

Report of the Head of Planning & Enforcement

Address NORTHOLT JUNCTION CIVIC WAY RUISLIP

Development: Track and junction improvements involving widening the existing up line embankment for 1.2km; stabilising the existing embankment; laying a second track South of existing up main line; provision of new junctions; replacing the existing single track bridge over Civic Way with a double track bridge; infilling redundant under bridge and ancillary works.

LBH Ref Nos: 66712/APP/2010/103

Drawing Nos: 09_28_04
5089431-RLS-MFC-CBR-05026 Rev: A03
5089431-RLS-MFC-CBR-05027 Rev: A04
5083741-RLS-MFC-ENV-09001 Rev: P 03
5083741-RLS-MFC-CBR-00002 Rev: A01
5083741/RLS/MFC/CST/05554 Rev: A01
5083741/RLS/MFC/CST/05555 Rev: A01
5083741/RLS/MFC/CST/05556 Rev: A02
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Date Plans Received: 25/02/2010 **Date(s) of Amendment(s):**

Date Application Valid: 25/02/2010

1. SUMMARY

Planning permission is sought for enhancements along the railway line at Northolt Junction, to the east of South Ruislip Station. The works are required to improve rail services, as part of the 'Evergreen 3 Initiative' to upgrade the Chiltern line between London Marleybone and Banbury. The project aims to reduce journey times and make timetable improvements, by allowing westbound trains to avoid the severe speed restriction through the under-dive on the existing 'down line' and to allow faster trains to overtake slower ones. Once the works are complete, most westbound trains will be routed on the new line, with only local trains stopping at South Ruislip and West Ruislip Stations continuing to use the existing 'down line'.

The works will consist of widening the existing embankment, rebuilding the bridge over Civic Way, laying a new track to the north of the Waste Transfer Station, installing junctions at either end of the new line and infilling a redundant under bridge. Landscape

restoration and ecological enhancements are also proposed. It is anticipated that the works would be completed between May 2010 and December 2010.

No local residents are directly affected by land-take issues, as the proposed new line is between the existing 'up line' and the existing 'down line' and all within railway land. No significant vibration impacts are anticipated. However, an increase in ambient noise levels during the construction stage, both during the daytime and at night, because some night time work will be carried out where it is required by railway safety considerations, are predicted. In order to ensure that measures are taken to minimise disturbance from demolition and construction, the Environmental Protection Unit recommends the submission and approval of a Construction Environmental Management Plan. In addition, some operational noise increases around the Rabournmead Drive area, ranging from 'minor' to 'moderate', due to the increased speed of trains are predicted, but these are not considered sufficient reason to refuse the application.

The main impact on the local highway network will be during the reconstruction of the Civic Way bridge, which will require the closure of Civic Way for up to 38 hours one weekend. This will affect the operation of the Waste Site for a temporary period.

Only one, 7 day track closure will be required. Lines will remain open at all other times. The proposals are anticipated to encourage more people to use the trains rather than the car, which should result in fewer cars travelling through the borough, especially along the M40/A40 corridor. The GLA and TfL support the scheme, as it forms part of a strategic transport scheme that will deliver faster journeys and increased frequencies on the Chiltern line. In addition, there will be less emissions, as new trains will use the latest 'Euro-3A' engines.

It should be stressed that this proposal has nothing whatsoever to do with HS2.

There may be some loss of vegetation and impacts on local ecology, but these are not likely to be significant. At the time of completion of the committee report there was an outstanding objection from the Environment Agency. However, it is anticipated that this will be withdrawn in light of verbal feed back officers have received from the Environment Agency.

Subject to conditions controlling construction activities, ecological enhancement and landscape restoration, the application is recommended for approval.

2. RECOMMENDATION

1. That if the objections from the Environment Agency have not been withdrawn by 27 May 2010, the application be refused for the following reason:

The application fails to demonstrate that the proposed development would not increase the risk of flooding and therefore conflicts with Policies OE7 and OE8 of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007, Policy 4B.6 of The London Plan (February 2008) and Planning Policy Statement 25: Development and Flood Risk.

Informative

The FRA submitted with this application does not comply with the requirements set out in Annex E, paragraph E3 of Planning Policy Statement 25 (PPS 25). The submitted FRA does not therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. In particular, the

submitted FRA fails to be supported by appropriate data and information to demonstrate that appropriate floodplain storage compensation can be provided on a volume for volume, level for level basis. In addition, the FRA fails to fully consider the risk of flooding arising from the development.

2. That if the objections from the Environment Agency have been withdrawn on or before 27 May 2010, delegated powers be given to the Head of Planning and Enforcement to grant planning permission, subject to the following conditions and any additional conditions imposed by the Environment Agency:

1 T8 Time Limit - full planning application 3 years

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 DRC6 Contaminated Land - survey and remedial works

A scheme detailing measures contingencies for dealing with unexpected contamination at the site, how the contamination shall be managed and/or remediated along with how these works will be verified shall be submitted in writing for approval by the Local Planning Authority prior to the commencement of the development hereby approved. In the event that contamination is found at that was not previously identified, it shall be recorded within a watching brief and reported in writing to the Local Planning Authority. Following the implementation of the measures identified in the approved scheme, verification information must be submitted in writing for approval by the Local Planning Authority.

REASON

To ensure that contaminated materials are managed and dealt with appropriately at the development, and disposed of in a responsible manner in order to protect surrounding amenities and controlled waters, in accordance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy A.33 of the London Plan (February 2008).

3 OM19 Construction Management Plan

Before the development hereby approved commences, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by the Local Planning Authority. The CEMP shall comprise such combination of measures for controlling the effects of demolition, construction and enabling works associated with the development as may be approved by the Local Planning Authority. The plan shall detail:

- (i) The phasing of development works
- (ii) The hours during which development works will occur
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Noise and vibration
- (v) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vi) Waste management
- (vii) Site remediation
- (viii) Plant and equipment
- (ix) Measures to prevent mud and dirt tracking onto footways and adjoining roads

(including wheel washing facilities).

(x) Traffic management and access arrangements (vehicular and pedestrian) including routing and signage and parking provisions for contractors during the development process

(xi) Measures to reduce the numbers of construction and delivery vehicles accessing the site during peak hours and to restrict construction vehicles accessing the site between 8:00-9:30 hours and 16:00 -19:00 hours.

(xii) The storage of demolition/construction materials on site.

(xiii) Measures to ensure appropriate communication with and the distribution of information to the local community and the Local Planning Authority, relating to relevant aspects of construction.

Appropriate arrangements should be made for monitoring and responding to complaints relating to demolition and construction. All demolition, construction and enabling work at the development shall be carried out in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority. The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

REASON

1. To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the Hillingdon Unitary Development Plan (Saved Policies 2007).

2. In the interests of highway safety in accordance with Policy AM7 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan (February 2008).

4 NONSC Non Standard Condition

No contaminated soils shall be imported to the site. All imported soils and/or materials and site derived soils and materials for landscaping and engineering purposes shall be suitably free of contamination. All imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted for approval by the Local Planning Authority.

REASON

To ensure that contaminated materials are not brought onto and used at the development, thereby not increasing the amount of contaminated land in the borough or potentially impacting surrounding amenities and controlled waters, in accordance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy Policy A.33 of the London Plan (February 2008).

5 HH-M1 Details / Samples to be Submitted

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces of the replacement bridge have been submitted to and approved in writing by the Local Planning Authority.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

6 TL2 Trees to be retained

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the

Local Planning Authority.

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS 3998 (1989) 'Recommendations for Tree Work' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

7 TL3 Protection of trees during site clearance and development

The tree protection measures shall be carried out in accordance with the proposals and recommendations set out in the approved Arboricultural Impact Assessment. Unless otherwise agreed in writing by the Local Planning Authority, such protection shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and
5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

8 TL5 Landscaping Scheme - (full apps where details are reserved)

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,
- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as external lighting),
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),
- Retained historic landscape features and proposals for their restoration where relevant.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

9 TL7 Maintenance of Landscaped Areas

No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

REASON

To ensure that the approved landscaping is properly maintained in accordance with policy BE38 of the Hillingdon Unitary Development Plan (September 2007).

10 TL21 Tree Protection, Building & Demolition Method Statement

Prior to development commencing on site, a method statement outlining the sequence of development on the site including demolition, building works and tree protection shall be submitted to and approved by the Local Planning Authority, and the scheme thereafter implemented in accordance with the approved method statement.

REASON

To ensure that trees can be satisfactorily retained on the site in accordance with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

11 NONSC Non Standard Condition

Prior to the commencement of development an ecological restoration scheme shall be submitted to and approved by the Local Planning Authority. The scheme shall incorporate a planting strategy for the site, alongside measures for wildlife enhancement. The scheme should incorporate all the recommendations of the Ecological Impact Assessment Report dated February 2010, along with additional measures for habitat enhancement. The scheme should include a plan clearly showing the areas and types of planting and where habitat enhancements measures will be located. The scheme should also make best use of the drainage channels required for flood risk mitigation. The development should proceed in accordance with the approved scheme.

REASON

To ensure the loss of the site of important nature conservation is suitably mitigated in accordance with Policy 3D.14 of the London Plan and the principles of PPS9.

12 OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with the policies of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

INFORMATIVES

1 I43 Keeping Highways and Pavements free from mud etc

You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act.

2 I15 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

D) No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

3 I24 Works affecting the Public Highway - General

A licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway. This includes the erection of temporary scaffolding, hoarding or other apparatus in connection with the development for which planning permission is hereby granted. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW

4 I52 Compulsory Informative (1)

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The

Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

5 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

AM11	Improvement in facilities and promotion of safety and security at bus and rail interchanges; use of planning agreements to secure improvement in public transport services
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
EC1	Protection of sites of special scientific interest, nature conservation importance and nature reserves
EC2	Nature conservation considerations and ecological assessments
EC3	Potential effects of development on sites of nature conservation importance
EC5	Retention of ecological features and creation of new habitats
OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
MIN18	Safeguarding of existing civic amenity and waste transfer sites

6 I6 Property Rights/Rights of Light

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

7 I58 Opportunities for Work Experience

The developer is requested to maximise the opportunities to provide high quality work experience for young people (particularly the 14 - 19 age group) from the London Borough of Hillingdon, in such areas as bricklaying, plastering, painting and decorating, electrical installation, carpentry and landscaping in conjunction with the Hillingdon Education and Business Partnership.

Please refer to the enclosed leaflet and contact Peter Sale, Hillingdon Education and Business Partnership Manager: contact details - c/o British Airways Community Learning Centre, Accommodation Lane, Harmondsworth, UB7 0PD. Tel: 020 8897 7633. Fax: 020 897 7644. email: p.sale@btconnect.com

8 I60 **Cranes**

Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is drawn to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at www.aoa.org.uk/publications/safeguarding.asp)

9 I61 **Lighting Near Aerodromes.**

The development is close to the aerodrome and the approach to the runway. The applicant is advised that there is a need to carefully design any lighting proposals. This is further explained in Advice Note 2, 'Lighting near Aerodromes' (available at www.aoa.org.uk/publications/safeguarding.asp). Please note that the Air Navigation Order 2005, Article 135 grants the Civil Aviation Authority power to serve notice to extinguish or screen lighting which may endanger aircraft.

