

Greg Gray
Ealing Council London Borough
London Borough Of Ealing,
Planning Service,
4th floor, Perceval House,
EALING,
W5 2HL

13th December 2023

Dear Greg,

TFL LANDHOLDINGS AT BOLLO LANE, ACTON, EALING SECTION 96A APPLICATION TO PLANNING PERMISSION REF: 201379OUT.

On behalf of BDW Trading Limited (Barratt London) & TfL (Places for London), we have been instructed to submit non-material amendments by way of an application under Section 96A of the Town and Country Planning Act 1990 to Planning Permission Ref: 201379OUT. Permission was granted on 22nd December 2021 for the following:

“Hybrid planning application for comprehensive phased redevelopment of the site comprising: Full planning permission for demolition of existing buildings and structures (Phases 1 to 2) to provide up to 550sqm (GIA) of Business Use Class B1a/b/c floorspace, up to 125sqm (GIA) of flexible commercial Use Classes A1 / A2 / A3 / A4 / A5, up to 200 new affordable and market dwellings in a block up to 25 storeys, replacement Train Crew Accommodation (TCA) building, new footway to Bollo Lane, relocated bus stop, new pedestrian crossing, new open and amenity space and associated public realm works. Outline planning permission (Phases 3 to 4) for demolition of existing buildings and structures to provide up to 1,800sqm (GIA) of Business Use Class B1a/b/c floorspace, up to 175sqm (GIA) of flexible commercial Use Classes A1 / A2 / A3 / A4 / A5, up to 700 new affordable and market dwellings (up to 61,940sqm(GIA)) in 8 Blocks of between 8 storeys and 18 storeys, new open and amenity space, vehicle and cycle parking, rear service road, alterations to vehicular accesses and associated public realm works. Appearance to be a ‘reserved’ matter”.

For clarity, it is worth mentioning that a Section 96A Application was approved on 24th January 2022 (Ref: 220269NMA) for the following:

“Non-material changes to the granted planning permission (ref: 201379OUT) to correct some minor drafting, formatting, numbering errors to the following conditions: 5, 8, 17, 25, 27, 48, 56 and 57. Full details of the non-material changes sought are provided in the application covering letter”.

Given the changes to the conditions within that Section 96A Application, the wording of the conditions is taken directly from that decision.

This application seeks:

“Non-material amendments to planning permission Ref: 201379OUT to alter conditions to enable changes to the approved plans and elevations to respond to new fire safety requirements and an improved overheating strategy for Plot 3A. Alteration to various conditions for clarification purposes”.

THE PROPOSED AMENDMENTS

The proposed amendments to Plot 3A have been set out in detail in the Design and Access Statement Addendum prepared by Allies & Morrison but have been summarised in this letter under the following subheadings. The proposed amendments to the planning conditions have been set out in detail at **Appendix 1** of this letter.

Fire Strategy Amendments

As a result of the updates to the Approved Document B that have been published by the government, a number of amendments are required to be made to the approved fire strategy for Plot 3A. Amendments include:

- Incorporation an additional residential stair to provide an alternative means of escape;
- Alteration of the residential unit mix in response to amendments to the lift and stair core; and
- Reconfiguration of the residential accommodation and apartment layouts.

Plant and Building Servicing Amendments

A detailed review of the building servicing strategy and plant accommodation has been undertaken and it has become apparent that amendments are required to the quantum and sizing of building plant and servicing. Amendments include:

- Additional water tank room - B1 Workspace;
- Additional water tank room - Residential;
- Requirement for a double sub-station;
- Amendment to locate the generator from roof level to the ground floor level.

The inclusion of these additional spaces and functions, in combination with restrictions/ limitations on their placement has directly informed the proposed ground floor layout to satisfy requirements for access, ventilation and proximity to the servicing bay.

Incorporating the above amendments to the servicing and plant accommodation at ground floor level it has been necessary to reconfigure the provision of cycle parking to be split between internal and external bays - each providing safe, secure and well-lit conditions.

Workspace Accommodation and Residential Amenity Amendments

There are amendments to the workspace entrance and the layout. This accommodation is split across the ground and mezzanine floors serviced by a dedicated lift and stair core. The workspace benefits from a dedicated and prominent entrance from the new public realm to Bollo Lane. The entrance is recessed within a double storey, arched facade that acts to identify the workspace accommodation across the mezzanine floor level. The proposed development includes 505 sqm (GEA) of flexible workspace in Plot 3A compared to the consented scheme which provided 542 sqm (GEA). The proposed workspace therefore still remains in line with Condition 8 (Quantum of Development) which requires no more than 542 sqm of Business (Use Class B1a-c inclusive) floorspace on Plot 3A and Condition 10 (Supply and Retention of Business Floorspace) which requires a minimum of 257sqm (GIA) of Class B1 floorspace on Plot 3A.

