

**TRANSPORT AND WORKS ACT 1992**  
**TRANSPORT AND WORKS (APPLICATIONS AND OBJECTIONS PROCEDURE)**  
**(ENGLAND AND WALES) RULES 2006**

---

**HEATHROW AIRTRACK ORDER**

---

**RULE 10(6) REQUEST FOR PLANNING PERMISSION**

1. Heathrow Airport Limited request pursuant to rule 10(6) of the above mentioned Rules a direction from the Secretary of State under section 90(2A) of the Town and Country Planning Act 1990 that, subject to paragraphs 2 and 3 below, planning permission shall be deemed to be granted for the construction and use of:-
  - (a) the works specified in Schedule 1 to the draft Heathrow Airtrack Order; and
  - (b) the other development which is proposed to be authorised by the Order including the ancillary development specified in Schedule 1 to this request.
2. The development for which planning permission is requested is development which in respect of any works or matters, is carried out within any of the limits or at any of the places authorised by the draft Order.
3. The planning permission requested is intended to be granted subject to the conditions set out in Schedule 2 to this request. These include conditions reserving for subsequent approval of the local planning authority matters relating to construction, archaeology, contamination, means of access, landscaping, massing, height and external appearance of structures, noise attenuation measures, footpaths and bridleways, environmental mitigation, drainage, and external lighting.

***Winckworth Sherwood***

Winckworth Sherwood LLP, Solicitors and Parliamentary Agents, Minerva House, 5 Montague Close, London, SE1 9BB, on behalf of Heathrow Airport Limited.

## SCHEDULE 1

### SCHEDULE OF ANCILLARY DEVELOPMENT

#### **Staines station to Staines High Street**

##### **Ancillary development in connection with Works Nos 1, 1A, 1B and 1C**

Demolition of the existing Staines Station buildings on the north side of the railway and the construction of a replacement station building within plot numbers 2, 3, 4 and 6 shown on the deposited plans comprising 2 storeys up to 7 metres high above the adjacent platform level, provision of an additional bay platform and an underground car park and platform and alterations to station forecourt layout; embankments, abutments, retaining walls, culverts, electrical and mechanical equipment, and other works necessary or expedient for the construction of Works Nos 1, 1A, 1B and 1C; alteration of existing railways; alteration to proposed paid side footbridge at the eastern end of existing station, alteration to highways, cycleway and footways, provision of temporary working sites, diversion of statutory undertakers infrastructure, including mains, sewers, drains and cables; noise attenuation measures and landscaping and other works to mitigate any adverse effects of the construction, maintenance or operation of the proposed works.

#### **Staines Chord**

##### **Ancillary development in connection with Works Nos 2, 2A, 2B and 2C**

Embankments, abutments, retaining walls, culverts, electrical and mechanical equipment and other works necessary or expedient for the construction of Works Nos 2, 2A, 2B and 2C; the alteration of existing railways; alterations to highways and remodelling of private roads, cycleways and car parks; provision of temporary working sites, diversion of statutory undertakers infrastructure, including mains, sewers, drains and cables; alteration to car park accesses and works to link the Elmsleigh and Tothill multi-storey car parks, noise attenuation measures and landscaping and other works to mitigate any adverse effects of the construction, maintenance or operation of the proposed works.

#### **Staines High Street to Airport Way**

##### **Ancillary development in connection with Works Nos 3, 3A, 3B and 3C**

Bored tunnels, cut and cover tunnel, earthworks, embankments, cuttings, abutments, retaining walls, culverts, electrical and mechanical equipment and other works necessary or expedient for the construction of Works Nos 3, 3A, 3B and 3C; the alteration of existing railways; provision of footpaths and an access track; provision of temporary working sites, diversion of statutory undertakers infrastructure, including mains, sewers, drains and cables; noise attenuation measures, landscaping and other works to mitigate any adverse effects of the construction, maintenance or operation of the proposed works including flood compensation works and works of ecological mitigation and the laying out of replacement common land and public open space, the demolition of a house adjoining Moor Land ("the Willows") and the provision of bat barn as compensatory habitat, the recreation of Greenhams Pond and the provision of access to land adjoining that pond.