10

The construction route includes public highways and private streets. You are advised that the condition of the roads on the construction route at the end of development should at least commensurate with that which existed prior to commencement of the development.

11

When providing details pursuant to the discharge of condition 3 you are advised to include the sizes, including height of the HGVs and swept paths for the largest vehicles, between the junction of West End Road/Station Approach and the site, and the junction of Mandeville Road/Eastcote Lane and the site.

12

You are advised that before any works connected with the proposed development are undertaken using a private streets and/or within the limits of a private street, it will be necessary for you to obtain the agreement of the owner(s) of the sub-soil upon which the private street are laid out. In addition it is your responsibility to make the necessary arrangements with any businesses affected due to the proposed bridge replacement works at Civic Way.

13 I45 **Discharge of Conditions**

Your attention is drawn to conditions 2, 3, 5, 8, 9, 10 and 11, which must be discharged prior to the commencement of works. You will be in breach of planning control should you commence these works prior to the discharge of these conditions. The Council may consider taking enforcement action to rectify the breach of these conditions. For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

14 I2 **Encroachment**

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results

in any form of encroachment.

3. CONSIDERATIONS

3.1 Site and Locality

The application relates to the existing Chiltern line railway embankment, known as Northolt Junction, located to the east of South Ruislip Station, and the west of Field End Road bridge. It is proposed to construct a new westbound 'down line' parallel and next to the existing eastbound 'up line.' The line will be situated entirely on existing railway land, to the north of the London Waste Depot, between a point approximately 20m west of the Field End Road Bridge and a point approx 105m east of Station Approach Bridge, South Ruislip. The proposed works are predominantly on the northern embankment and two bridges, one of which is a disused underbridge which needs infilling and the other spanning Civic Way, which requires rebuilding.

Queensmead Sports centre and the Brook Retail Park are located immediately to the north west of the site, with industrial properties and the Victoria and Ruislip Retail parks to the north. Residential properties in Roubourne Close are located to the south east of the existing Chiltern Down Main line, with Hillingdon Waste Transfer Station located between the existing Chiltern Up and Down Main Marylbourne lines. The London Underground Central line is located to the south west of the site, with further residential properties and Northolt Aerodrome to the west. To the south of the Central line is open grazing land. The Waste Transfer Station is accessed through Civic Way, a private road, off Victoria Road to the north.

3.2 Proposed Scheme

Chiltern Railways are planning enhancements along the railway line to improve rail services. The proposals are part of the 'Evergreen 3 Initiative' to upgrade the Chiltern line between London Marleybone and Banbury. Chiltern have a long 20yr franchise, so will carry out these infrastructure works, rather than Network Rail.

At Northolt Junction, which is to the east of South Ruislip Station, it is proposed to construct a new 'down line' parallel and next to the existing 'up line'. The line will be situated entirely on existing railway land to the north of the London Waste Depot, between a point approx. 20m west of the Field End Road Bridge and a point approx 105m east of Station Approach Bridge, South Ruislip. The maximum speed of trains on the new line will be 100 mph.

The purpose of the works is to allow westbound trains to avoid the severe speed restriction through the under-dive on the existing 'down line' and to allow faster trains to overtake slower ones. Once the works are complete, most westbound trains will be routed on the new line, with only local trains stopping at South Ruislip and West Ruislip Stations continuing to use the existing 'down line'.

The proposed works are predominantly on the northern embankment and two bridges, one of which is disused and need infilling and the other which required rebuilding.

The works will consist of:

i) Widening the existing embankment. The embankment is to be regraded, to allow for realignment and twin tracking, to enable both up and down main lines to run parallel at a

100 mph speed limit, instead of a 60 mph limit. The overall height and width at the foot of the embankment are not due to change.

- ii) Laying the new track to the north of the Waste Transfer Station
- iii) Replacing the single track bridge over Civic Way with a new double track structure.
- iv) Infilling the redundant underbridge
- v) Installing junctions at either end of the new line.
- vi) Stabilising the existing embankment using soil nails and gabion walls.
- vii) Other ancillary and incidental works.

The existing arched culvert over the Yeading Brook will remain as it is.

Subject to planning permission, Chiltern Railways propose to complete the works between May 2010 and December 2010.

The track realignment works on the down loop and Paddington Line are to be carried out under existing permitted development rights.

Most of the construction work will take place during the day, with some nighttime work. Vegetation clearance has already commenced in compliance with existing legislation, in order to avoid the bird nesting season. A landscape restoration scheme is proposed, once the works are completed.

Train services will continue to operate throughout the construction period, with the exception of a one week disruption period, in order to allow for the bridge and rail junction works. The reconstruction of the Civic Way bridge will also entail the closure of Civic Way for a 38 hour period on one weekend. Other roads will remain unaffected.

The Chiltern project is not connected with the government's proposal for a new high speed railway between London and the West Midlands. The proposal is to enable quicker journey times for existing railway trains using standard railway tracks. The proposals do not in any way facilitate a 'high speed' railway network.

The application is supported by a number of reports that assess the impact of the proposal. A summary and some key conclusions from these reports are provided below:

Planning Statement

The statement describes the development and provides a policy context and planning assessment for the proposal.

Design and Access Statement

This report outlines the context for the development and provides a justification for the design, scale, landscaping, appearance and access for the proposed development.

Ecological Impact Assessment Report

The report summarises and assesses the results of a desk study, Phase 1 and protected Species survey and Bat survey. The site supports nesting birds and is assumed to support a low population of slow worms. No evidence to suggest that badgers, bats or great crested newts would be encountered during the works or that their places of shelter would be affected. The works would result in the temporary loss of 4.6 Ha and permanent loss of 0.7 Ha of habitat. However mitigation and compensation measures are proposed. The report concludes that taking mitigation proposals into account, the development would not result in a significant impact on features of ecological value.

Noise Assessment

The report provides a detailed assessment of the likely noise and vibration impacts relating to the construction and operational phases of the development. For operational impacts the assessment concludes that these will be predominantly neutral in the housing around Central Avenue with some perceptible increases for properties set further back. There will be mainly perceptible noise increases around Rabournmead Drive, with some minor and isolated moderate increases. For the construction phase, significant impacts during the day will be limited to a small number of activities, whilst night time activities will give rise to some short term impacts at local receivers.

Noise Assessment Technical Note

This addendum provides further technical information on the noise surveys and predicted noise levels both during the construction and operational phases.

Contaminated Land Assessment

The assessment summarises the results of a ground investigation and concludes that no significant contamination sources have been identified. Risks to controlled waters are minimal. Possible risks to construction workers can be mitigated through adherence to relevant Health and Safety Legislation. Mitigation measures would control dust nuisance and measures put in place to deal with unforeseen contamination.

Transport Statement

The Report assesses the impacts of temporary construction traffic and details temporary traffic management measures. The assessment concludes that the volume of construction traffic generated would not be significant and can be accommodated on the surrounding traffic network.

Air Quality Assessment (February 2010)

The report assesses the baseline air pollutant concentrations in relation to air quality criteria; the potential effects from dust during construction; potential effects on air quality from construction vehicles and rail movements. The report concludes that concentrations of nitrogen dioxide and particulates are unlikely to exceed Air Quality Strategy Objectives in the immediate area and that with appropriate mitigation, there is likely to be negligible impact from dust raising activities during construction. In addition the effect on air quality as a result of changes to road traffic flow and rail alignment will be negligible for pollutants.

Aboriginal Report

This report outlines the findings of a Tree survey and contains a tree constraints plan, tree removal plan and tree protection plan. The tree report confirms that the existing trees and under-storey layer that flank the railway represent a linear feature that will provide connectivity for wildlife to surrounding habitats, such as private gardens, and surrounding recreation grounds. The vegetation along the railway is described as being of moderate amenity value although it provides an intermittent visual buffering effect from the railway to the surrounding area.

Landscape and Visual Impact Assessment

This report is an assessment of landscape/townscape and visual impacts associated with work necessary to widen the earthworks sufficiently to accommodate the revised track alignment.

Flood Risk Assessment

The proposed works lie within Flood Zones 2 and 3 (medium and high risk of flooding as

defined by PPS25). Assessments have been made regarding the effects of the proposed development on flood storage volumes and potential effects on adjacent areas. Assessments of other sources of flood risk including ground water, surface water drainage, rainfall run-off, sustainable drainage and artificial water bodies have also been conducted.

Flood Risk Assessment Addendum (April 2010)

Details re-assessment of the floodplain compensation measures as a result of slight changes to the embankment design for structural stability improvements.

3.3 Relevant Planning History

Comment on Relevant Planning History

4. Planning Policies and Standards

London Plan Consolidation (February 2008): Policies 3A.3, 4B.1, 4B.2, 7.1 (Urban Design);, Chapter 4A,5.2 (Climate change and mitigation)

The Mayor's Biodiversity Strategy

Planning Policy Statement 1 (Delivering Sustainable Development)

Planning Policy Statement 9 (Biodiversity and Geological Conservation)

Planning Policy Statement 25 (Development and Flood Risk)

Planning Policy Guidance Note 13 (Transport)

Planning Policy Guidance Note 24 (Planning and Noise)

Hillingdon Design and Accessibility Statement (HDAS)

Council's Supplementary Planning Guidance Community Safety by Design

Council's Supplementary Planning Document: Planning Obligations Strategy

UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.

PT1.33 To promote the construction of new roads or the widening of existing roads only where they would: improve safety; promote pedestrian movement, cycling or public transport, or the improvement of the environment; reduce local congestion in a cost effective way; or are required to accommodate traffic likely to be generated by new development.

Part 2 Policies:

AM11 Improvement in facilities and promotion of safety and security at bus and rail interchanges; use of planning agreements to secure improvement in public transport services

AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity

BE13 New development must harmonise with the existing street scene.

BE19 New development must improve or complement the character of the area.

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

EC1	Protection of sites of special scientific interest, nature conservation importance and nature reserves
EC2	Nature conservation considerations and ecological assessments
EC3	Potential effects of development on sites of nature conservation importance
EC5	Retention of ecological features and creation of new habitats
OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
MIN18	Safeguarding of existing civic amenity and waste transfer sites

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **2nd April 2010**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

This application has been advertised under Article 8 of the Town and Country Planning General Development Procedure Order 1995 as a Major Development. A total of 448 surrounding property owners/occupiers have been consulted. 18 letters of objection have been received from local residents. The issues raised are summarised below:

1. Concern over construction noise, over many months including works late at night, overnight and at weekends on residents that live close to the line.
2. Faster trains will result in increased operational noise.
3. Allowing the faster trains to overtake slower ones, would mean TWO trains passing by the rear of our properties at the same time, which is unacceptable.
4. Properties are closer to the track than 30 metres.
5. The effect of the "isolated moderate increases (5 to 10 dB change)" in noise levels for those households involved would be huge.
6. Concern over the amount of construction traffic, particularly at the morning peak hour, as congestion is already bad at this time.
7. Concern over vibration
8. The existing shrubbery on the embankment helps shield views of trains and block out noise. The removal of vegetation will affect views and affect privacy of gardens.
9. Increased air pollution.
10. Will affect property values (not a planning matter).
11. Object to high speed trains using this route (This application does not form part of the HS2 high speed rail link).