Amendments have also been made to the layout of the residential amenity in the building. The remainder of the Bollo Lane frontage is allocated to the residential entrance and lobby as well as an amenity space that opens out onto shared resident's garden space and public realm. Further residential amenity is located at mezzanine-, first-, fourth- and twenty-fifth-floor levels and includes for a mix of internal rooms and spaces suitable for a variety of activities and garden terraces affording playspace for children and panoramic views across the wider neighbourhood and region.

Façade Amendments

A series of façade amendments have been made in order to address the thermal performance of the building fabric and the overheating of the residential accommodation within. The amendments sought in this application seek to improve the overheating strategy for the building, reducing the extent of glazing where appropriate and incorporate a masonry infill panel to increase the amount of insulated wall within the scheme. These amendments significantly improve the sustainability credentials of the building.

The proposal subject of this application incorporates a clean, square plan to the balconies in comparison to the consented scheme which incorporated a chamfered corner detail to the plan.

Furthermore, this application makes amendments to the external finishes and materials of the building and includes a sawtooth brickwork profile in light buff colour to replace the masonry beams included in the consented scheme.

Corrections and Clarity of Drawn Information

In the preparation of material to support this application, it has been necessary for Allies & Morrison to separate out the non-typical floor plans, reallocate typical floors, and where necessary, introduce new drawings.

On the basis that the consented drawings were prepared by HOK, there are naturally amendments to the drawing numbers of the plans submitted with this application. A Schedule of Approved and Proposed Drawings has been included with this application submission.

Landscape Amendments

It is required that the railway embankment adjacent to the railway line is retained and therefore it has been necessary to make a series of amendments to the parking, servicing and access strategy which include the removal of the rear access road, the relocation of the blue-badge parking to Stanhope Way, as well as changes to the hard landscaping. As a result of the minor amendment to the parking layout, it has been necessary to make a minor amendment to the site wide Phasing Plan.

Furthermore, amendments have been made to the public realm and landscape in order to omit the need for the consented wind baffles within the public realm and improve wind conditions surrounding Plot 3A. A number of additional trees have been proposed as part of the wind mitigation package.

In relation to playspace, as a result of the amendments to the ground floor public realm, it has been possible to accommodate additional play space.

A viewing platform was proposed in the consented application as part of the wider urban idea of connecting different buildings and landscapes together. The viewing structure has been refined within this application to be both more aligned with the emerging urban strategy of the site and more useable as a play structure.

East have re-run the Urban Greening Factor calculations for the proposals and have confirmed that the proposals still meet and exceed the required Urban Greening Factor target of 0.40.

ASSESSMENT OF THE PROPOSED AMENDMENTS

Fire

As noted above, as a result of the updates to the Approved Document B that have been published by the government, a number of amendments are required to be made to the approved fire strategy for Plot 3A – these have been set out above. An Outline Fire Safety Strategy has been prepared by Ashton Fire alongside the Fire Statement Form. The Fire Safety Strategy has been developed in line with the requirements of London Plan Policy D5 and Policy D12 and therefore should be considered acceptable by the Council.

Overheating

An Overheating Assessment has been undertaken by Waterstone Design and submitted in support of this application. The assessment has been undertaken in accordance with CIBSE TM59 methodology which aligns with room profiles, equipment, lighting, and occupancy gains. The results of the initial modelling indicated that during peak summertime conditions some dwellings failed to maintain acceptable levels of thermal comfort, with many zones failing to meet more than one of the CIBSE TM59 criteria.

To address this, the following improvement measures have been implemented to demonstrate compliance for each dwelling utilising TM59 Compliance Criterion to maintain acceptable levels of thermal comfort.

- All residential glazing to benefit from a 0.37 g-value.
- Incorporation of passive design measures throughout the building such as balconies, thermal mass (construction build ups) and large internal/external reveals.
- Natural ventilation has been provided to all 'Kitchen Living Dining' areas through openable windows during occupied, daytime hours which demonstrates compliance with 'Criteria for homes predominantly naturally ventilated' for these areas.
- Two options have been proposed as part of the strategy:
 - Option A - 'Hybrid Cooling System' which combines high levels of indoor air quality with the added benefit of summer cooling to mitigate overheating for bedroom areas.
 - Option B – A dedicated 'Purge Ventilation Unit' to bedroom areas allowing the rapid removal of stale, warm air from the dwelling to improve thermal comfort.

