

1

### Time Limits – reserved matters

The first application for approval of reserved matters shall be made to the local planning authority before the expiration of **three years** from the date of this permission. All subsequent reserved matters applications shall be submitted no later than **five-ten years** from the date of this permission.

**Comment [RS1]:** First reserved matters application within five years

**Comment [RS2]:** Within fifteen years of the date of implementation

**Comment [KRS3]:** Cannot agree this; 15yrs is far too long, and the time period cannot be linked to implementation. ES refers to a 10 yr total build.

**Reason:** To comply with the provision of Section 92(2) of the Town and Country Planning Act 1990.

2

### Time Limits – implementation

The development hereby permitted shall be begun before the expiration of **two-three years** from that date of approval of the first of the reserved matters to be approved.

**Comment [RS4]:** Shall be begun before the expiration of six years from the date of this permission, or two years from the date of the approval of the first reserved matter, whichever is the later.

The relevant parcel(s) must be begun no later than the expiration of two (2) years from the final approval of the Reserved Matters applications for the relevant parcel (or part therein), or in the case of approval on different dates, the final approval of the last such matter to be approved.

**Reason:** To comply with the provision of Section 51 of the Planning and Compulsory Purchase Act 2004.

3

### Phasing

No development shall take place until a programme of phasing for the implementation of the whole development has been agreed in writing by the Local Planning Authority and takes into account the timescales set out in Condition 1.

This programme shall include details, where available, of the timing for the delivery of:

- Hard/soft landscaping
- The public open spaces ( The 'Clearing', The Meander and The Water Garden)
- The public realm relative to each phase

Any amendment to the approved phasing programme must be first agreed in writing by the Local Planning Authority.

4

**Reason:** To ensure satisfactory comprehensive development and proper planning of the area.

Scheme Parameters - Compliance with the Submitted Information

The submission of all reserved matters and the implementation of the development hereby permitted shall be carried out in accordance with the following drawings and other documents:

- Parameter Plans: 01754-JTP-DR-MP-PP-001 Rev P5, 01754-JTP-DR-MP-PP-002 Rev P5, 01754-JTP-DR-MP-PP-003 Rev P5, 01754-JTP-DR-MP-PP-004 Rev P5, 01754-JTP-DR-MP-PP-005 Rev P5, 01754-JTP-DR-MP-PP-006 Rev P5, 01754-JTP-DR-MP-PP-007 Rev P5, 01754-JTP-DR-MP-PP-008 Rev P5, 01754-JTP-DR-MP-PP-009 Rev P5, 01754-JTP-DR-MP-PP-0010 Rev P5, 01754-JTP-DR-MP-PP-011 Rev P5, 01754-JTP-DR-MP-PP-012 Rev P5,
- Other plans: PB9283-RHD-GE-SW-DR-R-0093 rev. P04
- Development specification: Development Specifications Rev 2 as prepared by wsp.
- Design Code: Design Code document Osterley Place (ref. 01754) revised January 2021 prepared by JTP received on 22 January 2021.

5

**Reason:** For the avoidance of doubt, and in the interests of proper planning and to define the scope of this permission.

Reserved Matters

For each phase (or part therein) of the development, details of the following matters (reserved matters) as relevant to that phase shall be submitted to the Local Planning Authority and no work except for demolition, site clearance and remediation shall start within the relevant phase (or part therein) until the Local Planning Authority has approved all of the reserved matters for that phase:

- Layout (to include details of the areas to be used for each land use and including car and cycle parking)
- Vehicular and pedestrian access within the site and to the building(s)

- Appearance
- Scale
- (Hard and soft) Landscaping

Thereafter the development hereby approved shall be carried out in accordance with the approved details.

**Reason:** For the avoidance of doubt and in the interest of proper planning and to comply with the EIA Directive and to ensure that high standards of urban design, landscaping and environmental mitigation are achieved and that a proper record is kept, and 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 policies CC1 and CC2 of the adopted Local Plan.