GREATER LONDON AUTHORITY

The above planning application, is referable under Category 2C 1 (e) {a surface railway}, of the Schedule to the Order 2008. The details of the application have been assessed and it is concluded that the proposal for track and junction improvements, including new railway line, embankment works and bridge widening does not raise any strategic planning issues. The GLA and TfL support the scheme, as it forms part of a strategic transport scheme that will deliver faster journeys and increased frequencies on the Chiltern line. The embankment is part of a site of interest for nature conservation. However, as this is of borough significance, any impacts can be assessed locally.

Therefore, under article 5(2) of the above Order, the Mayor of London does not need to be consulted further on this application. Your Council may, therefore, proceed to determine the application without further reference to the GLA.

LONDON UNDERGROUND

London Underground has no comment to make on this planning application.

NETWORK RAIL

Network Rail support Chiltern Railway Company's planning application for the proposed track doubling and embankment work at Northolt Junction.

The proposed works are part of a larger programme of works known as 'Evergreen 3.' Network Rail has been working along side Chiltern to facilitate objectives of the Evergreen 3 project, in order to improve the services between London Marleybone, High Wycombe, Banbury and Birmingham.

Chiltern is proposing to construct an additional line at Northolt Junction to enable trains to increase their speed on this particular stretch of line from Marleybone to Aylesbury.

the work at Northolt underpins much of the work proposed as part of their wider project and will see significant improvements to journey times and services operated by Chiltern Railways. Network Rail will continue to work with train operating companies to invest in the rail network and improve the quality and efficiency of the train service.

ENVIRONMENT AGENCY

In the absence of an acceptable Flood Risk Assessment (FRA) we object to the grant of planning permission and recommend refusal on this basis for the following reason:

The FRA submitted with this application does not comply with the requirements set out in Annex E, paragraph E3 of Planning Policy Statement 25 (PPS 25). The submitted FRA does not therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. In particular, the submitted FRA fails to:

- 1.be supported by appropriate data and information to demonstrate that appropriate floodplain storage compensation can be provided on a volume for volume, level for level basis.
- 2.consider the risk of flooding arising from the development.

The applicant has stated that detailed cross sections for the proposed floodplain mitigation ditch will be sent as soon as possible. On receipt of these drawings we may be in the position to remove our objection.

If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us as advised in PPS25 paragraph 26.

LONDON BOROUGH OF EALING - No response

LONDON BOROUGH OF HARROW - No response

DEFENSE ESTATES SAFEGUARDING

We can confirm that the Ministry of Defence has no safeguarding objections to this proposal.

MOD SAFEGUARDING RAF NORTHOLT - No response.

CROSSRAIL

Crossrail is a proposed new railway that will link Heathrow and Maidenhead in the west to Shenfield and Abbey Wood in the east using existing Network Rail tracks and new tunnels under Central London.

The Crossrail Bill which was introduced into Parliament by the Secretary of State for Transport in February 2005 was enacted as the Crossrail Act on the 22nd July 2008. The first stage of Crossrail preparatory construction works began early in 2009. Main construction works are scheduled to start in 2010 with services opening in 2017/18.

Crossrail Limited administers a Direction issued by the Department for Transport on 24 January 2008 for the safeguarding of the proposed alignment of Crossrail.

The site of this planning application is identified outside the limits of land subject to consultation under the Safeguarding Direction.

The implications of the Crossrail proposals for the application have been considered and I write to inform you that Crossrail Limited do not wish to make any comments on this application as submitted.

NATURAL ENGLAND

Effects on Victoria Road Railway Banks SINC

As noted in the Ecological Impact Assessment Report, this development will result in the temporary loss of 27% of the SINC and permanent loss of 3.6%.

We note that the applicant has discussed the approach to habitat restoration with Hillingdon's sustainability officer which is welcomed. However, it would appear from the conclusions in the report that overall there will be an adverse effect on the SINC.

In line with London Plan policy 3D.14 you should ensure that overall the impacts on the SINC will be fully mitigated at the very least, and that preferably the SINC will be enhanced. We recommend that you request further enhancement measures from the applicant which, overall, would lead to an improvement in the nature conservation value of the SINC. This could include enhancements to the area that won't be affected by the works.

Reptiles

In relation to reptiles, the report identifies that there is suitable reptile habitat on the site but no reptile surveys have been undertaken. The report states that a precautionary approach will be taken, assuming that the site supports a low population of reptiles. It also states that if reptiles are found, they will need to be moved to alternative habitat and that suitable habitat is present within the area of embankments within Chilterns control.

In order to establish the presence or absence of reptiles, along with population significance and extent, we recommend that reptile surveys are undertaken. Based on the information available it is

not possible to establish whether and to what extent reptiles will be affected by the proposals. Additionally, translocation should be used as a last resort and the site to which reptiles will be translocated will also need to be surveyed to assess its suitability.

Lighting

We have not seen details of lighting proposals. You should ensure through the use of a planning condition that lighting is designed so that it is directed away from the SINC and that a dark corridor is maintained.

Ecological Mitigation and Management Plan

In order to ensure that the proposed mitigation and enhancement measures (along with additional ones which can be secured) are delivered, we recommend that the applicant produces an Ecological Mitigation and Management Plan (EMMP) as a condition to the development. This should be used as a mechanism for formalising and delivering the measures and should include details of how they will be monitored, managed and funded in the future.

Internal Consultees

POLICY AND ENVIRONMENTAL PLANNING

Background: Comments required in relation to Ecological Impact Assessment Report dated February 2010

Recommendations:

This is a site of important nature conservation and this level of habitat loss would normally be opposed. However, this development is for important infrastructure improvements and we therefore accept the short term loss subject to suitable compensation and mitigation. Policy 3D.14 of the London Plan States:

'Where development is proposed which would affect a site of importance for nature conservation or important species, the approach should be to seek to avoid adverse impact on the species or nature conservation value of the site, and if that is not possible, to minimise such impact and seek mitigation of any residual impacts. Where, exceptionally, development is to be permitted because the reasons for it are judged to outweigh significant harm to nature conservation, appropriate compensation should be sought.'

The submitted ecological report satisfactorily sets out the value and status of the site prior to vegetation clearance, but it does not suitably detail the mitigation proposals. The report does include an appropriate broad strategy, but this needs to be detailed in plan form with supporting text before commencement of development.

A condition should be attached to any subsequent approval, requiring the submission of an ecological restoration scheme, which should incorporate a planting strategy for the site, alongside measures for wildlife enhancement. The scheme should incorporate all the recommendations of the Ecological Impact Assessment Report dated February 2010, along with additional measures for habitat enhancement. The scheme should include a plan clearly showing the areas and types of planting and where habitat enhancements measures will be located. The scheme should also make best use of the drainage channels required for flood risk mitigation. The development should proceed in accordance with the approved scheme.

ENVIRONMENTAL PROTECTION UNIT

Noise and Vibration

The Environmental Protection Unit has considered the noise report dated February 2010 prepared by Atkins. The report contains an assessment of noise and vibration impacts arising from improvement works which Chiltern railways intend to have carried out at Northolt Junction. The assessment of noise and vibration impacts covers both construction of the improvement works and subsequent railway operation. The improvement works comprise modifications to the embankment and construction of an additional Down Main line adjacent to and parallel to the existing Down Main line. The completed works will enable Main line speeds to increase from 60 mph (96 kph) to 100 mph (160 kph).

Operational noise

The report contains an assessment of operational noise using Baseline, Do-Minimum and Do-Something scenarios. Baseline represents the current situation taking account of existing train types, flows and speeds. Do-Minimum represents the future scenario without any significant changes to Northolt Junction, although there would be changes in train types, increased train flows and increased speeds (up to 100mph) on the existing Up Main line. Do-Something represents the future scenario with the scheme in operation. The train flows for the Do-Something scenario would be the same as for the Do-Minimum scenario, but trains speeds on the new Down Main line would increase (up to 100mph). Train flows and speeds on the Up Main line would be unchanged from the Do-Minimum scenario.

The assessment of operational noise focuses on the changes in noise levels in future between the Do-Minimum scenario and the Do-Something scenario which does not include any increase or decrease in train movements overall. The main operational noise impacts arise from noise reductions caused by the movement of a large proportion of the railway traffic onto the new Down Main line away from receivers currently close to the existing Down Main line, noise increases caused by increased speeds on the newly constructed Down Main line and noise changes produced by differences in sound propagation (e.g. noise screening and reflection) caused by the construction of the new Down Main line.

Train flows over the 18-hour period (0600-2400) are given in Table B1 of the noise report. Total train flows over the 18-hour period, excluding London Underground trains on the adjacent Central Line, are 250 for the Baseline scenario and 304 for both the Do-Minimum and Do-Something scenarios. Train flows on the Central Line are given as 312 for each of the Baseline, Do-minimum and Do-something scenarios.

Table 4.1 of the noise report gives daytime rail traffic LAeq,18hr (0600-2400) facade noise levels at the ground floor of residential receivers grouped into three areas: Great Central Avenue together with areas to south west of site; Rabournmead Drive together with areas to east and south east; and Somervell Road together with areas to the north. Noise impacts are assessed by noise changes in these daytime noise levels from the Do-Minimum scenario to the Do-Something scenario.

For residential properties in the Great Central Avenue area, noise impacts are predicted to be predominantly neutral (i.e. less than 1 dB change). No minor (3 to 5 dB change) or moderate (5 to 10 dB change) increases are predicted in this area. For residential properties in the Rabournmead Drive area, noise impacts are predicted to be typically neutral or perceptible increases (1 to 3 dB change). Properties further back from the railway are predicted to experience some minor increases and there are isolated moderate increases. For residential properties in the Somervell Road area, noise impacts are predicted to be typically perceptible to minor.

The predictions of operational noise levels in the noise report are solely in terms of daytime LAeq, 18hr noise levels (0600-2400). EPU queried the absence of predictions of night-time LAeq, 6hr noise levels (2400-0600). Atkins have replied that it is expected that there will not be any changes in night-time train movements (2400-0600) and therefore it is considered that there will be no

change in the LAeq, 6hr noise levels. EPU assumes that this statement relates to the Do-Something scenario compared with the Do-Minimum scenario.

EPU has also queried the absence of any predictions of maximum noise levels as expressed by LAmax noise levels during pass-by of individual trains. In response, Atkins have provided additional information on LAmax noise levels. This information states that typical train pass-by on the existing Down line was measured at 67 dB LAmax at a separation distance of 50m. Increases in train speeds with the scheme from 60 mph to 100 mph are predicted to increase this to 74dB LAmax, again at the separation distance of 50m. It is reported that the maximum noise levels measured during the ambient noise survey were in the range 70 to 81 dB LAmax, and frequently exceeded 74dB LAmax. It is stated that the highest maximum noise levels observed were from aircraft landing and taking off (presumably at RAF Northolt) resulting in noise levels of around 81 dB LAmax. On the basis of this, Atkins claim that increased train speeds will not give rise to higher maximum noise levels than currently experienced in the area. Atkins point out that where movement in the alignment of the new Down Main line away from residential properties is greatest, it is likely that any increases in the maximum noise levels would be wholly offset by the increased separation distance.

The LAmax noise levels quoted by Atkins apply at a separation distance of 50m. I have noted that some residential properties on Rabournmead Drive are nearer than 50m from the nearest existing rail track. Nevertheless, those properties would be around this separation distance from the new Down Main line since the new line is further from the properties.