Overall, both options incorporate improved measures above the consented Energy Strategy and therefore the proposed amendments should be acceptable to the Council.

Wind

A Pedestrian Level Wind Microclimate Assessment has been undertaken by RWDI and submitted in support of this application. The result of the amended Proposed Development would be no worse than the approved scheme and therefore should be acceptable to the Council.

Daylight and Sunlight

DPR have undertaken a review of the proposed amendments taking into consideration the daylight and sunlight reports associated with the consented scheme. DPR have prepared a Daylight and Sunlight Supporting Letter, which is submitted in support of this application. Overall, it is considered that from a daylight and sunlight perspective the amendments are deemed reasonable and align closely with the consented scheme in relation to neighbouring receptors. Furthermore, it will provide future residents with excellent access to the benefits of daylight and sunlight.

LONDON BOROUGH OF EALING NON-MATERIAL AMENDMENT PROTOCOL

The Ealing Council Protocol for NMAs (2011) has been included below. A comment against each protocol has been included in red to demonstrate that the proposed amendments are 'non-material' in nature.

"Ealing Council will normally consider the following proposed works as 'non-material amendments':

- *The resulting scheme is reduced in size in any dimension, and this does not compromise the overall design and appearance, particularly in conservation areas;*
- *There is a reduction in the number and size or location of any openings, and this does not compromise the overall design and appearance, particularly in conservation areas;*
- *There is no material impact on any neighbours or other statutory and non-statutory bodies, and the resulting scheme remains within the description of development on the decision notice, the fee paid and is within the adopted policies of the Council.*

Ealing Council will not normally consider proposed works as 'non-material amendments' where:

- The resulting scheme would alter the nature or description of the development; the description of development has not been altered as part of this application.
- The resulting scheme is increased in the size (by volume and/or height) to the extent where this would have a material impact on the design, external appearance and/or local amenity; Whilst there is a slight increase to the tower plan from 644sqm (GIA) to 666 sqm (GIA) and also an amendment to the tower elevation to extend north by a maximum of 1.4m, it is not considered that these amendments would have a material impact on the design, external appearance and/or local amenity.
- There is an increase in the number of any openings, or a noticeable increase in size and/or location openings (doors and windows), which would affect the external appearance of the proposal or result in loss of privacy or amenity to neighbours; there is no increase in the number of any openings and there is no increase in and/or location of openings. The number of openings i.e., amount of glazing has been reduced as a result of the overheating strategy for the building.
- The resulting scheme would have a poorer design by reason of loss of detail or lower quality materials that would impact on the visual amenity; Amends to the building façade have been made to improve the overheating strategy however amendments would not result in loss of detail and the quality of materials is consistent with the consented scheme.
- The amendment would result in the scheme becoming contrary to the adopted policies of the Council; The scheme would remain in accordance with the Council's adopted policies.
- The resulting scheme would conflict with any existing planning conditions". Whilst amendments are proposed to planning conditions as part of this application, they are non-material in nature and are simply proposed for clarification purposes, to improve speed of delivery or to amend references of plans and documents.

SUMMARY

As set out above, the amendments relate to Plot 3A and are being made to respond to new fire safety requirements, provide an improved overheating strategy and maintenance strategy, as well as to overcome construction constraints. The amendments are 'non-material' in nature and should be determined on this basis. As noted above, the proposed amendments to the planning conditions have been set out in detail at **Appendix 1** of this letter. The condition amendments are non-material and are simply proposed for clarity purposes or to amend references of plans and documents.

In support of this application, please find enclosed the following documentation:

- S96A Application Form completed by Carter Jonas
- Covering Letter (this letter) prepared by Carter Jonas
- Schedule of Approved and Proposed Drawings prepared by Carter Jonas.
- Design and Access Statement Addendum prepared by Allies & Morrison and East.
- Comparison Drawing Pack prepared by Allies & Morrison (Due to file size, this has not been uploaded to the Planning Portal but instead, has been issued directly to yourself).
- Suite of architectural and landscape drawings prepared by Allies & Morrison and East.
- Suite of annotated architectural prepared by Allies & Morrison (Please note – these are being submitted for information purposes only and it is not intended that these annotated versions would be approved drawings. Due to file sizes, these annotated plans have not been uploaded to the Planning Portal but instead, have been issued directly to yourself).
- Outline Fire Safety Strategy prepared by Ashton Fire (dated 12.12.23).
- Fire Statement Form prepared by Ashton Fire.
- Overheating Analysis Report prepared by Waterstone Design (REV2).
- Pedestrian Wind Microclimate Assessment prepared by RWDI (#2400056- REV B).