6

#### Land Use

The maximum permitted floorspace (gross internal area in square meters) for each use granted by this permission shall be:

- Residential (Use Class C3) – 146,700sq.m (up to 1,677 residential units and ~~including all~~ ancillary areas but excluding energy centre, plant, refuse, car parking and cycle parking)
- Residential (use Class C3 ) – 160,400 sq.m (up to 1,677 residential units and including all ancillary areas)
- Flexible commercial floor space (Use Classes E) – 5,000sq.m
- Pub/drinking establishment/Mobility Hub (Sui Generis) – 1,000sq.m

**Comment [DM5]:** duplication

**Comment [KRS6]:** This isn't duplication, the floorspace is distinguished between the uses. i.e this second bullet point includes the energy centre etc

**Reason:** To ensure that the development is carried out in accordance with the approved plans and other submitted details and to ensure that the quantum of floorspace keeps within the parameters assessed pursuant to the Environmental Statement in relation to the development, 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 policies CC1 and CC2 of the adopted Local Plan.

7

#### Design Codes

All applications for Reserved Matters approval shall be accompanied by a Design Statement which shall explain how the proposal conforms to the requirements of the approved Design Code Document (Ref: Design Code

Osterley Place 01754) dated January 2021 prepared by JTP and referred to in Condition 4 above.

Reason: For the avoidance of doubt, to accord with the terms of the application and to provide an appropriate design, appearance, scale and form of development in the interests of the visual amenity and character of the area in accordance with London Plan (2021) policies and adopted HLP policies Cc1, Cc2, CC3 and CC4.

8

#### Reserved Matters Details

Except for any works relating to demolition, site clearance, remediation, development shall not commence within a phase (or part therein), until details of the following matters have been submitted to and approved in writing by the LPA phase (or part therein):

- a) Design Statement, as set out in Condition 6
- b) Floor, elevation and section plans;
- c) Details of ground floor level shopfronts (where proposed and available at the time of reserved matters submission);
- d) Details of the internal space standards, unit-size mix, Wheelchair Standards of residential units;
- e) BREEAM Pre-Assessment for Non-residential elements;
- f) Daylight and Sunlight Report including shadow plot diagrams;
- g) Details of play space, amenity space and landscaping strategy;
- h) Details of the works to the public realm and highways, including any traffic calming measures;
- i) Planning Statement;
- j) Statement of Community Involvement;
- k) Affordable Housing Statement;
- l) Updated Phasing Strategy (if relevant);
- m) Fire Strategy;
- n) Whole Life Carbon Assessment
- o) Drainage assessment form, strategy, drainage design and maintenance
- p) Wind assessment
- q) Ecology; enhancements and mitigation measures, urban greening factor 0.4 and Biodiversity net gain calculations

**Reason:** For the avoidance of doubt and in the interest of proper planning and to comply with the EIA Directive and to ensure that high standards of urban design, landscaping and environmental mitigation are achieved and that a proper record is kept, and 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 policies CC1 and CC2 of the adopted Local Plan.

9

Details of Materials

Except for any works relating to demolition, site clearance, remediation, piling and/or substructure, the relevant phase (or part therein) of the development hereby approved shall not commence until details (including sample panels where appropriate) of the materials to be used for the external surfaces for each of the buildings and hard-surfaced areas within the relevant plot (or part therein) shall be submitted to and approved in writing by the Local Planning Authority, and this condition shall apply notwithstanding any indications to these matters which have been given in this application.

The development shall be carried out in accordance with the approved details.

**Reason:** To ensure that all built development would be of a high-quality design standard and 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 policies CC1 and CC2 of the adopted Local Plan.

10

Height Limitation on Buildings and Structures (temporary / permanent)

No building or structure of the development hereby permitted shall exceed 105m Above Ordnance Datum (AOD).

**Reason:** Development exceeding this height could have the potential to impact the Instrument Flight Procedures (IFP's) surrounding Heathrow Airport and endanger aircraft movements and the safe operation of the aerodrome.

11

*Construction Logistics Plan*

No development shall take place, including any works of demolition, until a Construction Logistics Plan (CLP) for the relevant phase has been submitted to, and approved in writing by, the local planning authority. The Plan shall

**Comment [RS7]:** include wording to allow this condition to be discharged on a phased basis

accord with TfL guidance and 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 Hounslow Highways 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 routing 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)
- xviii. confirmation that all vehicles associated with

the works will only park/ stop at permitted locations and within the time periods permitted by existing on-street restrictions.

xvii. demonstrate integration with the approved CLP for any other phase under construction

The approved Plan shall be adhered to throughout the construction period.