**Airport Way to Heathrow Terminal 5  
Ancillary development in connection with Works Nos 3 and 3H**

Cut and cover tunnel, earthworks, bored tunnels, embankments, cuttings, abutments, retaining walls, culverts, electrical and mechanical equipment and other works necessary or expedient for the construction of Works Nos 3 and 3H including asphalted and fenced assembly areas and highway access; provision of temporary working sites, diversion of statutory undertakers infrastructure, including mains, sewers, drains and cables; landscaping and other works to mitigate any adverse effects of the construction, maintenance or operation of the proposed works.

**Feltham Depot  
Ancillary development in connection with Works Nos 4, 4A, 4B and 4C**

Depot facilities including a maintenance building up to 12 metres high [on a footprint of up to 120 metres by 75 metres] with stores and facilities for maintenance staff and drivers; stabling tracks including sanitary cleaning facilities and water tanking areas; train wash facilities; electrical substation; car parking; access road; electrical and mechanical equipment, and other works necessary or expedient for the construction of Works 4, 4A, 4B and 4C; provision of temporary working site, diversion of statutory undertakers infrastructure, including mains, sewers, drains and cables; noise attenuation measures, landscaping and other works to mitigate any adverse effects of the construction, maintenance or operation of the proposed works including the laying out of replacement public open space and a new footpath.

## **SCHEDULE 2 DRAFT PLANNING CONDITIONS**

### **Preamble**

Wherever in this schedule of conditions the local planning authority is given power within a condition to approve a variation to a requirement imposed by that condition, it shall only do so if it is satisfied that the relevant variation would not have significantly different environmental effects from that which otherwise would be permitted by that development.

In the following conditions: -

"Code of Construction Practice" means a code setting out:

- (a) the general principles and requirements to be applied during construction for site operations; and
- (b) details of how those principles and requirements are to be applied for each element of the development on a site-specific basis;

"development" means development permitted by the direction given in the accompanying letter;

"the deposited plans" has the same meaning as in article [x] of the Order;

"the local planning authority" means Spelthorne Borough Council, or the London Boroughs of Hillingdon or Hounslow, as the case may be, in relation to development within the area of that authority;

### **General conditions**

1. The development hereby permitted must be commenced not later than the expiration of five years from the date the Order comes into force.

(Reason: to ensure the development is begun within a reasonable period of time.)

2. A Code of Construction Practice for each worksite shall be submitted to and approved in writing by the local planning authority before development commences on that worksite, and the development shall be carried out in accordance with the approved Code.

(Reason: to protect the amenities of neighbouring residents and the local area generally).

[Either a planning condition or a bilateral agreement]

3. Any trees or plants required by landscape details approved under conditions 9, 17, 25, 27, 33 or 40 which within a period of three years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

(Reason: to secure a visually satisfactory setting for the station development.

4. Details of the design and acoustic specification of any noise barriers shall be submitted to and approved in writing by the local planning authority prior to construction. The barriers shall be implemented in accordance with the approved design prior to operation of the first services and shall be maintained thereafter.

(Reason: to protect the amenities of neighbouring properties).

### **Site specific conditions**

#### **Staines Station to Staines High Street**

5. Before works are commenced on any part of the station site or the railway embankment adjacent to Station Path, detailed investigations shall be carried out on the land undergoing temporary or permanent works approved by the Order to establish if it is contaminated and to assess the degree and nature of the contamination present and the action proposed to be taken to deal with any contamination that is identified. An assessment shall be carried out to consider the risk to controlled waters (as defined by the Water Resources Act 1991), human health and ecological features. The measures or treatment to deal with contamination identified as a result and the timescales for implementation shall be approved by the local planning authority in writing prior to commencement of works on the site. Any measures or treatment approved under this condition shall be carried out in accordance with the approved proposals.

(Reason: To protect occupiers and users of adjoining land and the environment from the effects of potential harmful substances.

6. No development shall take place on the Staines station site until a Written Scheme of Archaeological Investigation has been submitted to and approved by the local planning authority and implemented in accordance with the approved Scheme.

(Reason: To ensure that archaeological artifacts and information are preserved.)

7. Details of the means of access to and around the station and alterations to Station Path shall be submitted to and approved in writing by the local planning authority before commencement of development at the site and thereafter implemented in accordance with the approved details. The details shall include bus interchange facilities, car parking, kiss and ride, and access for pedestrians and cyclists.

(Reason: to ensure appropriate access to and from the station).

8. Details of massing, height and external appearance, including facing materials, for the proposed station building, footbridge and associated buildings and structures shall be submitted to and approved in writing by the local planning authority before commencement of development at the site and the buildings shall be built in accordance with the approved details.