- Daylight and Sunlight Supporting Letter prepared by DPR (Ref: 23425).
- Planning Permission Decision Notice Ref: 201379OUT (for reference purposes only).
- Section 96A Decision Notice Ref: 220269NMA (for reference purposes only).

The planning application fee of £293 (excluding the Planning Portal service charge) has been paid to the Council via the Planning Portal.

We trust you will find the application in order and look forward to receiving acknowledgement of its validation in due course.

If you have any queries, please do not hesitate to contact either myself or my colleague Alister Henderson (Alister.Henderson@carterjonas.co.uk).

Yours faithfully



Niamh Burke
Associate

E: Niamh.Burke@carterjonas.co.uk

M: 07717733628

APPENDIX 1 - THE PROPOSED AMENDMENTS TO PLANNING CONDITIONS

The following amendments to planning conditions are required. The condition amendments are non-material and are simply proposed for clarity purposes or to amend references of plans and documents.

Condition 1 – Amendment to substitute Phasing Plan and include reference to ability to amend Phasing Plan under Condition 14 in the future.

As approved:

“1. Time Compliance

The permission hereby grants full planning permission for the erection of development on Plots 1A and 3A, as set out on approved Phasing Plan TFLBHOBZZ-DR-A-1011 Rev 1. Development shall commence no later than 3 years following the date of grant of this permission”.

As amended:

“1. Time Compliance

The permission hereby grants full planning permission for the erection of development on Plots 1A and 3A, as set out on approved Phasing Plan BOLAN-AAM-BA-00-DP-AR-07005 P1 (or as otherwise amended under Condition 14). Development shall commence no later than 3 years following the date of grant of this permission”.

Condition 2 - Amendment to substitute Phasing Plan and include reference to ability to amend Phasing Plan under Condition 14 in the future.

As approved:

“2. Reserved Matters

a. Application(s) for approval of Reserved Matters for the erection of development on Plots 2A - 2F, as set out on approved Phasing Plan TFLBHOBZZ-DR-A-1011 Rev 1 must be made no later than the expiration of 10 years beginning from the date of this permission and

b. The development to which these Plots or Phases of the permission relates must be begun no later than the expiration of 2 years from the final approval of the Reserved Matters or in the case of approval on different dates, the final approval of the last such matter to be approved”.

As amended:

“2. Reserved Matters

a. Application(s) for approval of Reserved Matters for the erection of development on Plots 2A - 2F, as set out on approved Phasing Plan BOLAN-AAM-BA-00-DP-AR-07005 P1 (or as otherwise amended under Condition 14) must be made no later than the expiration of 10 years beginning from the date of this permission and

b. The development to which these Plots or Phases of the permission relates must be begun no later than the expiration of 2 years from the final approval of the Reserved Matters or in the case of approval on different dates, the final approval of the last such matter to be approved”.

Condition 3 - Amendment to substitute Phasing Plan and include reference to ability to amend Phasing Plan under Condition 14 in the future. As approved:

“3. Phasing Plan

For each phase of the development as illustrated on approved Phasing Plan TFLBHOBZZ-DR-A-1011 Rev 1, no development shall commence until all of the following reserved matters for that Phase have been approved by the Local Planning Authority: Appearance”.

As amended:

“3. Phasing Plan

For each phase of the development as illustrated on approved Phasing Plan BOLAN-AAM-BA-00-DP-AR-07005 P1 (or as otherwise amended under Condition 14), no development shall commence until all of the following reserved matters for that Phase have been approved by the Local Planning Authority: Appearance”.

Condition 5 – Amendment to include changes to approved plans and documents. This condition is lengthy therefore please refer to schedule of Approved and Proposed Drawings prepared by Carter Jonas for updated drawing references.

Condition 8 - Amendment to substitute Phasing Plan and include reference to ability to amend Phasing Plan under Condition 14 in the future.

As approved:

“8. Quantum of Development

The quantum of development hereby permitted according to each Plot or Phase of Development on approved Phasing Plan TFLBHOBZZ-DR-A-1011 Rev 1 and shall not exceed the following unless the quantum is revised via the approval of a Reserved Matters application(s) or amended via a formal change to the original planning permission as agreed with the Council:

a. Phase 1, Plot 1A:

Train Crew Accommodation 1389sqm GEA

Commercial (Use Classes A1 - A5 inclusive) 129sqm GEA

b. Phase 2, Plot 3A:

195 dwellings

Business (Use Class B1a-c inclusive) 542sqm.