Reason. To ensure highway safety is maintained and preserved in accordance with policy EC2 of the Local Plan

12

#### Construction Environmental Management Plan

No demolition or construction shall take place until a detailed Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall provide details of how demolition and construction works are to be undertaken and include:

- *The identification of stages of works;*
- *Setting of appropriate noise criteria, trigger levels and how exceedances of those levels will be responded to by the construction contractor*
- *Detailed calculation of noise and vibration of the construction phases based upon the latest and most up to date information*
- *Details of working hours, which unless otherwise agreed with the Local Planning Authority shall be limited to 08.00 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays);*
- *Procedures for maintaining good public relations including complaint management, public consultation and liaison;*
- *Monitoring of construction noise levels affecting the nearest noise sensitive receptors.*
- *Review and implementation of mitigation measures (as appropriate) as defined in BS 5228: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be undertaken to ensure noise disturbance from construction works is minimised.*

**Reason:** *In order to safeguard the amenities of adjoining residents and the amenities of the locality in accordance*

13

with Local Plan policies CC1, CC2 and EQ5.

Submission of a Construction Management Strategy

Development shall not commence within a phase (or part therein), until Development shall not commence until a construction management strategy (CMS) has been submitted to and approved in writing by the Local Planning Authority covering the application site (or relevant part(s)) and any adjoining land which will be used during the construction period. Such a strategy shall include the following matters:

- details of cranes and other tall construction equipment (including the details of obstacle lighting) – Such schemes shall comply with Advice Note 4 ‘Cranes’ (available at <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-4-Cranes-2016.pdf>).

The approved strategy (or any variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period.

**Reason:** To ensure that construction work and construction equipment on the site and adjoining land does not conflict with Instrument Flight Procedures serving Heathrow Airport and endanger aircraft movements and the safe operation of the aerodrome.

and

To ensure the development does not endanger the safe movement of aircraft or the operation of Heathrow Airport through interference with communication, navigational aids and surveillance equipment.

14

Hours of Work

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 not at all on Sundays and Public Holidays without the prior written agreement of the Local Planning Authority.

**Reason:** In order to safeguard the amenities of adjoining residents and the amenities of the locality in accordance with Local Plan policies CC1, CC2 and EQ5.

15

Construction Noise Limits

Based upon guidance contained within BS 5228:2009 + A1:2014: Noise, Noise levels from construction works at

**Comment [RS8]:** include wording to allow this condition to be discharged on a phased basis



nearby existing and proposed residential receptors shall not exceed the following construction noise criteria:

Daytime works will not exceed 75 dB LAeq,T at the worst-affected residential property during the following time periods:

- Monday to Friday (08:00 – 18:00 hours)
- Saturday (08:00 to 13:00 hours)

Works outside of the standard hours will be subject to prior agreement and prior notice will be provided to the London Borough of Hounslow.

**Reason:** *In order to safeguard the amenities of adjoining residents and the amenities of the locality in accordance with Local Plan policies CC1, CC2 and EQ5.*

16

#### Bird Hazard Management Plan

~~Development shall not commence~~ Prior to commencement of superstructure works in relation to any building within the first phase until a Bird Hazard Management Plan ~~has been~~ shall be submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

- Management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and “loafing” birds. The management plan shall comply with Advice Note 3 ‘Wildlife Hazards’ (available at <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-3-Wildlife-Hazards-2016.pdf>).

The Bird Hazard Management Plan shall be implemented as approved and shall remain in force for the life of the building development. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

**Reason:** It is necessary to manage the flat roofs to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport.

#### *Information*

*The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access*

**Comment [RS9]:** why does this need to be pre-commencement> Suggest prior to superstructure works on first phase

**Comment [KRS10]:** Heathrow have confirmed agreement to this amended wording

*to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Heathrow Airside Operations staff. In some instances it may be necessary to contact Heathrow Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.*

*The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Natural England before the removal of nests and eggs.*

17

Landscape Management

a) Prior to the occupation of the relevant plot (or part therein) of the development hereby approved, a landscape management plan for that plot (or part therein) of the development, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas including all proposed trees, shrubs and hedgerows over a minimum period of 5 years from the implementation of the final planting scheme shall be submitted to and approved in writing by the Local Planning Authority and be implemented as approved from the date of completion of the landscaping scheme for each plot (or part therein).

b) Prior to the occupation of the final plot (or part therein) of the development hereby approved, a Comprehensive Site Wide Landscape Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Comprehensive Site Wide Landscape Management Plan shall be implemented as approved from the date of completion of the landscaping scheme.