(Reason: to protect the amenities of adjacent properties and ensure satisfactory external appearance for the development).

9. Details showing the intended use and hard and soft landscape treatment of any part of the station car park site not occupied by buildings and land affected by the works

in and adjacent to Station Path shall be submitted to and approved in writing by the local planning authority before any works commence on the site. All planting, seeding or turfing comprised in approved landscaping details shall be carried out not later than the first planting and seeding seasons following completion of this part of the development.

(Reason: to secure a visually satisfactory setting for the station development.)

10. In areas adjacent to the existing platforms any new Public Address System installed at Staines station as a result of the development shall not increase the existing specific PA  $L_{Aeq,5min}$  noise level at 1 metre outside adjacent dwellings. In other areas any new PA system shall not result in an increase in the noise rating level (as defined by BS4142) of more than 5dB(A) above background level at 1 metre outside adjacent dwellings. Details of any new public address system to comply with these requirements shall be approved in writing by the local planning authority and implemented in accordance with the approved details prior to the public address system becoming operational.

(Reason: to minimise possible noise pollution to neighbouring properties).

11. Details of all proposed permanent external lighting in the station the car park area or on Station Path shall be approved by the local planning authority, and implemented in accordance with the approved details before the lighting comes into operation.

(Reason: to safeguard the amenity of the local area.)

12. Unless otherwise approved in writing by the local planning authority, noise barriers or other mitigation measures shall be provided from the station westwards on the whole length of the new retaining wall alongside Station Path shown in volume 3 of the Heathrow Airtrack Environmental Statement (Route Alignment Plan and Profile Sheet 1) so that the residual adverse noise effects to sensitive receptors is no worse than that identified in Chapter 13 and Appendix 13.1 of the Heathrow Airtrack Environmental Statement. These measures shall be provided before the Airtrack or Heathrow Express services to Staines become operational and shall thereafter be maintained.

(Reason: to minimise possible noise pollution to neighbouring properties).

### **Staines chord**

13. Before works are commenced on any part of the Elmsleigh Centre Surface Car Park site, detailed investigations shall be carried out on the site to establish if it is contaminated and to assess the degree and nature of the contamination present and the action proposed to be taken to deal with any contamination that is identified. An assessment shall be carried out to consider the risk to controlled waters (as defined by the Water Resources Act 1991), human health and ecological features. The measures or treatment to deal with contamination identified as a result and the timescales for implementation shall be approved by the local planning authority in writing prior to commencement of works on the site. Any measures or treatment approved under this condition shall be carried out in accordance with the approved proposals.

(Reason: To protect occupiers and users of adjoining land and the environment from the effects of potential harmful substances.

14. No development shall take place on the Elmsleigh Centre Surface Car Park site until a Written Scheme of Archaeological Investigation has been submitted to and approved by the local planning authority and implemented in accordance with the approved Scheme.

Reason: To ensure that archaeological artifacts and information are preserved.

15. Details of the means of access from the public highway to the Elmsleigh Centre Surface and Multi Storey Car Parks, access for pedestrians and cyclists including pedestrian and vehicular circulation within the Elmsleigh Centre surface car park site, shall be submitted to and approved in writing by the local planning authority before commencement of development at the site. The development shall be implemented in accordance with these approved details prior to the operation of the new rail services.

(Reason: to ensure appropriate access and circulation for vehicles and pedestrians).

16. Details of the external appearance including facing materials of the new Staines chord viaduct and the ramp to the Elmsleigh Centre Multi Storey Car Park shall be submitted to and approved in writing by the local planning authority before any work on the viaduct and ramp is commenced, and the structures shall be built in accordance with the approved details.

(Reason: to ensure that the external appearance of the structures are satisfactory and to safeguard the amenity of the area).

17. Details showing the intended use and the hard and soft landscape treatment of any part of the Elmsleigh Surface Car Park site shall be submitted to and approved in writing by the local planning authority before commencement of construction of the Staines chord viaduct; and the development shall be implemented in accordance with the approved details. All planting, seeding or turfing comprised in approved landscaping details shall be carried out not later than the first planting and seeding seasons following completion of this part of the development.

(Reason: to ensure that the setting for the viaduct is satisfactory and to safeguard the amenity of the area).