For Plots 2B- 2F proposed Business and Commercial uses shall be located in accordance with Parameters Drawing No. TFBL-HOK-2Z-ZZ-DR-A-1023 and the following:

c. Phase 3, Plots 2D -2F

424 dwellings (unless varied and agreed with the Council as above) Commercial (Use Classes A1 - A5 inclusive) 154sqm GEA Business (Use Class B1a-c inclusive) 1776sqm.

d. Phase 4, Plots 2B and 2C:

233 dwellings (unless varied and agreed with the Council as above)”.

As amended:

“8. Quantum of Development

The quantum of development hereby permitted according to each Plot or Phase of Development on approved Phasing Plan BOLAN-AAM-BA-00-DP-AR-07005 P1 (or as otherwise amended under Condition 14) and shall

not exceed the following unless the quantum is revised via the approval of a Reserved Matters application(s) or amended via a formal change to the original planning permission as agreed with the Council:

a. Phase 1, Plot 1A:

Train Crew Accommodation 1389sqm GEA

Commercial (Use Classes A1 - A5 inclusive) 129sqm GEA

b. Phase 2, Plot 3A:

195 dwellings

Business (Use Class B1a-c inclusive) 542sqm.

For Plots 2B- 2F proposed Business and Commercial uses shall be located in accordance with Parameters Drawing No. TFBL-HOK-2Z-ZZ-DR-A-1023 and the following:

c. Phase 3, Plots 2D -2F

424 dwellings (unless varied and agreed with the Council as above) Commercial (Use Classes A1 - A5 inclusive) 154sqm GEA Business (Use Class B1a-c inclusive) 1776sqm

d. Phase 4, Plots 2B and 2C:

233 dwellings (unless varied and agreed with the Council as above)".

Condition 11 - Amendment to substitute Phasing Plan and include reference to ability to amend Phasing Plan under Condition 14 in the future.

As approved:

"11.

Prior to occupation of the residential units within each relevant phase of the development hereby permitted, or in accordance with an alternative timetable that has been first submitted to and approved in writing by the Local Planning Authority, the Class B1(c) floorspace relating to that phase shall be completed including the external facades and fitted out to shell and core standard in accordance with approved Phasing Plan TFLBHOBZZ-DR-A-1011 Rev 1. This shall include minimum floor to ceiling height of 3.5m, minimum floor loading, external access and servicing areas as described on Plans, in the Design and Access Statement and Design Codes".

As amended:

"11.

Prior to occupation of the residential units within each relevant phase of the development hereby permitted, or in accordance with an alternative timetable that has been first submitted to and approved in writing by the Local Planning Authority, the Class B1(c) floorspace relating to that phase shall be completed including the external facades and fitted out to shell and core standard in accordance with approved Phasing Plan BOLAN-AAM-BA-00-DP-AR-07005 P1 (or as otherwise amended under Condition 14). This shall include minimum floor to ceiling height of 3.5m, minimum floor loading, external access and servicing areas as described on Plans, in the Design and Access Statement and Design Codes".

Condition 12 – Amendment for clarification purposes

As approved:

“12.

Prior to the commencement of above ground works of the relevant phase, details of internal lift and accesses (e.g. type and location) for the vertical material movements and/or loading and unloading of goods in relation to the operation of the Class B1(c) floorspace (commercial units over 2 floors in Plot 3A) hereby permitted shall be provided for the written agreement of the Local Planning Authority. The development shall be carried out in accordance with the details approved prior to occupation of the Plot 3A residential units hereby approved”.

As amended:

“12.

Prior to the commencement of above ground works of the relevant phase, details of internal lift and accesses (e.g. type and location) for the vertical material movements and/or loading and unloading of goods in relation to the operation of the Class B1(c) floorspace (commercial units over 2 floors in Plot 3A) hereby permitted shall be provided for the written agreement of the Local Planning Authority. The development shall be carried out in accordance with the details approved prior to the occupation of the relevant phase”.

Condition 13 - Amendment to substitute Phasing Plan and include reference to ability to amend Phasing Plan under Condition 14 in the future.