Reason: In the interests of the proper maintenance of the site and to ensure that the quality of the public realm and *satisfactory appearance of the site and the adjacent the area, that the development will be accessible to all and in order that the Local Planning Authority may be satisfied that there will be ecological enhancements and as to the*

*management of minor artefacts and structures, in accordance with Local Plan policies CC1, CC2 and GB7.*  
Retained Trees

Prior to the commencement of development, a scheme for the protection of the retained trees, in accordance with BS5837:2012 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

a) A plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area of every tree on site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.

b) A schedule of tree works for all the retained trees, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons.

All the tree work shall be carried out in accordance with BS3998:2010 – Tree Work – Recommendations.

c) The details and positions (shown on plan at paragraph (a) above) of the Tree Protection Barriers, identified separately where required for different phases of construction work. The Tree Protection Barriers must be erected prior to each phase of construction commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.

d) The details and positions of any underground service runs shall be shown on the plan required at paragraph (a).

The erection of fencing for the protection of any retained tree or hedge shall be carried out in complete accordance with BS5837:2012, before any equipment, machinery, or materials are brought onto the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning

**Comment [RS11]:** of relevant phase

**Comment [KS12]:** all trees should be protected throughout – it is acknowledged that there may be different levels of protection at different times. This is accounted for in c.

Authority.

**Reason:** To enable the Local Planning Authority to ensure the retention of the maximum number of trees on the site and their protection from damage, in the interests of biodiversity and visual amenity area and to accord with policies CC1, CC2 and GB7 of the adopted Local Plan. This condition needs to be pre-commencement because to assess these details at a later stage may prevent achievement of Local Plan requirements.

19

External Lighting

Prior to the installation of any external lighting within each phase (or part therein), details to demonstrate that the proposed external lighting scheme will comply with the 'Guidance Notes for The Reduction of Light Pollution 2011' shall be submitted to and approved in writing by the LPA. External artificial lighting at the development shall not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the Institution of Lighting Professionals in the 'Guidance Notes For The Reduction Of Light Pollution 2011'. Lighting should be minimised and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Notes.

**Reason:** In the interests of the living conditions of occupiers of nearby properties and future occupiers of the site, in accordance with HLP policies CC1 and CC2.

20

Wheelchair Units

A minimum of 10% of the total dwellings shall be 'Wheelchair User Dwellings' built to Building Regulations M4(3) standard shall be provided ~~as identified on the approved plans~~. All other ~~dwellings~~ shall be designed so that they meet building regulation M4 (2) 'accessible and adaptable dwellings'

**Reason:** To ensure a socially inclusive and sustainable development in accordance with Local Plan Policy SC3 and policies 3.5 (Quality and design of housing developments).

21

Housing Waste and Recycling

No part of any phase of the development shall be occupied until a Waste Management Strategy showing full details of the waste and recycling facilities, including

management of storage areas, internal collection and collection from the site, for the relevant residential element of the development, has been submitted to the Local Planning Authority for approval in writing.

The waste and recycling facilities shall be provided in accordance with the agreed details prior to occupation of the relevant residential element and such facilities shall remain throughout the lifetime of the development and shall be used for no other purposes.

**Reason:** *To ensure that refuse can be properly stored and removed from the site as soon as the building(s) is occupied in accordance with Local Plan Policies CC1, CC2 and EQ7.*

22

#### Commercial Waste and Recycling

No commercial unit shall be occupied until full details of the waste and recycling facilities, including management of storage areas, internal collection and collection from the site, for the relevant commercial unit of the development, has been submitted to the Local Planning Authority for approval in writing.

The waste and recycling facilities shall be provided in accordance with the agreed details prior to occupation of the relevant commercial unit and such facilities shall remain throughout the lifetime of the development and shall be used for no other purposes. No refuse or recycling waste bins shall be stored outside the building.