18. unless otherwise approved in writing by the local planning authority, a noise barrier of 1.5 metres height above the top of the nearest rail shall be erected on the western parapet of the new Staines Chord where it crosses the Elmsleigh Centre surface car park. The barriers shall be provided in accordance with the details approved under Condition 4 before the Airtrack services to Reading and/or Guildford become operational and shall be maintained thereafter.

19. Before the Airtrack services to Reading and/or Guildford become operational flange lubricators to minimise wheel squeal shall be installed on the new track on the

Staines chord viaduct and its junctions with the existing lines and shall thereafter be maintained at all times in effective working order.

(Reason: to ensure that airborne noise and vibration is maintained within acceptable limits)

### **The Route between Staines High Street and Airport Way**

20. Before works are commenced on any part of the site between the Windsor Line and Airport Way, detailed investigations shall be carried out on the land undergoing temporary or permanent works approved by the Order to establish if it is contaminated and to assess the degree and nature of the contamination present and the action proposed to be taken to deal with any contamination that is identified. An assessment shall be carried out to consider the risk to controlled waters (as defined by the Water Resources Act 1991), human health and ecological features. The measures or treatment to deal with contamination identified as a result and the timescales for implementation shall be approved by the local planning authority in writing prior to commencement of works on the site. Any measures or treatment approved under this condition shall be carried out in accordance with the approved proposals.

(Reason: To protect occupiers and users of adjoining land and the environment from the effects of potential harmful substances.

21. No development shall take place on the site between the Windsor Line and Airport Way until a Written Scheme of Archaeological Investigation covering the ground to be disturbed by the works approved by the Order has been submitted to and approved by the local planning authority and implemented in accordance with the approved Scheme.

(Reason: To ensure that archaeological artifacts and information are preserved.)

22. No development, including any site clearance works, shall be commenced on the route between the Windsor Line and Airport Way until a baseline ecological survey of reptiles, bats, water voles and otters has been undertaken on the area affected by the works approved by this Order and appropriate mitigation has been submitted to and approved in writing by the local planning authority. The mitigation shall be carried out and maintained in accordance with the approved scheme.

(Reason: to protect and enhance the ecological value of the area).

23. Environmental mitigation for the areas affected by the works between the Yeoveney Ditch and the Staines By-pass shall be implemented in accordance with the Staines Moor Mitigation Strategy contained in Appendix 2.1 to the Heathrow Airtrack Environmental Statement, the precise details of which shall be approved in writing by the Local Planning Authority and implemented in accordance with agreed timescales as set out in the approved Mitigation Strategy.

(Reason: to protect and enhance the environment and amenity of Staines Moor).

24. Details of the external appearance, including facing materials, of the surface structures above the cut and cover tunnel shall be submitted to and approved in writing by the local planning authority before any work on the structures are commenced, and they shall be implemented in accordance with the approved details.

(Reason: to ensure that the external appearance of the structures and the tunnel approaches is of a satisfactory standard).

25. Details of routes surface treatment and associated landscaping of all new and diverted permanent footpaths, alterations to the bridleway, and permanent access for maintenance vehicles shall be submitted to and approved in writing by the local planning authority before any work on site is commenced. These works shall be implemented in accordance with the approved details.

(Reason: to ensure that a satisfactory standard of access is provided for pedestrians, cyclists, horses and maintenance vehicles)

26. Details of the design and external appearance of the new foot bridges across the Windsor Line and the Wraysbury River, including facing materials and screening, shall be submitted to and approved in writing by the local planning authority before any work on construction of these bridges is commenced, and the bridges shall be built in accordance with the approved details.

(Reason: to ensure that the appearance of the structure is satisfactory and to safeguard the amenity of the local area).

27. For all areas between the Windsor Line and Airport Way outside the boundary of the operational railway undergoing works approved by the Order, a landscaping scheme, incorporating where appropriate ecological enhancement, mitigation and compensatory measures, shall be submitted to and approved in writing by the local planning authority before commencement of the works. All planting, seeding or turfing comprised in approved landscaping details shall be carried out not later than the first planting and seeding seasons following completion of this part of the development.