As approved:

“13. Phasing and Footway Construction Sequence

a. The Phases of the Development shall be those Phases which are defined on approved Phasing Plan TFLBHOBZZ-DR-A-1011 Rev 1 unless and to the extent that the Phases may be varied in accordance with Condition 13.

b. The new footways to Bollo Lane defined on approved Phasing Plan TFLBHOBZZ-DR-A-1011 Rev 1 shall completed on a plot-by-plot basis in accordance with the details shown on Master Landscape Site Plan 214-BL-L-STE-PLN-000 Rev.A to the satisfaction on the local planning authority. For each plot, the new footway shall be completed prior to the first occupation of any part of any building on the same Plot”.

As amended:

“13. Phasing and Footway Construction Sequence

a. The Phases of the Development shall be those Phases which are defined on approved Phasing Plan BOLAN-AAM-BA-00-DP-AR-07005 P1 (or as otherwise amended under Condition 14).

b. The new footways to Bollo Lane defined on approved Phasing Plan TFLBHOBZZ-DR-A-1011 Rev 1 (or as otherwise amended under Condition 14) shall completed on a plot-by-plot basis in accordance with the details shown on Master Landscape Site Plan 214-BL-L-STE-PLN-000 Rev.A to the satisfaction on the local planning authority. For each plot, the new footway shall be completed prior to the first occupation of any part of any building on the same Plot”.

Condition 14 – Amendment to substitute Phasing Plan.

As approved:

“14. Amendments to Phasing Sequence

The approved Phasing Plan TFLBHOBZZ-DR-A-1011 Rev 1 may be amended from time to time to reflect changes to the phasing of the development on written application and subject to obtaining the prior written approval of the LPA in respect of:

- a. any amendment to the Phases or any subsequently approved Phasing Plan; or*
- b. any part of a Phase but provided always that such approval to an amended Phase shall not be given unless and until any such proposed amendments or changes or the definition of any Phase shall have been demonstrated to be unlikely to have significant adverse environmental effects and/or significantly undermine comprehensive delivery of the regeneration scheme”.*

As amended:

“14. Amendments to Phasing Sequence

The approved Phasing Plan BOLAN-AAM-BA-00-DP-AR-07005 P1 may be amended from time to time to reflect changes to the phasing of the development on written application and subject to obtaining the prior written approval of the LPA in respect of:

- a. any amendment to the Phases or any subsequently approved Phasing Plan; or*
- b. any part of a Phase but provided always that such approval to an amended Phase shall not be given unless and until any such proposed amendments or changes or the definition of any Phase shall have been demonstrated to be unlikely to have significant adverse environmental effects and/or significantly undermine comprehensive delivery of the regeneration scheme”.*

Condition 17 – Amendment to introduce ability to submit on a phased basis.

As approved:

“17. Construction and Demolition Management Plan

Notwithstanding the submitted Management Plan, prior to the commencement of any development, details of a site demolition and construction method statement/ management plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways England. The method statement/management plan shall include the following:

- a) The number of on-site construction workers and details of the transport options and parking facilities for them;*
- b) anticipated number, frequency and size of construction vehicles entering/exiting the site*
- c) delivery times and booking system (staggered to avoid morning and afternoon school run peak periods)*
- d) site access for construction traffic and contractor staff parking and associated signage and required works to facilitate this.*
- e) consolidated or re-timed trips*
- f) dust suppression measures to the standards set out in the 'Best Practice Guidance: The control of dust and emissions from construction and demolition'.*
- g) wheel washing provisions*
- h) site security*
- i) secure, off-street loading and drop-off facilities*
- j) vehicle manoeuvring and turning, including swept path diagrams to demonstrate how vehicles will access the site and be able to turn into and emerge from the site in forward gear.*

k) details as to the locations for the storage of building materials and construction debris and contractors' offices

l) procedures for on-site contractors to deal with complaints from local residents. Such details and phasing as necessary shall be agreed in writing and implemented prior to the commencement of works on site and thereafter retained for the duration of the works”.

As amended:

“17. Construction and Demolition Management Plan

Notwithstanding the submitted Management Plan, prior to the commencement of development on any Plot or Phase, details of a site demolition and construction method statement/ management plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways England. The method statement/management plan shall include the following:

a) The number of on-site construction workers and details of the transport options and parking facilities for them;

b) anticipated number, frequency and size of construction vehicles entering/exiting the site

c) delivery times and booking system (staggered to avoid morning and afternoon school run peak periods)

d) site access for construction traffic and contractor staff parking and associated signage and required works to facilitate this.

e) consolidated or re-timed trips

f) dust suppression measures to the standards set out in the 'Best Practice Guidance: The control of dust and emissions from construction and demolition'.

g) wheel washing provisions

h) site security

i) secure, off-street loading and drop-off facilities

j) vehicle manoeuvring and turning, including swept path diagrams to demonstrate how vehicles will access the site and be able to turn into and emerge from the site in forward gear.

k) details as to the locations for the storage of building materials and construction debris and contractors' offices

l) procedures for on-site contractors to deal with complaints from local residents. Such details and phasing as necessary shall be agreed in writing and implemented prior to the commencement of works on site and thereafter retained for the duration of the works”.