**Reason:** *To ensure that refuse can be properly stored and removed from the site as soon as the building(s) is occupied in accordance with Local Plan Policies CC1, CC2 and EQ7.*

23

#### Water Use

Prior to first occupation of each residential block evidence (schedule of fittings and manufacturer's literature) 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 internal water use calculations and an internal water use of 105L/person/day or less is achieved.

**Reason:** in order to protect and conserve water supplies and resources in accordance with London Borough of

- 24                   Hounslow Local Plan Policy EQ2.  
Delivery and Servicing Plan
- Prior to the occupation of the development, a Delivery and Servicing Plan (DSP) shall be submitted to and approved in writing by the Local Planning Authority.
- The delivery and servicing for the development shall be carried out in accordance with the approved details at all times thereafter.
- Reason: In the interests of road safety, in accordance with Hounslow Local Plan Policy EC2.
- 25                   BREEAM – Design Stage Certificate
- Prior to the commencement of above ground works on each phase, a Design stage BREEAM Retail New Construction Shell only Design Stage certificate and summary score sheet (or such equivalent standard that replaces this) must be submitted to and approved in writing by the Local Planning Authority to show that an 'Excellent' (minimum score 70%) rating will be achieved.
- Reason: To ensure that the development makes the fullest contribution to minimising carbon dioxide emissions in accordance with according with LP policies SI2 and HLP policies EQ1 and EQ2.*
- 26                   BREEAM – Post Construction Review Certificate
- Within six months of occupation of the commercial units, a post-construction stage BREEAM Retail New Construction Shell only Design Stage certificate and summary score sheet (or such equivalent standard that replaces this) must be submitted to and approved in writing by the Local Planning Authority to show that an 'Excellent' (minimum score 70%) rating has been achieved.
- Reason:** *To ensure that the development makes the fullest contribution to minimising carbon dioxide emissions in accordance with according with LP policies SI2 and HLP policies EQ1 and EQ2.*
- 27                   Air Quality Monitoring
- Prior to the occupation of the development, diffusion tube monitoring will continue at the locations where diffusion tube monitoring was undertaken in Figure 1:

Ramboll Diffusion Tube Monitoring Locations Appendix 8.3 Ramboll Monitoring Study (Osterley Place, Tesco Osterley Site, TW7 5NZ. Volume 1: Environmental Statement Main Report Undertaken by Ramboll UK Limited, September 2020. Ref: 1620006465 Issue: Final) but with additional monitoring at heights of 4, 6 and 8m, for a minimum of 6 months prior to construction, throughout the duration of construction works and for a minimum of 12 months after completion. If at any time during this monitoring any rolling annual average measurement exceeds 36ug/m3 the monitoring should continue until levels fall below 36ug/m3 for a minimum period of 24 months rolling annual average and provision should be made for filtered mechanical ventilation for facades represented by the monitoring exceeded. The filtered mechanical ventilation should be and installed and maintained at any occupied dwellings throughout the duration of the monitoring. The diffusion tube monitoring will utilise the same methodology as stated within Appendix 8.3 Ramboll Monitoring Study (Osterley Place, Tesco Osterley Site, TW7 5NZ. Volume 1: Environmental Statement Main Report Undertaken by Ramboll UK Limited, September 2020. Ref: 1620006465 Issue: Final).

**Comment [RS13]:** 38

**Comment [KS14]:** 36 is specified by our consultants and retained.

**Reason:** To ensure satisfactory living conditions and minimise air pollution in accordance with Local Plan policy EQ4.

28

#### Fixed plant Noise criteria

The cumulative noise from any fixed external plant associated with the scheme should not exceed levels more than 5 dB below representative background (LA90) levels at free field locations representing facades of nearby existing and proposed dwellings. Noise levels should be assessed by measurement or calculation based on the guidance presented within BS4142: 2014+A1:2019 or subsequent versions of this guidance.

**Reason:** To protect the amenities of existing and future residents in accordance with Local Plan policy EQ5.

29

#### Internal noise criteria

Maximum noise levels permitted within the dwellings will not exceed those that are specified in Table 4 of British Standard 8233:2014 [Living Rooms = 35 dB LAeq, 16 hours; Dining room/area = 40 dB LAeq, 16 hours;

Bedroom = 35 dB LAeq, 16 hours during day-time (07:00 - 23:00) and Bedroom = 30 dB LAeq, 8 hours during night-time (23:00 - 07:00), night-time (23:00 – 07:00) L<sub>Amax</sub> noise levels within bedrooms do not exceed 45 dB L<sub>Amax</sub> more than 10 to 15 times per night. The maximum noise levels described must be achieved during background ventilation rates as defined in Part F of the Building Regulations.