It is stated that the track and railway vehicles will be maintained to a high standard in order to minimise increases in operational noise levels. Noise barriers have been ruled out due to considerations relating to track safety and visual impact.

Table 4.1 of the noise report summarises operational daytime LAeq,18h facade noise levels for ground floor at selected residential receivers.

Increases in noise levels from Baseline to Do-Minimum scenarios range from zero dB to 5.9 dB. These increases are the result of increases in train flows and train speeds which will occur in future even without the proposed scheme. This shows that there would be perceptible increases in operational railway noise at some receivers even without the proposed scheme.

Increases in noise levels from Do-Minimum to Do-Something scenarios range from 0.9 dB to 6.1 dB. This shows that at some receivers there would be perceptible increases in operational noise comparing the future scenarios with and without the proposed scheme. However, the operational noise levels in Table 4.1 with the scheme are all well below the level of 68 dB LAeq,18h (facade) used as the daytime qualifying level for sound insulation under the Noise Insulation (Railways and Other Guided Transport Systems) (Amendment) Regulations 1998. Furthermore, the railway operational LAeq,T noise levels are in many cases comparable to, or not significantly above, measured existing ambient LAeq,T noise levels. Although Table 4.1 gives only noise levels at ground floor level, consideration of report Appendix C shows that similar conclusions would apply for higher floors. The additional assessment of LAmax noise levels is claimed to show that the proposed scheme would not give rise to higher maximum noise levels than currently experienced in the area.

While it is clear that the proposed scheme will lead to perceptible increases in operational noise at some residential receivers, I suggest that the forms of assessment mentioned above show that operational railway noise levels do not justify refusal of the present application.

Operational vibration

The report contains the results of vibration measurements produced by passing railway vehicles.

Vibration was measured at a location around 15m from the existing Down Main line and near residential properties in Rabournmead Drive. The vibration measurements were made in terms of peak particle velocity (PPV) and Vibration Dose Values (VDV). The measured VDV vibration levels were assessed using BS6472 which gives guidance on VDV values likely to result in various probabilities of adverse comment within residential buildings. The measured PPV values were compared with criteria given in BS5228 for structural damage. The measured vibration levels at 15m from the existing Down Main line were below the level indicating a low probability of adverse comment, and below the level associated with structural damage. It was therefore concluded that existing vibration levels are negligible at the nearest residential properties in Rabournmead Drive situated at 30m from the existing Down Main line.

The report points out that provision of the new Down Main line will move the source of vibration further away from the residential properties. The report claims that vibration impacts from railway traffic will remain negligible at residential properties, even though average train speeds will increase.

Construction noise

The report summarises the main tasks of the proposed construction work as follows: (i) demolition and reconstruction of existing Civic Way Bridge, (ii) Embankment work, and (iii) new track construction. It appears that the construction works are scheduled to last for around 34 weeks, spread over a total of around 43 weeks.

The report contains an assessment of construction noise based on the method in BS5228. This involves measuring existing ambient noise levels during day and night periods, which are then used to set threshold noise levels based on the guidance in BS5228. Where predicted noise levels including construction noise exceed the applicable threshold level an impact is deemed to occur.

Construction noise levels are predicted as LAeq,1h noise levels at four residential receives (128 and 246 Rabournmead Drive, and 17 and 105 Great Central Avenue). The construction noise impacts are summarised as follows:

(i) Reconstruction work on Civic Way under bridge, especially the demolition of the bridge occurring during the night, is predicted to result in significant impacts. Construction noise levels of up to 58 dB LAeq,1h night-time are predicted. However, it is predicted that this phase of the work should not take more than one night.

(ii) Embankment construction work would mainly be carried out during the daytime and would cause significant impacts only when the works are being carried out at the nearest position to residential properties. Construction daytime noise levels of up to 82 dB LAeq,1h (worst case) and 60 dB LAeq,1h (typical case) are predicted. Works would be carried out at a greater distance from the receiver for most of the time.

(iii) For track construction work, it is predicted that significant impacts are likely during delivery/removal of rails, welding and tamping when close to a given receiver. Some of this work will be at night when there will be significant impacts. Construction night-time noise levels of up to 72 dB LAeq,1h (worst case) and 52 dB LAeq,1h (typical case) are predicted. However, these works will be transitory in nature and the impact to the nearby residents should be of a short-term and temporary nature.

Construction vibration

The report states that piling work will be carried out during the Civic Way underbridge reconstruction work. The piling work will be carried out using auger piling with the piles being formed by reinforced concrete. There is little vibration with this method of piling. The nearest receivers to the piling activities are the shops and offices in the retail and industrial park situated approximately 70m from piling activities. The report claims that vibration from piling works is likely to be imperceptible at this distance. Also, vibration levels at residential properties are predicted to be well below those that risk structural damage.

Construction traffic

The report suggests routing of construction vehicles arriving and leaving the site as: A40 Western Avenue, A4180 West End Road, Station Approach, Victoria Road. From Victoria Road, construction vehicles will then access the construction sites using Civic Way, Field End Road and Bradfield Road. The report contains predicted increases in LA10,18h road traffic noise levels due to construction vehicles. It is predicted that noise increases will be 1.5 dB on an average construction day and 2.5 dB during peak days of construction works. The report claims these noise increases are negligible to minor.

Summary

On the basis of the above discussion of the noise report and supplementary information provided by Atkins, I believe that noise and vibration from operation associated with the improvement works should not be regarded as a reason for refusal of the application.

Similarly, noise and vibration arising from demolition and construction work should not be regarded as a reason for refusal. The report states that best practicable means will be used in all working practices in order to minimise noise and vibration impacts from demolition and construction works. In addition, temporary noise screens are to be used to minimise noise impacts. Local residents are to be kept fully informed in advance of noisy works, and an emergency contact number will be provided so that complaints can be lodged. In order to ensure that all such measures are taken to minimise disturbance from demolition and construction, I recommend the following condition and informative.

Condition

Before the development hereby approved commences, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall comprise such combination of measures for controlling the effects of demolition, construction and enabling works associated with the development as may be approved by the Local Planning Authority. The CEMP shall address issues including the phasing of the works, hours of work, noise and vibration, air quality, waste management, site remediation, plant and equipment, site transportation and traffic management including routing, signage, permitted hours for construction traffic and construction materials deliveries. It will ensure appropriate communication with, the distribution of information to, the local community and the Local Planning Authority relating to relevant aspects of construction. Appropriate arrangement should be made for monitoring and responding to complaints relating to demolition and construction. All demolition, construction and enabling work at the development shall be carried out in accordance with the approved CEMP unless otherwise agreed in writing by the LPA.

Reason: To safeguard the amenity of surrounding areas in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

The standard Nuisance from demolition and construction work informative should be attached to any subsequent permission.

Subject to imposition of the condition and informative as above, EPU raises no objection to the application on noise grounds.

Air Quality

The following information submitted with the application was reviewed for air quality:

- Revised Railway Track Layout: Northolt Junction, Air Quality Assessment, February 2010 by Atkins for the Chiltern Railway Company Ltd

The following information submitted with the application was reviewed for land contamination:

· Revised Railway Track Layout: Northolt Junction, Contamination Assessment, February 2010 by Atkins for the Chiltern Railway Company Ltd.

The proposed development is located on the boundary of the declared AQMA near areas that currently exceed (inside the AQMA) and don't exceed (outside the AQMA) the European Union limit value for annual mean nitrogen dioxide. The air quality assessment has not determined the contributions to air pollution from the following as they were not considered to have a significant impact during the screening assessment:

- Construction traffic during the development phase (as anticipated vehicle movements are below the criteria set out by the DMRB where estimation of the contribution of the additional traffic would be required);
- The use of temporary traffic lights and slower speed limit onto the site; and
- The use of diesel locomotives at the site (as this is ongoing, contributions from the railway is low overall and the new line will be set further away from the existing residential receptors).

Construction Phase

The risk from the construction phase of the development was determined to be medium risk (without mitigation) as although the site was large enough to be high risk, there were thought to be no sensitive receptors in direct proximity to the site. The site is also apparently located in an area where PM10 is not recorded to be exceeded. The southeastern and southwestern part of the site boundary appears to be less than 50 metres from residential properties on Roubornmead Drive and Great Central Avenue, respectively, at the nearest stretch. There are also residential properties located adjacent to the northeastern corner of the development site.

The report states that the Council clarify mitigation requirements when determining the planning application. References were made to the GLA Best Practice guide in the assessment along with a list of mitigation measures to reduce the dust levels and the tracking of dust in the report. This best practice guidance should be followed to mitigate dust generating works, such as ensuring stockpiled material and especially material that can generate dust, including contaminated dust, are kept well away from areas that can impact residential and other sensitive receptors.

Appropriate mitigation measures also need to be taken to prevent the transport of dust off site to sensitive receptors, be it into a residential area or near a school. The contact details of a person in charge at the site should be provided to the Council, should we receive any complaints from residents. Adequate consideration should also be given to dust monitoring at the boundary of the site in areas where impacts to residents and other sensitive receptors are possible.

A condition requiring a management scheme whose purpose shall be to control and minimise emissions of pollutants from and attributable to the earthworks, demolition and/or construction phases of the development is recommended. This is because dust, including contaminated dust and other air pollution from earthworks, demolition and construction can impact greatly on the health and quality of life of people working on and living close to these sites if they are badly managed.

Land Contamination

The land contamination assessment seemed to have missed the Sainsbury's petrol station under 50 metres away to the north of the development area, when reviewing industrial land uses. However, the possibility of contaminated material at the site was noted, and specifically potential risk to workers on site from contamination. A suitable condition in relation to protecting workers may be advisable.

Although the limited investigation did not identify any significant contamination at the site, contamination potentially remains an issue on railway land. It is recommended a watching brief be kept as part of works on site. A condition for contingencies for dealing with unexpected

contamination at the site is therefore recommended. The reason is to ensure that contaminated materials are managed and dealt with appropriately at the development and disposed of in a responsible manner in order to protect surrounding amenities and controlled waters.

The report also indicates infilling of redundant structures may be required, and materials will need to be imported with regard to the construction of the track. It also suggests site material will be reused wherever possible. It is suggested that a condition to minimise the risk of contaminated materials being brought onto or used at the site for the above purposes is imposed. Note: The Environmental Protection Unit (EPU) and the Environment Agency (EA) must be consulted for their advice when using this condition.

The Environment Agency need to be consulted for their comments regarding controlled water issues and the reuse of materials on site.

TREE AND LANDSCAPE OFFICER

The Landscape & Visual Assessment

This report is an assessment of landscape/townscape and visual impacts associated with work necessary to widen the earthworks sufficiently to accommodate the revised track alignment. The report describes the methodology, baseline landscape/townscape conditions, baseline visual amenity conditions, mitigation measures and an assessment of the environmental effects. At 6.1.1 the report confirms that the development will require the removal of 53,711m² of vegetation, including grassland, ruderal trees and scrub. Further details of tree loss are provided in the Tree Report.

The Arboricultural Report

The tree report confirms (at 2.2) that the existing trees and under-storey layer that flank the railway represent a linear feature that will provide connectivity for wildlife to surrounding habitats, such as private gardens and surrounding recreation grounds. At 2.3 the vegetation along the railway is described as being of moderate amenity value although it provides an intermittent visual buffering effect from the railway to the surrounding area.