Condition 22 – Given that there are no trees on site to be retained, it is considered that the below condition can be removed.

As approved:

“22. Tree Protection

A tree protection programme and works for any retained trees shall be set out and erected out prior to the commencement of any part of the development and thereafter maintained on site to the satisfaction of the local planning authority until all works are completed”.

Condition 23 - Amendment to substitute Phasing Plan and include reference to ability to amend Phasing Plan under Condition 14 in the future.

As approved:

“23. Roof terrace/amenity space screens

Prior to the fitting out of the roof top amenity areas of any Plot or Phase of development shown on approved Phasing Plan TFLBHOBZZ-DR-A-1011 Rev 1, details of screening to the perimeters of the roof terrace amenity areas shall have been submitted to and approved by the local planning authority”.

As amended:

“23. Roof terrace/amenity space screens

Prior to the fitting out of the roof top amenity areas of any Plot or Phase of development shown on approved Phasing Plan BOLAN-AAM-BA-00-DP-AR-07005 P1 (or as otherwise amended under Condition 14), details of screening to the perimeters of the roof terrace amenity areas shall have been submitted to and approved by the local planning authority”.

Condition 27 – Amendment to Overheating Strategy reference.

As approved:

“27. Overheating and Cooling

Each and every Plot or Phase of the permitted development shall incorporate the overheating and cooling measures in line with the relevant CIBSE TM49 and/or TM52 guidance and detailed in the Overheating/Cooling Assessment submitted by Mott MacDonald in March 2020”.

As amended:

“27. Overheating and Cooling

Each Plot or Phase of the permitted development (apart from Plot 3A) shall incorporate the overheating and cooling measures in line with the relevant CIBSE TM49 and/or TM52 guidance and detailed in the Overheating/Cooling Assessment submitted by Mott MacDonald in March 2020. Plot 3A shall incorporate the overheating measures in line with the relevant CIBSE TM49 and/or TM52 guidance and detailed in the Overheating Analysis Report prepared by Waterstone Design (Rev 2)”.

Condition 45 – Amendment to condition trigger to allow for detail to be submitted prior to commencement of relevant works.

As approved:

“45. External noise from machinery, equipment, extract/ventilation ducting, mechanical installations

Prior to commencement of any Plot or Phase of the development, details shall be submitted to the Council for approval in writing, of the external rating noise level emitted from plant/machinery/equipment/ducting/air in- and outlets/mechanical installations, together with mitigation measures as appropriate. The measures shall ensure that the external rating noise level LAeq emitted will be at least 10dB lower than the lowest existing background sound level LA90 at the most noise sensitive receiver locations at the development site and in surrounding premises. The assessment shall be made in accordance with BS4142:2014 and the assessment standard of the Council's SPG10, with all machinery operating together in any one location at maximum capacity. Details of any noise mitigation measures shall be submitted for approval. A post installation sound assessment shall be carried out where required to confirm compliance with the noise criteria and additional

steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation/ use of plant/ machinery/ equipment and thereafter be permanently retained”.

As amended:

“45. External noise from machinery, equipment, extract/ventilation ducting, mechanical installations

Prior to commencement of relevant works in any Plot or Phase of the development, details shall be submitted to the Council for approval in writing, of the external rating noise level emitted from plant/machinery/equipment/ducting/air in- and outlets/mechanical installations, together with mitigation measures as appropriate. The measures shall ensure that the external rating noise level LAeq emitted will be at least 10dB lower than the lowest existing background sound level LA90 at the most noise sensitive receiver locations at the development site and in surrounding premises. The assessment shall be made in accordance with BS4142:2014 and the assessment standard of the Council's SPG10, with all machinery operating together in any one location at maximum capacity. Details of any noise mitigation measures shall be submitted for approval. A post installation sound assessment shall be carried out where required to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation/ use of plant/ machinery/ equipment and thereafter be permanently retained”.