**Reason:** To protect the amenities of residents in accordance with Local Plan policy EQ5.

30      Internal transmission of noise from commercial to residential dwellings

Details shall be submitted to the Local Planning Authority for approval prior to the commencement of construction works of the sound insulation of the floor/ ceiling/ walls separating the commercial and communal part(s) of the premises from dwellings. Details shall demonstrate that the sound insulation value D<sub>nT,w</sub> [and L'<sub>nT,w</sub> where appropriate] is enhanced by at least 10-15dB above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial/ communal noise the commercial/communal areas and to achieve the criteria of BS8233:2014 within the dwellings/ noise sensitive premises. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained. Upon completion, the on-site performance of these elements will be demonstrated during pre-completion acoustic testing.

**Reason:** To protect the amenities of existing and future residents in accordance with Local Plan policy EQ5  
Sound Insulation from External Noise Sources

31

Prior to the development being occupied, facade sound insulation tests shall be submitted to and approved in writing by the Local Planning Authority. Noise tests shall be carried out taking account of worst-case environmental conditions, such as easterly operations at Heathrow, peak time traffic flows wind speed. Continuous logged data shall be submitted.

**Reason:** To protect the amenities of residents in accordance with Local Plan policy EQ5.

32

Contamination



No development (excluding demolition to ground slab level) shall commence within a phase (or part therein), until: ~~Before the development hereby permitted commences:~~

**Comment [RS15]:** Before commencement (excluding demolition to ground slab level). Needs to be phased (to allow for the later closure of the petrol station)

a. Details of further intrusive site investigation are required in addition to the phase 1 desk study and phase 2 intrusive investigation previously submitted. These details shall be 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.

Prior to the occupation of the relevant plot (or part therein) of the development~~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.

Supporting notes:

a. An initial phase 1 desk study has been submitted with

the original application and is considered satisfactory. A phase 2 intrusive investigation has been submitted but it did not fully describe the conditions on the site and further investigation is needed. The further investigation to be submitted will include investigation into outstanding contamination issues to be communicated by the local planning authority and allow the development of a site Conceptual Model (CM), which identifies all potential pollutant linkages on the site. Risk assessments must adhere to current UK guidance and best practice.

b. The scheme for decontamination shall provide details of how each potential pollutant linkage, as identified in the conceptual model, will be made safe.

c. In some instances the LPA may require work on site to be ceased whilst the nature of additional contamination is investigated fully.

d. The validation report shall revisit the site conceptual model, and provide evidence that each aspect of the decontamination scheme was carried out correctly and successfully. This report shall prove that the development is suitable for its new use.

e. We request that site investigation reports or site plans be sent electronically to [landquality@hounslow.gov.uk](mailto:landquality@hounslow.gov.uk) or by post on a cd or dvd wherever possible.

33

#### Air Quality - Construction Machinery

All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA' Supplementary Planning Guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at: <https://nrmm.london/>

The developer shall also demonstrate that proposed development is compliant with Building Emissions

Benchmarks (BEBs), specified in GLA's Sustainable Design and Construction SPG (Apr. 2014).

*Reason: To minimise air pollution in accordance with Local Plan policy EQ4.*

34

#### Habitat Management and Monitoring Plan

Prior to the commencement of above ground works, a Habitat Management and Monitoring Plan shall be submitted to and approved in writing by the Local Planning Authority. The agreed plan shall be carried out and adhered to thereafter.

*Reason: To minimise air pollution in accordance with Local Plan policy EQ4.*

35

#### *Sustainable sourcing of materials*

A. No development above ground level shall take place within any phase (or part therein), until details for the relevant phase have been submitted to and approved by the Local Planning Authority that demonstrate:

**Comment [RS16]:** Needs to be phased.

- At least three of the key elements of the building envelope (external walls, windows roof, upper floor slabs, internal walls, floor finishes/coverings) are to achieve a rating of A+ to D in the Building Research Establishment (BRE) The Green Guide of specification.

- At least 50% of timber and timber products are to be sourced from accredited Forest Stewardship Council (FSC) or Programme for the Endorsement of Forestry Certification (PEFC) scheme.