The report surveyed 70 No. individual mature trees and tree groups, of which the dominant species was Hawthorn. Other mature specimens included Oak, Ash, Birch and Cherry, with recorded/occasional Sycamore, Whitebeam, Cherry, Scots Pine, Goat Willow and Apple (see 5.2). There were no trees meriting an A rating (good). 24No. trees were categorised as B (fair quality and value/worthy of retention on a development site), 7No. were rated R justifying removal in the interests of sound arboricultural management and the remainder were considered to be C rated poor and not necessarily a constraint on development but, nevertheless, worthy of retention if practicable. Much of the site was covered in scrub, comprised of Blackthorn and Hawthorn, with a mix of younger, predominantly self sets.

THE PROPOSAL

The works proposed are track and junction improvements at Northolt Junction, which will include the re-grading of embankments, track re-alignment, infilling of a disused underbridge and the redevelopment of an existing underbridge.

In chapter 7 of the Landscape & Visual Assessment, the report acknowledges that the proposed development will result in the clearance of ruderal vegetation on both the northern and southern embankments in order to re-grade and stabilise the slopes within the original footprint. It concludes that the proposed new tree and shrub planting will restore some of the lost screening functions of vegetation within the railway corridor which will result in a neutral effect on most visual impact receptors with the exception of the view from the Waste Transfer Station which will not be completely screened and will result in a slight adverse effect at Design Year.

The Tree Report includes a Tree Constraints Plan (chapter 6), an Arboricultural Implications Assessment (ch. 7), an Arboricultural Method Statement (ch.8) with appendices (A) explaining the key to the survey and (B) showing Tree Protection & Methods of Working. Plans are provided at Appendix C showing a Tree Constraints Plan, a Tree Clearance Plan (affecting trees in the central and eastern section) and a Tree Protection Plan (restricted to the trees at the western end of the site. Much of the embankment has already been cleared in preparation for the operational improvements to the line, notably within the central and eastern section. This was timed to avoid the bird- nesting season.

KEY LANDSCAPE ISSUES

The submission includes a Landscape & Visual Assessment.

- The baseline visual receptors with the highest sensitivity to change include occupiers of residential properties at Great Central Avenue, Rabournmead Drive, Arnold Road and Greenacre Close (see 4.1). However, the Visual Amenity Effects summary (6.2) indicates that the significance of the effects will be neutral. Landscape proposals should seek to mitigate any adverse visual impacts.
- Proposed landscape mitigation includes creating a band of species-rich neutral grassland closest to the tracks on the northern embankment, with diverse scrub and scattered trees at the toe of the embankment. On the southern side of the embankment a band of species-rich neutral grassland will be sown closest to the tracks, with a further band alongside the new retaining wall. There will be an intermittent band of scrub and small trees. The treatment of the south-facing slopes is intended to create a habitat mosaic, or brownfield habitat.

The submission includes a full Arboricultural Report

- Pre-emptive and necessary clearance work has already taken place, in order to avoid the nesting season.
- Approximately 28No. individual trees and groups will be retained and tree protection during construction has been specified.
- Indicative replanting of young trees and shrubs has been specified (chapter 8.) The species mix and locations will need to be reviewed and, possibly, refined in order to co-ordinate with the ecological objectives for the site (see below) and the take into account the need for visual screening (see above).

The ecological report concludes (chapter 7) that:

- Habitat clearance has been kept to a minimum to enable the planned work and has been implemented outside the breeding season.
- Landscape re-instatement will include replanting with native species-rich grassland, scrub and trees, including the creation of brownfield habitat patches which will allow for natural regeneration.
- Working practices will be followed to minimise risks to individual reptiles and, as a precaution, great crested newts.
- At chapter 6.2 the report notes that final checks will be made to ascertain whether Japanese Knotweed is present on site. If so, the area of Japanese Knotweed should be managed according to the Environment Agency publication 'Managing Japanese Knotweed on Development Sites - The Knotweed Code of Practice.'

RECOMMENDATION

If you are minded to approve this application I have no objection subject to safeguarding the above ecological and landscape objectives including conditions TL5, TL6, TL7 and TL21.

HIGHWAY ENGINEER

The main highways impact of the proposals is considered to be the construction traffic. Average construction vehicles are suggested to be 40 HGV/day (4 per hour) and 30 Cars/Vans per day (3

per hour). During the peak construction works the construction vehicles are suggested to be 80 HGV/day (16 between 7am-8am) and 30 Cars/Vans per day (10 between 7am-8am). The two way traffic could be up to double the numbers above. The first delivery/construction vehicles in the morning are proposed to arrive at the site between 7am and 8am to avoid the morning peak traffic period. No information has been provided regarding the vehicles exiting schedule.

The routing of the construction vehicles arriving and leaving the site is proposed as A40 Western Avenue, A4180 West End Road, Station Approach, Victoria Road. Civic Way access will be used to access the compound, bridge and embankment and Field End Road/Bradfield Road would be used to access the embankment.

A 120T mobile crane is proposed to be used. The above route is not suitable for this vehicle due to a low bridge on Station Approach. The alternative route for these vehicles is proposed as A40 Western Avenue, A312 Mandeville Road, Eastcote Lane, Victoria Road.

The construction route is congested and traffic sensitive during peak morning and evening hours. A suitable condition should therefore be attached restricting any delivery/construction vehicle movements in and out of the site between 8am-9.30am and 4pm-7pm.

The applicant should provide sizes including height of the HGVs and swept paths for the largest vehicles between junction of West End Road/Station Approach and the site, and junction of Mandeville Road/Eastcote Lane and the site.

The construction route includes public highways and private streets; the applicant should be advised through an informative attached to any permission that the condition of the roads on the construction route at the end of development should at least commensurate with that which existed prior to commencement of the development.

The applicant should also be advised that before any works connected with the proposed development are undertaken through using the private streets and/or within the limits of the private streets, it will be necessary for them to obtain the agreement of the owner(s) of the sub-soil upon which the private streets are laid out.

An additional informative should be applied advising the applicant to make the necessary arrangements with any businesses being affected due to the proposed works.

A suitable condition should be applied requiring the applicant to submit a detailed construction and delivery management plan to be agreed with the LPA before commencing any works on site.

Subject to the above issues being covered through suitable conditions and informatives, no objection is raised on the highways aspect of the proposals.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site is already a functional railway embankment and for operational reasons the proposed improvements to rail services, involving upgrading existing railway infrastructure need to be undertaken at this location. The proposed works, apart from the replacement bridge at Civic Way, are all within railway land. there are therefore no objections in principle to the proposals.

7.02 Density of the proposed development

Not applicable to this application.

7.03 Impact on archaeology/CAs/LBs or Areas of Special Character

Not applicable to this application.

7.04 Airport safeguarding

There are no airport safeguarding objections to this proposal.

7.05 Impact on the green belt

There are no Green Belt issues related to this application.

7.06 Environmental Impact

ENVIRONMENTAL IMPACT ASSESSMENT

The development falls within the thresholds of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. Circular 02/99 gives indicative thresholds for where an Environmental Impact Assessment (EIA) is likely to be required for Schedule 2 development. For the development of railways, it suggests that the laying of track over 2km is likely to require an EIA. This development site is currently an active railway, and the new track to be laid is to double up an existing route to allow for faster trains. The site already has an existing rail related infrastructure and the new track is less than 2km in length. It is therefore below the indicative threshold of circular 02/99.

A significant impact is likely to be on nature conservation. The existing embankments provide an ideal habitat for a variety of species of flora and fauna and has been designated as a site of Borough Grade II importance. This means the proposals will have more than local importance. However, this is a lower value nature conservation site and on its own the impacts from the development will not invoke a requirement for an EIA.

In addition to the conservation impacts, the development could have an impact on flood risk. It is proposed to offset any issues by commonly accepted mitigation measures and is therefore not considered to be a significant effect. The increased noise from additional train fast train movements will not be of more than local importance.

The Council carried out a formal screening opinion in December 2009 and determined that the proposals are unlikely to have a significant effect in the context of the EIA regulations. However, the impacts noted above would require further assessment.

CONTAMINATED LAND

A Contaminated Land Assessment has been submitted as part of this application. The assessment summarises the results of a ground investigation and concludes that the risks to controlled waters are minimal. While no significant contamination sources have been identified, the possibility of contaminated material at the site was noted, and specifically potential risk to workers on site from contamination. The Contaminated Land Assessment states that possible risks to construction workers can be mitigated through adherence to relevant Health and Safety Legislation.

The Environmental Protection Unit notes that although the limited investigation did not identify any significant contamination at the site, contamination potentially remains an issue on railway land. The Unit therefore recommends a watching brief be kept as part of works on site and that a contaminated land condition for contingencies to deal with unexpected contamination be attached to any permission. This is to ensure that contaminated materials are managed and dealt with appropriately at the development, and disposed of in a responsible manner, in order to protect surrounding amenities, construction workers and controlled waters.

The report also indicates infilling of redundant structures may be required, and materials

will also need to be imported with regard to the construction of the track. Although the application suggests that site won material will be reused wherever possible, the Environmental Protection Unit recommends a condition to minimise the risk of contaminated materials being brought onto or used at the site for the above purposes. This is to ensure that contaminated materials are not brought onto and used at the development, thereby ensuring that the amount of contaminated land in the borough is not increased, or potentially impacting surrounding amenities and controlled waters.

7.07 Impact on the character & appearance of the area

Policies BE13 and BE19 of the UDP attempt to ensure that new development makes a positive contribution to the character and amenity of the area in which it is proposed. Policy BE13 states that, in terms of the built environment, the design of new buildings should complement or improve the character and appearance of the surrounding area and should incorporate design elements which stimulate and sustain visual interest. Policy BE38 of the UDP requires new development proposals to incorporate appropriate landscaping proposals.

A landscape and Visual Assessment has been submitted with this application. The report provides an assessment of landscape/townscape and visual impacts. The Assessment considers the baseline visual receptors with the highest sensitivity to change include occupiers of residential properties at Great Central Avenue, Rabournmead Drive, Arnold Road and Greenacre Close. However, the assessment concludes that the significance of the effects will be neutral. Landscape proposals would seek to mitigate any adverse visual impacts.

The report concludes that the replacement bridge over Civic Way, although wider than the existing bridge, will not constitute an inappropriate development in the townscape. Although the development will result in the clearance of ruderal vegetation from the embankment slopes, mitigation tree and shrub planting will restore some of the screening and townscape functions of the vegetation in the railway corridor. Over time, as the replacement planting matures there will be a neutral effect on most visual impact receptors and on townscape character. However the view from the waste Transfer Facility will not be completely screened, resulting in a slight adverse effect.

In conclusion, it is considered that the layout siting and scale of the development is compatible with surrounding townscape and would respect the established character of the area, in compliance with Policies BE13, BE19 and BE38 of the Unitary Development Plan Saved Policies (September 2007).

7.08 Impact on neighbours

The proposed works would be approximately 50 metres away from the nearest residential properties. Issues relating to the loss of existing vegetation, replacement planting along the embankment to restore the screening function, have been dealt with elsewhere in the report. The proposed embankment works would take place entirely within railway land, no higher than the existing embankment and within the same footprint. It is not therefore considered that the proposal would result in an over dominant form of development which would detract from the amenities of neighbouring occupiers, in compliance with policy BE21 of the UDP saved policies September 2007. Similarly, it is not considered that there would be a material loss of privacy, daylight or sunlight to neighbouring properties, as the proposed works would be sited a sufficient distance away from adjoining properties. The proposal is therefore considered to be consistent with the aims of Policies BE20 and BE24 of the UDP saved policies September 2007 and relevant design guidance.

