including means to control and manage access and egress of vehicles to and from the site for the duration of construction including phasing arrangements

vi. details of vehicle routeing from the site to the wider strategic road network

vii. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate

viii. provision of wheel washing facilities at the site exit and a commitment to sweep adjacent roads when required and at the request of the council

ix. a scheme for recycling/disposing of waste resulting from demolition and construction works

x. measures to ensure the safety of all users of the public highway especially cyclists and pedestrians in the vicinity of the site and especially at the access

xi. commitment to liaise with other contractors in the vicinity of the site to maximise the potential for consolidation and to minimise traffic impacts.

xii. avoidance of peak hours for deliveries and details of a booking system to avoid vehicles waiting on the public highway

xiii. all necessary traffic orders and other permissions required to allow safe access to the site to be secured and implemented prior to commencement of construction

xiv. details of the construction programme and a schedule of traffic movements

xv. the use of operators that are members of TfL’s Freight Operator Recognition Scheme (FORS)

Reason: To ensure highway safety is maintained and preserved in accordance with policy EC2 of the Local Plan.
9  a) Before any mechanical services plant including heating, cooling, ventilation, air conditioning units, air vents, compressors and generators, to which the application refers is used at the premises, the details of these plant together with an updated Noise Survey shall be submitted to and approved in writing by the local planning authority which demonstrates that the appropriate noise limits will be achieved at the nearest noise sensitive receptors as suggested within the approved Noise Assessment and the table 7.4.

b) Following installation of any mechanical services plant including heating, cooling, ventilation, air conditioning units, air vents, compressors and generators to which the application refers, a post completion noise assessment shall be submitted for approval to the local planning authority which demonstrates the actual measured rating level of plant operating under normal conditions. All measurements shall be made in accordance with the methodology of BS4142 : 2014 (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

Reason: To ensure that the proposed development does not prejudice the amenities of neighbouring properties in accordance with policies CC2 (New Development) and EQ5 (Noise pollution) of the adopted Local Plan.

10  Energy Statement

(A) The development hereby permitted shall not commence until a finalised Energy Strategy (demonstrating how the targets for carbon dioxide emissions reduction are to be met in line with the Mayor’s energy hierarchy) has been submitted to and approved in writing by the Local planning Authority.

(B) The development shall be implemented in accordance with the approved Energy Strategy and shall not commence above ground until full Design Stage calculations under the National Calculation Method have been submitted to and approved in writing by the Local planning authority to show that the development will be constructed in accordance with the approved Energy Strategy, and any subsequent approved revisions.

(C) Prior to first occupation of the building(s), evidence (e.g. photographs, installation contracts and As-Built certificates under the National Calculation Method should be submitted to the Local Planning Authority and approved in writing to show that the development has been constructed in accordance with the approved Energy Strategy, and any subsequent approved revisions.

Reason: To ensure that the development makes the fullest contribution to minimising carbon dioxide emissions in accordance with London Plan Policy 5.2 and the London Borough of Hounslow Local Plan Policy EQ1.
11 CEEQUAL (Sustainability)

Prior to first occupation of the building(s), a post-construction CEEQUAL award certificate shall be submitted to the Local Planning Authority to show that the development has achieved an ‘Excellent’ rating.

Reason: To ensure that the development has an acceptable level of sustainability in accordance with the London Borough of Hounslow Local Plan Policy EQ2.

12 Drainage designs

Prior to commencement of any ground works (excluding site investigations, internal works and hereby approved extensions), the applicant must submit to the local planning authority for review and approval by the Lead Local Flood Authority final detailed drainage designs (including drawings) and an associated detailed maintenance plan. This associated detailed maintenance plan shall be in line with the ‘Drainage Strategy & SUDS Assessment’ (January 2017) and ‘Technical Addendum’ (April 2017) and must include evidence that infiltration is not possible at detailed design stage as per the infiltration section of the Technical Addendum (April 2017); and evidence to ensure the applicant has fully considered and where practical introduced rainwater water harvesting for the re-use of surface water on site as per the London Plan policy 5.13 drainage hierarchy and the rainwater harvesting section page 2 of Technical Addendum (April 2017). The building shall not be occupied until evidence (e.g. photographs and copies of installation contracts) has been submitted to the Local Planning Authority to demonstrate that the development has been carried out in accordance with the approved details.

Reason: To prevent the risk of flooding to and from the site in accordance with relevant policy requirements including but not limited to London Plan Policy 5.13, the Non-Statutory Technical Standards for Sustainable Drainage Systems, and Hounslow Council’s Local Plan Policy EQ3.

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Prior to commencement, the applicant shall submit for review and approval by the Lead Local Flood Authority further evidence that infiltration is not possible at detailed design stage as per the infiltration section of the Technical Addendum (April 2017) and that the evidence of rainwater harvesting and re-use of surface water is in line with London Plan policy 5.13 drainage hierarchy and the rainwater harvesting section page 2 of the Technical Addendum (April 2017).

Reason: To ensure that the methods to mitigate the risk of surface water flooding have been constructed as agreed and that the drainage system is suitably managed.
1 To assist applicants, the London Borough of Hounslow has produced planning policies and written guidance, which are available on the Council’s website. The Council also offers a pre-application advice service. In this case, the Council’s suggested improvements were adopted by the applicant.

2 We collect the Mayor of London’s Community Infrastructure Levy (CIL) at the rate of £35 per square metre of new floor space. Hounslow’s Community Infrastructure Levy (CIL) has been adopted. For details of the rates please refer to our web page:


This development is liable for CIL. A Liability Notice will follow shortly. For further information please contact the CIL team on 020 8583 4898/4895 or view our web page:

http://www.hounslow.gov.uk/index/environment_and_planning/planning.htm

or the planning portal web page:

http://www.planningportal.gov.uk/wps/portal