B. The development 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 under Part A of this condition. The development shall be maintained in accordance with the approved details at all times thereafter.

*Reason: in order to ensure the sustainable sourcing of materials in accordance with the London Plan Policy 5.3 and the Mayor of London's Sustainable Design and Construction SPG.*

36

#### *Internal water use*

Prior to first occupation of any dwelling within each phase evidence (schedule of installed fittings and manufactures literature) shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the development has achieved an internal water use of 105L/person/day or less.

Comment [RS17]: phased

Reason: in order to protect and conserve water supplies and resources in accordance with London Plan Policy 5.15 and the London Borough of Hounslow Local Plan Policy EQ2.

### 37 Submission of SUDS Details

Development (excluding demolition to ground slab level) shall not commence until details of the Sustainable Urban Drainage Schemes (SUDS) have been submitted to and approved in writing by the Local Planning Authority. Details must comply with Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage Schemes (SUDS). The submitted Plan shall include details of:

Comment [RS18]: excluding demolition

- Attenuation times
- Profiles & dimensions of water bodies
- Details of marginal planting

No subsequent alterations to the approved SUDS scheme are to take place unless first submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

*Reason: To avoid endangering the safe movement of aircraft and the operation of Heathrow Airport through the attraction of Birds and an increase in the bird hazard risk of the application site. For further information please refer to Advice Note 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-3-Wildlife-Hazards-2016.pdf>).*

### 38 Secure by Design

The development shall achieve 'Secured by Design' accreditation awarded by the Design-Out Crime Officer from the Metropolitan Police Service on behalf of the Association of Chief Police Officers (ACPO).

Prior to the occupation of any ~~No dwelling~~ within each phase shall be occupied until 'Secured by Design' accreditation ~~shall be~~ has been achieved and evidence of such accreditation ~~has been~~ submitted to and approved in writing by the Local Planning Authority.

Comment [RS19]: phased

Reason: In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime

and disorder implications in excising its planning functions; to promote the well-being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000 and to ensure the development provides a safe and secure environment in accordance with London Plan Policy D11.

39

Thames Water – Foul Water

No part of the development shall be occupied until confirmation has been provided that either:-

1. All wastewater network upgrades required to accommodate the additional flows from the development have been completed; or
2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow the development to be occupied.

Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

**Reason:** Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](http://thameswater.co.uk/preplanning).

40

Thames Water - water network infrastructure

No part of the development shall be occupied until confirmation has been provided that either:

- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or
- a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied.

Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

**Reason:** The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient

capacity is made available to accommodate additional demand anticipated from the new development”

The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](https://thameswater.co.uk/preplanning)

41

#### Drainage

Prior to commencement of groundworks (excluding site investigations and demolition) on any phase, the applicant must submit a final detailed drainage design including drawings and supporting calculations and updated Drainage Assessment Form to the [Local Planning Authority and](#) Lead Local Flood Authority for review and approval [in writing. The details must include](#) [Aa](#) detailed management plan confirming routine maintenance tasks for all drainage components ~~must also be submitted~~ to demonstrate how the drainage system is to be maintained for the lifetime of the development.

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, its associated Sustainable Design and Construction SPG, the Non-Statutory Technical Standards for Sustainable Drainage Systems and Hounslow Council's Local Plan Policy EQ3.

42

#### Drainage Implementation

No building hereby permitted shall be occupied until evidence (photographs and installation contracts) is submitted to demonstrate that the sustainable drainage scheme for ~~the site~~ [relevant phase](#) has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan for all of the proposed drainage components.

*Reason: To comply with the Non-Statutory Technical Standards for Sustainable Drainage Systems, the National Planning Policy Framework (Paragraph 103), the London Plan (Policies 5.12 and 5.13) along with associated guidance to these policies and Hounslow Council's Local Plan Policy EQ3.*

Comment [RS20]: phased

43 *Restriction of permitted development rights (Residential conversion)*

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order) no change of use under Part 3 Class M or Class O, Class PA ~~(or any changes affecting these provisions), enlargement of the premises or any additional structures/buildings within the curtilage of the site~~ shall be carried out.