In terms of activity, the main impacts on surrounding residents as a result of the development during both the construction and operational phases are considered to be noise and vibration. These issues have been dealt with in detail at other sections of this report. Overall, it is not considered that proposed development would result in the occupiers of surrounding properties suffering any significant additional noise and disturbance or visual intrusion, in compliance with Policy OE1 of the UDP Saved Policies September 2007.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

A Transport Assessment has been submitted as part of the application dealing with access, traffic generation and public transport issues. Although the completed works themselves will not affect the local transport networks, the works will generate traffic during the construction phase. This will require temporary traffic management measures. At the peak of construction work, it is estimated that there will be 18 vehicles per hour of construction related traffic, of which 8 will be HGVs. The Highway Engineer considers that this volume of traffic is insignificant and can be accommodated on the surrounding road network.

The main construction route would be via the A40/west End Road/Station Approach/Victoria Road. From here, construction traffic would use either Civic Way to access the site compound, bridge and embankment, or Field End Road/Bradfield Road to access the embankment. A small number of vehicles will be unable to use the above route due to a low bridge at Station Approach. The alternative route will be A40/Mandeville Road/Eastcote Lane/Victoria Road. The Highway Engineer raises no objections to the proposed construction routes.

The main adverse affect on the local community will be during the reconstruction of the Civic Way bridge, which will require the closure of Civic Way for up to 38 hours one weekend (between Friday evening and early Sunday morning). This will affect the operation of the Waste Site for a temporary period. In addition, during the strengthening of the bridge abutments, which will take place over approximately 28 to 30 weeks, Civic Way under the railway bridge will be narrowed to one lane, with traffic controlled by shuttle working traffic signals. To mitigate potential traffic effects on Civic Way,two way working under the bridge could potentially be reinstated during the busy weekend period to allow free access to the Waste Transfer Station over the construction period.

It is therefore considered that subject to conditions, proposal would not have an adverse impact on traffic flows, congestion and traffic safety along Civic Way and the wider highway network, particularly during morning and evening peak periods, in compliance with Policy AM7 of the UDP.

Train services will largely be unaffected by the construction works and the main line trains will continue to serve local stations. However, a one week blockade will take place to enable the bridge and junction works to be completed, during which time replacement road services will be provided.

7.11 Urban design, access and security

Issues relating to urban design have been dealt with elsewhere in the report.

7.12 Disabled access

Not applicable to this application.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

TREES AND LANDSCAPE

Policy BE38 of the Unitary Development Plan Saved Policies states, amongst other things that development proposals will be expected to retain and utilise topographical and landscape features of merit.

An Arboricultural Report incorporating a tree survey, Ecological Impact Assessment Report and Landscape and Visual Impact Assessment have been submitted with this application. The Arboricultural Report confirms that the existing trees and under-storey layer that flank the railway represent a linear feature that will provide connectivity for wildlife to surrounding habitats, such as private gardens and surrounding recreation grounds. The vegetation along the railway is described as being of moderate amenity value, although it provides an intermittent visual buffering effect from the railway to the surrounding area. Much of the embankment has already been cleared in preparation for the operational improvements to the line, notably within the central and eastern section. This was timed to avoid the bird-nesting season.

The Arboricultural Report surveyed 70 individual mature trees and tree groups, of which the dominant species was Hawthorn. Other mature specimens included Oak, Ash, Birch and Cherry, with occasional Sycamore, Whitebeam, Cherry, Scots Pine, Goat Willow and Apple. There were no trees meriting an 'A' rating (good). 24 trees were categorised as 'B' (fair quality and value/worthy of retention on a development site), 7 were rated 'R', justifying removal in the interests of sound arboricultural management and the remainder were considered to be 'C' rated (poor and not necessarily a constraint on development but, nevertheless, worthy of retention if practicable). Much of the site was covered in scrub, comprised of Blackthorn and Hawthorn, with a mix of younger, predominantly self sets.

The report notes that pre-emptive and necessary clearance work of ruderal vegetation on both the northern and southern embankments required to re-grade and stabilise the slopes within the original footprint, has already taken place. The timing of these works are governed by the need to avoid the bird nesting season. Approximately 28 individual trees and groups will be retained and tree protection during construction has been specified. In addition, indicative replanting of young trees and shrubs has been specified. The species mix and locations will need to be reviewed and, possibly, refined in order to co-ordinate with the ecological objectives for the site and the take into account the need for visual screening.

The Landscape & Visual Assessment concludes that the proposed new tree and shrub planting will restore some of the lost screening functions of vegetation within the railway corridor, which will result in a neutral effect on most visual impact receptors, with the exception of the view from the Waste Transfer Station, which will not be completely screened and will result in a slight adverse effect.

Proposed landscape mitigation includes creating a band of species-rich neutral grassland closest to the tracks on the northern embankment, with diverse scrub and scattered trees at the toe of the embankment. On the southern side of the embankment, a band of species-rich neutral grassland will be sown closest to the tracks, with a further band alongside the new retaining wall. There will be an intermittent band of scrub and small trees. The treatment of the south-facing slopes is intended to create a habitat mosaic, or

brownfield habitat.

The Tree/Landscape Officer raises no objection to the proposal, subject to safeguarding the above ecological and landscape objectives. Subject to conditions requiring the submission of a detailed landscaping scheme (TL5), landscape implementation (TL6), landscape maintenance (TL7), method statement for tree protection (TL21), modified to take into account information already provided with the application, it is considered that the revised scheme is on the whole acceptable and in compliance with Saved Policy BE38 of the UDP.

ECOLOGY

Saved Policies EC2, EC3 and EC5 relate to ecological considerations. Planning Policy Statement 9: Biodiversity and Geological Conservation aims to protect and enhance biodiversity. London Plan Policy 3D.14 states that where development is proposed which would affect a site of importance for nature conservation or important species, the approach should be to seek to avoid adverse impact on the species or nature conservation value of the site and if that is not possible, to minimise such impact and seek mitigation of any residual impacts.

The majority of the site is designated as a site of Borough Grade II importance (Victoria Road Railway Banks SINC). The up and down aside embankment slopes support dense scrub/young woodland, which is dominated by hawthorn and blackthorn, with some sycamore, ash and elder. There is also a dense ground cover of ivy in some locations. The embankments also support dense bramble scrub and some tall ruderal vegetation. There is also a strip of poor grassland. A culvert carries the Yeading Brook under the railway embankment. The brook does not support any aquatic vegetation at this location. Nevertheless, the site as a whole provides extensive shelter likely to be utilised by birds, mammals, and a wide range of invertebrates and is considered to be of more than local importance.

An Ecological Impact Assessment Report has been submitted in support of this application. The report notes that the development will result in the temporary loss of 27% of the SINC and permanent loss of 3.6% and concludes that overall there will be an adverse effect on the SINC. Given the importance of this site to nature conservation, this level of habitat loss would normally be opposed. However, this development is for important infrastructure improvements and the short term loss of habitat is therefore accepted, subject to suitable compensation and mitigation. Natural England has not objected to the application, although they have requested that the impacts on the SINC be fully mitigated at the very least, and that preferably, the SINC should be enhanced, thereby leading to an improvement in the nature conservation value of the site.

In relation to protected and notable species, a Phase 1 and Protected Species Habitat Assessment was carried out in September 2009. In addition, a Bat Survey was undertaken in December 2009. The main results of the surveys are:

- The habitats have a high potential to support nesting birds,
- No evidence of badger setts or activity was recorded
- The habitat had low to negligible potential for roosting bats,
- The watercourse did not have any habitat suitable for water any protected species
- Negligible potential for great crested newts
- Low potential for reptiles and amphibians

In terms of potential impacts the report's findings are:

- The proposed works will result in the loss of scrub and young woodland which has a high potential for nesting birds, which would likely be disturbed during the period of works, through noise movement and lighting. However, this would only affect them for one breeding season.
- The works would not result in any direct or indirect impact on great crested newt habitats nor are impacts on badgers predicted.
- The report identifies that there is suitable reptile habitat on the site but no reptile surveys have been undertaken. The report states that a precautionary approach will be taken, assuming that the site supports a low population of reptiles. It also states that if reptiles are found, they will need to be moved to alternative habitat and that suitable habitat is present within the area of embankments within Chiltern's control.

In order to establish the presence or absence of reptiles, along with population significance and extent, Natural England initially recommended that reptile surveys were undertaken. This was because, based on the information available, it was not possible to establish whether and to what extent reptiles would be affected by the proposals. Additionally, Natural England advised that translocation should be used as a last resort and the site to which reptiles will be translocated would also need to be surveyed to assess its suitability.

The applicant submitted further information reiterating that overall, the potential of the embankment as a whole to support reptiles was assessed as low. The area of potentially suitable reptile habitat is limited to one area of rough grassland/ruderal mosaic on the north-facing embankment. The remainder of the embankments support mature scrub, isolating the suitable habitat from other potential reptile habitat. To the south, the area of suitable habitat is bounded by the railway, with mature scrub beyond. To the north is built development. Therefore, while the rough grassland/ruderal habitat has low/medium potential in itself, the likelihood that reptiles are present is reduced by its isolation.

A precautionary approach that would be taken to site clearance and would include the following:

- Ground disturbance will be undertaken during the season when reptiles are active (March/April to October depending on weather).
- When the bases of trees are to be removed this will be preceded by a hand search at its base and then the base will be gently pulled out of the ground with the use of an excavator. An ecologist would then check beneath the tree base for any reptiles or great crested newts as it is being removed by the excavator.
- The contractor will remove any surface debris (such as stones, branches, rotting wood) from the working area before works commence to remove refuges which reptiles and amphibians could use.
- If reptiles are found during clearance or works, they will need to be moved to suitable alternative habitat. Such habitat is present within the area of embankments under Chiltern's control.

After the works are completed, the new embankments on site will include better potential reptile habitat, with extensive areas of suitable habitat on the south-facing embankment and log piles. If reptiles are found, then moving them to land on adjacent embankments will mean that they can colonise the new habitat. If reptiles are not found then there is still potential for them to colonise the newly created habitat from other areas of the wider embankment network. Natural England has stated that based on this additional information and assessment, it is satisfied with this approach.

The proposed broad mitigation measures set out in the report include:

- Keeping habitat clearance to the minimum necessary for the works
- Replanting with native species-rich grassland, scrub and trees and creation of brownfield habitat patches
- Timing of the work to avoid harm to breeding wild birds and their occupied nests
- Working practices to minimise risks to individual reptiles and as a precaution, great crested newts
- Precautionary surveys to minimise the risk to badgers and bats if they were to colonise the site before the start of works.
- Final checks will be made to ascertain whether Japanese Knotweed is present on site. If so, the area of Japanese Knotweed should be managed according to the Environment Agency publication 'Managing Japanese Knotweed on Development Sites The Knotweed Code of Practice.'