Condition 47 – Amendment to clarify that details are only required for a relevant phase.

As approved:

“47. Extraction and Odour Control system for non-domestic kitchens/dry cleaners

Prior to commencement of each plot or phase of the development, details shall be submitted to the Council for approval in writing, of the installation, operation, and maintenance of the odour abatement equipment and extract system, including the height of the extract duct and vertical discharge outlet without cowl at least 1m above the eaves of the main building. Details shall be provided of a reasonable distance of the extract outlet approximately 20.0meters from any openable residential window unless effective odour control is installed, of equipment and ducting to be fitted with anti-vibration mounts and silencers and of additional mitigation measures as necessary to ensure that noise and vibration transmission via internal ceilings, walls and external façades will meet the Council's standards specified in the SPG10. Approved details shall be implemented prior to use and thereafter be permanently retained”.

As amended:

“47. Extraction and Odour Control system for non-domestic kitchens/dry cleaners

Prior to commencement of each relevant plot or phase of the development, details shall be submitted to the Council for approval in writing, of the installation, operation, and maintenance of the odour abatement equipment and extract system, including the height of the extract duct and vertical discharge outlet without cowl at least 1m above the eaves of the main building. Details shall be provided of a reasonable distance of the extract outlet approximately 20.0meters from any openable residential window unless effective odour control is installed, of equipment and ducting to be fitted with anti-vibration mounts and silencers and of additional mitigation measures as necessary to ensure that noise and vibration transmission via internal ceilings, walls and external façades will meet the Council's standards specified in the SPG10. Approved details shall be implemented prior to use and thereafter be permanently retained”.

Condition 52 – Removal of wording relating to implementation of the approved remediation strategy as this is captured under Condition 53.

As approved:

“52. Submission of remediation scheme

A detailed remediation scheme for each Plot or Phase to bring the site to a condition suitable for the intended use shall be submitted to and subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria. The scheme must ensure that each Plot or Phase will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation works”.

As amended:

“52. Submission of remediation scheme

A detailed remediation scheme for each Plot or Phase to bring the site to a condition suitable for the intended use shall be submitted to and approved in writing of the Local Planning Authority prior to the commencement of each Plot or Phase. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria. The scheme must ensure that each Plot or Phase will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Condition 53 – Amendment to make condition a compliance condition. The timescales for carrying out the remediation will be included in the remediation scheme and therefore are not necessary for inclusion in this condition.

As approved:

“53. Implementation of approved remediation scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given four weeks written notification of commencement of the remediation scheme works. The scheme shall thereafter be retained as such”.

As amended:

“53. Implementation of approved remediation scheme

The remediation scheme approved under Condition 52 must be carried out in accordance with its terms unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given four weeks written notification of commencement of the remediation scheme works. The scheme shall thereafter be retained as such”.

Condition 57 – Amendment to trigger to be prior to occupation as details for this submission will not be known prior to commencement.

As approved:

“57. Travel Plan

Notwithstanding the submitted report and information, prior to the commencement of any Plot or Phase of the development details of a:

- 1. Residential Land use Travel Plan and*
- 2. Industrial land use Travel Plan and*
- 3. Commercial land use Travel Plan*

shall have been submitted to and approved by the local planning authority and such agreed measures shall be implemented prior to the first occupation of each Plot or Phase of the approved development”.

As amended:

“57. Travel Plan

Notwithstanding the submitted report and information, prior to the first occupation of any Plot or Phase of the development details of a:

- 1. Residential Land use Travel Plan and*
- 2. Industrial land use Travel Plan and*
- 3. Commercial land use Travel Plan*

shall have been submitted to and approved by the local planning authority and such agreed measures shall be implemented prior to the first occupation of each Plot or Phase of the approved development”.

Condition 58 – Amendment to Fire Strategy reference.

As approved:

“58. Fire Statement

The development hereby permitted shall be implemented in accordance with the terms and provisions of the Mott MacDonald Fire Strategy dated 9th March 2020 accompanying the application prior to the first occupation of any dwelling of any Plot or Phase of the development hereby permitted”.

As amended:

“58. Fire Statement

Each Plot or Phase of the permitted development (apart from Plot 3A) shall be implemented in accordance with the terms and provisions of the Mott MacDonald Fire Strategy dated 9th March 2020 accompanying the application prior to the first occupation of any dwelling of any Plot or Phase of the development hereby permitted”. Plot 3A shall be implemented in accordance with the terms and provisions of the Ashton Fire Outline Fire Safety Strategy (12.12.2023)”.