Reason: In the interests of the amenity of the area and protect the non-residential function to meet needs of local residents and in order ~~not~~ that the Local Planning Authority is able to exercise control over future development of the site in accordance with CC1, CC2, TC3, TC5 and EQ5 of the adopted Local Plan Policies.

**Comment [KRS21]:** amended wording, removed unnecessary, changes to capture future changes (eg. proposed PD rights to change from Class E to resi) Current GPDO references old use class order, not due to be updated till August

44 *Restriction of permitted development rights (Residential extensions & outbuildings)*

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order) no enlargement of the premises or any additional structures/buildings within the curtilage of the site shall be carried out.

Reason: In order not to prejudice the amenities of the adjoining properties and in order that the Local Planning Authority is able to exercise control over future development of the site in accordance with Policies CC1, CC2 and SC7 of the adopted Local Plan.

45

Drainage

~~Prior to commencement of groundworks (excluding site investigations and demolition) in any phase of the development, the applicant must submit a final detailed drainage design including drawings and supporting calculations and updated Drainage Assessment Form to the Lead Local Flood Authority for review and approval.~~

~~A detailed management plan confirming routine maintenance tasks for all drainage components must also be submitted to demonstrate how the drainage system is to be maintained for the lifetime of the development.~~

~~Reason: To prevent the risk of flooding to and from the~~

**Comment [RS22]:** repeat of 41

**Comment [KRS23]:** to be deleted

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4645

~~site in accordance with relevant policy requirements including but not limited to London Plan Policy 5.13, its associated Sustainable Design and Construction SPG, the Non-Statutory Technical Standards for Sustainable Drainage Systems and Hounslow Council's Local Plan Policy EQ3~~

Drainage Implementation

~~No building hereby permitted shall be occupied until evidence (photographs and installation contracts) is submitted to demonstrate that the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan for all of the proposed drainage components.~~

~~Reason: To comply with the Non-Statutory Technical Standards for Sustainable Drainage Systems, the National Planning Policy Framework (Paragraph 103), the London Plan (Policies 5.12 and 5.13) along with associated guidance to these policies and Hounslow Council's Local Plan Policy EQ3.~~

Comment [RS24]: repeat of 42

Comment [KRS25]: to be deleted

Comment [RS26]: phase

4746

*Timing of vegetation clearance (breeding birds).*

All removal of trees, hedgerows, shrubs, scrub or tall herbaceous vegetation shall be undertaken between September and February inclusive. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present then the vegetation shall not be removed until the fledglings have left the nest.

Reason. All wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended). In the interests of nature conservation and biodiversity, in accordance with Local Plan Policy GB7.

4847

*Ecological Management Plan*

A) No development shall take place until a Construction Phase Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority.

Comment [RS27]: should separate this out into two parts – protection during construction prior to commencement (i and ii), and then parts iii to vii can be prior to above ground works on relevant phase



The Construction Phase Ecological Management Plan shall incorporate:

(i) details of measures to protect breeding birds, nests and eggs from mortality/damage, injury and disturbance, including avoidance by timing and/or appropriate supervision;

(ii) details of the ecological clerk of works supervision to be put in place to monitor the clearance of vegetation to ensure no impact on undiscovered or other unexpected faunal encounters;

Prior to above ground works within any phase (or part therein), an Ecological Management Plan for the relevant phase shall be submitted to and approved in writing by the Local Planning Authority. The Ecological Management Plan shall incorporate:

(iii) an ecological lighting plan;

(iv) details of ecological enhancement and urban greening factor, including how the urban greening factor is to be delivered and achieved on site;

(v) details of how the enhancement measures will be monitored, managed and maintained, including the long-term design objectives, management responsibilities and maintenance schedules.

(vi) Additional detail on location and type of bird/bat boxes, maintenance and a commitment that any data collected is to be shared with the Council;

(vii) Species surveys within and around the site to demonstrate ecological enhancements

(viii) demonstrate integration with the approved EMP for any other phase

The development shall then be carried out in accordance with the approved details and maintained as such thereafter.

Reason: In the interests of Nature Conservation and in accordance with Local Plan policies CC1 and GB7, London Plan policy 5.10.

**Comment [RS28]:** Needs to be phased.

**Comment [RS29]:** should separate this out into two parts – protection during construction prior to commencement (i and ii), and then parts iii to vii can be prior to above ground works on relevant phase