Although the submitted ecological report satisfactorily sets out the value and status of the site prior to vegetation clearance and includes an appropriate broad mitigation strategy, it is not considered that the report suitably details the mitigation proposals, which need to be more precise. Natural England advise that in order to ensure that the proposed mitigation and enhancement measures are delivered, an Ecological Mitigation and Management Plan (EMMP) be submitted as a condition to the development. This will be used as a mechanism for formalising and delivering the measures and should include details of how they will be monitored, managed and funded in the future. The Plan should incorporate all the recommendations of the Ecological Impact Assessment, along with additional measures for habitat enhancement, including a planting strategy for the site, details of lighting, as well as measures for wildlife enhancement. The scheme should also make best use of the drainage channels required for flood risk mitigation.

Whilst it is acknowledged that there will be a minor permanent loss of habitat, it is not considered that this would compromise the designated sites's value as a wild life corridor. Once the new habitat is established, the plant species and habitat diversity of the site will be increased. The boundary of the designated site would not need to be amended as a result of the works, as it is considered that the restored embankments would make a positive contribution to the value of the SINC. Subject to the implementation of the Ecological Mitigation and Management Plan, it is considered that the loss of part of the site of importance to nature conservation will be suitably mitigated and that the development would not result in a significant impact on features of ecological value, in accordance with relevant Saved Policies in the UDP, Policy 3D.14 of the London Plan and the principles of PPS9.

7.15 Sustainable waste management

The application site straddles the adjoining West London Waste Transfer Site. Policy MIN18 seeks to protect such site from uses unconnected with waste handling, treatment, recycling, energy recovery or allied activities. However, the proposals do not involve any land take from the adjoining Waste transfer facility and will not have any impact on its operation, other than during the construction period. It is therefore considered that the proposal is consistent with the aims of Saved Policy MIN18.

7.16 Renewable energy / Sustainability

National planning policy, the London Plan and Saved Policies in the UDP seek to encourage sustainable development, sustainable design and construction and inclusive design. PPS1 states that the planning system should facilitate and promote sustainable and inclusive design. London Plan Policies 2A.9, 4A.3, 4B.5 promote sustainable development.

The key outcome of the scheme will be a modal shift from car towards a more sustainable form of transport (rail). An improved timetable for local train services will give faster and more regular journeys. The journey times between West Ruislip, South Ruislip and Marylebone are expected to reduce by up to 20%. The proposals will result in more timetable flexibility, thereby allowing more trains to run on Chiltern's network and increasing in capacity. The proposals should therefore encourage more people to use the trains rather than the car, which would result in fewer cars travelling through the borough, especially along the M40/A40 corridor. In addition, there will be less emissions as new trains will use the latest 'Euro-3A' engines.

7.17 Flooding or Drainage Issues

Saved Policies Policies OE7 and OE8 of the UDP seek to ensure that new development incorporates appropriate measures to mitigate against any potential risk of flooding. A Flood Risk Assessment has been submitted as part of the application taking into consideration the principles of Planning Policy Statement 25 (PPS25) and other relevant regional and local policies.

The proposed works lie within Flood Zones 2 and 3 (medium and high risk of flooding as defined by PPS25). Assessments have been made regarding the effects of the proposed development on flood storage volumes and potential effects on adjacent areas. Assessments of other sources of flood risk including ground water, surface water drainage, rainfall run-off, sustainable drainage and artificial water bodies have also been conducted.

At the time of writing this report, the Environment Agency has objected to the development on the basis that an acceptable Flood Risk Assessment (FRA) has not been submitted with this application. The Agency has stated that the FRA submitted with this application does not comply with the requirements set out in Planning Policy Statement 25 (PPS 25) and does not therefore provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. In particular, the submitted FRA fails to:

1. be supported by appropriate data and information to demonstrate that appropriate floodplain storage compensation can be provided on a volume for volume, level for level basis.
2. consider the risk of flooding arising from the development

The FRA and addendum fails to clearly demonstrate how floodplain compensation will be provided on a volume for volume, level for level basis. The environment Agency requires cross-sectional drawings for the length of the proposed development, linked to the information provided within the table and should clearly demonstrate the existing levels, proposed levels, flood storage lost and flood storage compensation provided. The applicant has stated that detailed cross sections for the proposed floodplain mitigation ditch will be sent as soon as possible. On receipt of these drawings the Environment Agency state that it may be in the position to remove its objection.

Should the outstanding technical issues raised by the Environment Agency be overcome and the Agency withdraw its objection, then, subject to any conditions which the Agency may wish to impose, it is considered that development would not increase the risk of flooding, the water quality will be preserved and protected and the statutory functions of the Environment Agency will not be compromised, in accordance with Policies OE7 and OE8 of the Hillingdon Unitary Development Plan Saved Policies 2007, Policy 4B.6 of The London Plan (February 2008) and Planning Policy Statement 25: Development and Flood Risk.

However, should the applicant fail to satisfy the requirements of the Environment Agency within the statutory 13 week time from for determining this application, it is recommended that the application be refused for the reason stated above.

7.18 Noise or Air Quality Issues

Saved Policy OE1 states that planning permission will not normally be granted for uses and associated structures that are likely to become detrimental to the character and amenities of surrounding properties or the area generally because of noise, vibration, the emission of dust, smell or other pollutants. Policy OE3 seeks to ensure that uses which have the potential to cause noise be permitted only where the impact is appropriately mitigated.

NOISE AND VIBRATION

The construction and operation of the scheme has the potential to give rise to increased noise levels to residential properties adjoining the railway line. A noise and vibration assessment has therefore been submitted as a part of the application. It includes a baseline noise and vibration survey, a construction noise and vibration survey and an operational noise and vibration survey. The noise report gives daytime rail traffic LAeq,18hr (0600-2400) facade noise levels at the ground floor of residential receivers grouped into three areas: Great Central Avenue together with areas to south west of site; Roubornmead Drive together with areas to east and south east and Somervell Road together with areas to the north.

Maximum noise levels measured at the three key noise survey positions ranged between 70 and 81 dB LAmax as measured in each 15 minute period, with maxima frequently exceeding 74 dB LAmax. The report notes that maximum noise levels measured during the noise survey were frequently dominated by non-train sources of noise; in particular aircraft landing/taking off from Northolt Aerodrome. Furthermore, train related maxima were more frequently due to freight trains rather than passenger trains. Noise from London Underground trains was also included. During the noise survey, the maximum noise level observed on the sound level meter during a typical train pass-by on the Down Main (at approximately 50m from the measurement position) was 67 dB.

With regard to the operational phase of the development, the main operational noise impacts arise from noise reductions caused by the movement of a large proportion of the railway traffic onto the new Down Main line, away from residential properties currently close to the existing Down Main line, noise increases caused by increased speeds on the newly constructed Down Main line and noise changes produced by differences in sound propagation (e.g. noise screening and reflection) caused by the construction of the new Down Main line.

Although there is no formal method for predicting changes in maximum noise levels from trains, a semi-quantitative assessment of the possible changes to maximum noise levels as a result of the Northolt improvements was attempted. Taking into account a speed increase from 60 mph to 100 mph, this would give rise to an increase in the maximum noise level of 7 dB, or a new maximum noise levels of around 74 dB LAmax at the higher speed when observed at a distance of approximately 50m from the noise source (not taking into account any differences in screening etc.). On the basis of this, the applicants claim that increased train speeds will not give rise to higher maximum noise levels than currently experienced in the area (70 and 81 dB LAmax).

The assessment has indicated that the impacts of the scheme are likely to be

predominantly neutral or reduced in the housing around Great Central Avenue. This reflects the routing of most of the trains away from the existing line, past this housing area. Where the movement in the alignment of the new Down Main line away from properties is at its greatest, it is likely that any increase in the maximum noise levels would be wholly off-set by the increased distance.

There will be mainly perceptible noise increases around the Roubourne Drive area, with some minor increases and isolated moderate noise increases to specific properties. Vibration impacts as a result of the operation of the new Down Main line are predicted to be negligible.

The predictions of operational noise levels in the noise report are solely in terms of daytime noise levels (0600-2400). The Environmental Protection Unit queried the absence of predictions of night-time noise levels (2400-0600). The applicants have responded that it is expected that there will not be any changes in night-time train movements and therefore it is considered that there will be no change in the noise levels during this period.

The Environmental Protection Unit advise that that while it is clear that the proposed scheme will lead to perceptible increases in operational noise at some residential receivers, the forms of assessment mentioned above show that operational railway noise levels do not justify refusal of the present application.

With regard to the construction phase, the report summarises the main tasks of the proposed construction work as follows: (i) demolition and reconstruction of existing Civic Way Bridge, (ii) Embankment work, and (iii) new track construction. The construction works are scheduled to last for around 34 weeks, spread over a total of around 43 weeks.

The construction noise impacts are summarised as follows:

(i) Reconstruction work on Civic Way under bridge, especially the demolition of the bridge occurring during the night, is predicted to result in significant impacts. Construction noise levels of up to 58 dB LAeq,1h night-time are predicted. However, it is predicted that this phase of the work should not take more than one night.

(ii) Embankment construction work would mainly be carried out during the daytime and would cause significant impacts only when the works are being carried out at the nearest position to residential properties. Construction daytime noise levels of up to 82 dB LAeq,1h (worst case) and 60 dB LAeq,1h (typical case) are predicted. Works would be carried out at a greater distance from the receiver for most of the time.

(iii) For track construction work, it is predicted that significant impacts are likely during delivery/removal of rails, welding and tamping when close to a given receiver. Some of this work will be at night when there will be significant impacts. Construction night-time noise levels of up to 72 dB LAeq,1h (worst case) and 52 dB LAeq,1h (typical case) are predicted. However, these works will be transitory in nature and the impact to the nearby residents should be of a short-term and temporary nature.

With regard to construction vibration, the report states that piling work will be carried out during the Civic Way underbridge reconstruction work, using auger piling with the piles being formed by reinforced concrete. The Environmental Protection Unit advise that there is little vibration with this method of piling. The nearest receivers to the piling activities are the shops and offices in the retail and industrial park situated approximately 70m from piling activities. The report claims that vibration from piling works is likely to be imperceptible at this distance. Also, vibration levels at residential properties are predicted to be well below those that risk structural damage.

The report suggests that the predicted increases in road traffic noise levels due to construction vehicles will be 1.5 dB on an average construction day and 2.5 dB during peak days of construction works. The report claims these noise increases are negligible to minor.

On the basis of the above analysis of the noise report and supplementary information provided by the applicants, the Environmental Protection Unit advise that noise and vibration arising demolition and construction work should not be regarded as a reason for refusal.

The report states that best practicable means will be used in all working practices in order to minimise noise and vibration impacts from demolition and construction works. In addition, temporary noise screens are to be used to minimise noise impacts. Local residents are to be kept fully informed in advance of noisy works, and an emergency contact number will be provided so that complaints can be lodged. In order to ensure that all such measures are taken to minimise disturbance from demolition and construction, the Environmental Protection Unit recommends the submission and approval of a Construction Environmental Management Plan (CEMP) requiring:

- measures for controlling the effects of demolition, construction and enabling works
- Address issues including the phasing of the works, hours of work, noise and vibration, air quality, waste management, site remediation, plant and equipment, site transportation
- Address traffic management including routing, signage, permitted hours for construction traffic and construction materials deliveries.
- Ensure appropriate communication with, the distribution of information to, the local community and the Local Planning Authority relating to relevant aspects of construction.
- Include appropriate arrangement for monitoring and responding to complaints relating to demolition and construction,

On the basis of the above analysis of the noise report and supplementary information provided by the applicants, the Environmental Protection Unit advise that noise and vibration arising demolition and construction work should not be regarded as a reason for refusal.

With the application of the mitigation measures set out in the noise report and the implementation of the Construction Environmental Management Plan (which can be secured by condition), it is not considered that adverse noise or vibration impacts are likely from the upgrading works, in accordance with Policies OE1 and OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

AIR QUALITY

An assessment of air quality has been submitted with this application. The report concludes that

The development is located on the boundary of an Air Quality Management Area, due primarily to emissions from the road network. Concentrations of nitrogen dioxide and particulates are unlikely to exceed Air Quality Strategy Objectives in the immediate area. With appropriate mitigation, there is likely to be negligible impact from dust raising activities during construction. The effect on air quality as a result of changes to road traffic flow will be negligible for pollutants. The effect on local air quality from changes in rail alignment will be negligible.

The Environmental Protection Unit notes that the air quality assessment has not determined the contributions to air pollution from the following, as they were not

considered to have a significant impact during the screening assessment:

- Construction traffic during the development phase, as anticipated vehicle movements are below the relevant criteria
- The use of temporary traffic lights and slower speed limit onto the site; and
- The use of diesel locomotives at the site. This is an ongoing situation and contributions from the railway is considered to be low overall. Furthermore the new line will be set further away from the existing residential receptors. In addition, it is noted that with regard to operational impacts, there will be less emissions, as new trains will use the latest 'Euro-3A' engines.

The risk from the construction phase of the development was determined to be medium risk (without mitigation) as although the site was large enough to be high risk, there were thought to be no sensitive receptors in direct proximity to the site. The site is also apparently located in an area where PM10 is not recorded to be exceeded. However, the southeastern and southwestern part of the site boundary is less than 50 metres from residential properties on Rabounmead Drive and Great Central Avenue, respectively, at the nearest points. There are also residential properties located adjacent to the northeastern corner of the development site.

The report states refers to the GLA Best Practice guide in the assessment, along with a list of mitigation measures to reduce the dust levels and the tracking of dust. The Environmental Protection Unit recommends adopting best practice guidance to mitigate dust generating works, such as ensuring stockpiled material and especially material that can generate dust, including contaminated dust, are kept well away from areas that can impact residential and other sensitive receptors. Appropriate mitigation measures also need to be taken to prevent the transport of dust off site to sensitive receptors, be it into a residential area or near a school. Contact details of a person in charge at the site, should be provided in the event of complaints from residents. Adequate consideration should also be given to dust monitoring at the boundary of the site in areas where impacts to residents and other sensitive receptors are possible.

A condition is therefore recommended requiring a Construction Environmental Management Plan (CEMP) (referred to above), for controlling the effects of demolition, construction and enabling works, addressing amongst other things the issues related to air quality. Subject to the adoption of best practice and the implementation of the CEMP, it is considered that the amenities of local residents will be protected in terms of air quality, in compliance with Policy 4A.19 of the London Plan (February 2008) and Saved UDP Policy OE1.

7.19 Comments on Public Consultations

The main issues raised by local residents, primarily from Rabounmead Drive relate to increased noise levels, vibration, and loss of vegetation. These issues have been addressed in the main body of the report. The impact of the proposal on local property values is not a planning matter.

In addition, a number of residents have confused the works subject to this application with the high speed rail link (HS2), recently announced by Central Government. Where possible, officers have endeavoured to clarify this issue with local residents by explaining that the Chiltern project is not connected with the government's proposal for a new high speed railway between London and the West Midlands and that high speed trains (250 mph) would not (and could not) be used on the Chiltern route.

7.20 Planning Obligations

Policy R17 of the Council's Unitary Development Plan states that: 'The Local Planning

Authority will, where appropriate, seek to supplement the provision of recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals.

There are a number of community benefits inherent in the proposals. These include reducing rail journey times and make timetable improvements to existing rail services. The proposals are anticipated to encourage more people to use the trains rather than the car, which should result in fewer cars travelling through the Borough, especially along the M40/A40 corridor. This move towards sustainable transport is considered to be an inherent benefit, both in the local area and in the wider region, contributing towards national strategic objectives. No further planning obligations are being sought in conjunction with this proposal.

7.21 Expediency of enforcement action

There are no enforcement issues associated with this site. With regard to works that are already being carried out including site clearance, statutory undertakers such as railway operators are permitted to carry out a wide range of development on their operational land, required in connection with the movement of traffic by rail. These works are allowed by virtue of Part 17, Class A, of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Because the current proposals by Chiltern Railways includes the construction of a new bridge, a planning application has been submitted in this case. However, it is understood that the clearance work currently being undertaken is being carried out under existing permitted development rights (referred to above) and that there is no breach of planning control. There are therefore no enforcement issues associated with this site.

7.22 Other Issues

There are no other issues relating to this application.

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

This is not applicable to this application.

10. CONCLUSION

The proposed works by Chiltern Railways are required to improve rail services and form part of the wider upgrade of the Chiltern line between London Marleybone and Banbury. The purpose of the works is to allow westbound trains to avoid the existing severe speed restriction through the under-dive on the existing 'down line' and to allow faster trains to overtake slower ones.

No significant vibration impacts are predicted during the construction or operational phases. It is predicted that significant construction noise impacts will occur during the day time but will be limited to a small number of activities when they are being undertaken in close proximity to adjoining properties. It will also be necessary to carry out a small number of construction activities during the night-time and weekend, due to health and safety requirements of the railway. This is predicted to give rise to short term significant impacts to some adjoining properties. Conditions are therefore recommended to ensure that as mitigation, best practicable means are used in all working practices, in order to minimise noise and vibration impacts.

The operational noise impacts of the scheme are likely to be predominantly neutral or reduced in the housing around Great Central Avenue. There will be mainly perceptible noise increases around the Rabournmead Drive area, with some minor increases and isolated moderate noise increases to specific properties. However operational railway noise levels do not justify refusal of the present application.

Subject to the implementation of an Ecological Mitigation and Management Plan, it is considered that the loss of part of the site of importance to nature conservation will be suitably mitigated, and that the development would not result in a significant impact of features of ecological value.

Issues relating to air quality and landscape restoration can be satisfactorily addressed by conditions. The proposals are anticipated to encourage more people to use the trains rather than the car, which is consistent with local, London, regional and Central Government policies towards sustainable transport.

Should outstanding issues raised by the Environment Agency with regard to flood risk be addressed, it is recommended that the application be approved, subject to the recommended conditions and any additional conditions imposed by the Agency. However should these issues not be resolved in a satisfactory manner, it is recommended that the application be refused for the reason outlined in the report.

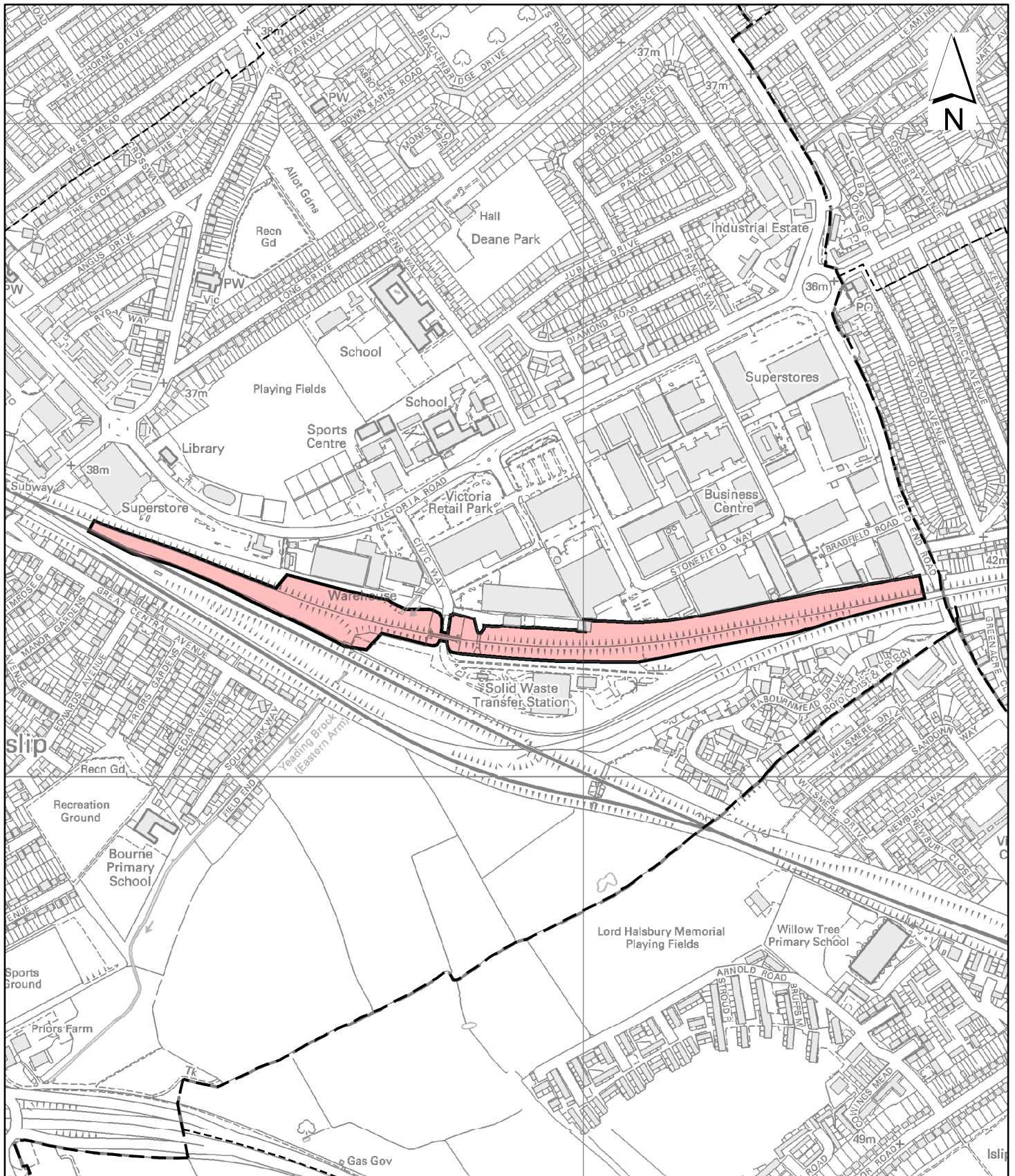
11. Reference Documents

Planning Policy Statement 1 (Delivering Sustainable Development)
Planning Policy Statement 9 (Biodiversity and Geological Conservation)
Planning Policy Statement 25 (Development and Flood Risk)
Planning Policy Guidance Note 13 (Transport)

Planning Policy Guidance Note 24 (Planning and Noise)
Hillingdon Design and Accessibility Statement (HDAS)
Council's Supplementary Planning Guidance Community Safety by Design
Council's Supplementary Planning Document: Planning Obligations Strategy
The London Plan
The Mayor's Biodiversity Strategy

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Notes

 Site boundary

For identification purposes only.

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Site Address

**Northolt Junction
Civic Way
Ruislip**

Planning Application Ref:

66712/APP/2010/103

Planning Committee

North

Scale

1:8,000

Date

May 2010

**LONDON BOROUGH
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