(Reason: to protect and enhance the nature conservation value of the site and the visual amenity of the surrounding area)

28. Unless otherwise approved in writing by the local planning authority, noise barriers 2 metres height above the top of the nearest rail or other mitigation measures shall be provided at the following locations so that the residual adverse noise effects to sensitive receptors is no worse than that predicted in Chapter 13 and Appendix 13.1 of the Heathrow Airtrack Environmental Statement:

- i. On the north side of the Windsor Line 350 metres long, westwards from a point 80 metres west of the western end of the Iron Bridge parapet
- ii. On the south side of the Windsor Line 220 metres long, westwards from a point 430 metres west of the western end of the Iron Bridge parapet.

These measures shall be provided before the Airtrack or Heathrow Express services to Staines become operational and be maintained thereafter.

(Reason. To protect the amenities of the adjacent properties.)

### **The Route between Airport Way and Heathrow Terminal 5**

29. Before works are commenced on any part of the site between Airport Way and Heathrow Terminal 5 detailed investigations shall be carried out on the land undergoing temporary or permanent works approved by the Order to establish if it is contaminated and to assess the degree and nature of the contamination present and the action proposed to be taken to deal with any contamination that is identified. An assessment shall be carried out to consider the risk to controlled waters (as defined by the Water Resources Act 1991), human health and ecological features. The measures or treatment to deal with contamination identified as a result and the timescales for implementation shall be approved by the local planning authority in writing prior to commencement of works on the site. Any measures or treatment approved under this condition shall be carried out in accordance with the approved proposals.

(Reason: To protect occupiers and users of adjoining land and the environment from the effects of potential harmful substances.)

30. No development shall take place on the site between Airport Way and Heathrow Terminal 5 until a Written Scheme of Archaeological Investigation covering the ground to be disturbed by the works approved by the Order has been submitted to and approved by the local planning authority and implemented in accordance with the approved Scheme.

(Reason: To ensure that archaeological artifacts and information are preserved.)

31. No development, including any site clearance works, shall be commenced on the route between Airport Way and the Heathrow Terminal 5 until a baseline ecological survey of reptiles, bats, water voles and otters has been undertaken on the area affected by the works approved by the Order and appropriate mitigation has been submitted to and approved in writing by the local planning authority. The mitigation shall be carried out and maintained in accordance with the approved scheme.

(Reason: to protect and enhance the ecological value of the area).

32. Details of the external appearance including facing materials of the surface structures above the cut and cover tunnel shall be submitted to and approved in writing by the local planning authority before any work on the structures are commenced, and they shall be implemented in accordance with the approved details.

(Reason: to ensure that the external appearance of the station is of a satisfactory standard).

33. For all areas between Airport Way and Heathrow Terminal 5 undergoing works approved by this Order, a landscaping scheme, incorporating where appropriate ecological enhancement, mitigation and compensatory measures, shall be submitted to and approved in writing by the local planning authority before completion of the

Bedfont Court Tunnel. All planting, seeding or turfing comprised in the approved landscaping details shall be carried out not later than the first planting and seeding seasons following completion of the engineering works.

(Reason: to ensure a satisfactory standard of visual amenity)

### **Feltham Servicing Facility**

34. Before works are commenced on the former Feltham Marshalling Yard site, detailed investigations shall be carried out on the land undergoing temporary or permanent works approved by the Order to establish if it is contaminated and to assess the degree and nature of the contamination present and the action proposed to be taken to deal with any contamination that is identified. An assessment shall be carried out to consider the risk to controlled waters (as defined by the Water Resources Act 1991), human health and ecological features. The measures or treatment to deal with contamination identified as a result and the timescales for implementation shall be approved by the local planning authority in writing prior to commencement of works on the site. Any measures or treatment approved under this condition shall be carried out in accordance with the approved proposals.

(Reason: To protect occupiers and users of adjoining land and the environment from the effects of potential harmful substances.)

35. No development shall take place on the site until a Written Scheme of Archaeological Investigation covering the ground to be disturbed by the works approved by the Order has been submitted to and approved by the local planning authority and implemented in accordance with the approved Scheme.

(Reason: To ensure that archaeological artifacts and information are preserved.)

36. No development, including any site clearance works, shall be commenced on the Feltham Marshalling Yard site until a baseline ecological survey of reptiles, bats, and water voles has been undertaken and appropriate mitigation has been submitted to, and approved in writing by, the local planning authority. The mitigation shall be carried out and maintained in accordance with the approved scheme.

(Reason: to protect and enhance the ecological value of the area).

37. Details of the vehicular access from Godfrey Way to the proposed train servicing facility, including the external appearance of the bridge over the River Crane, shall be submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved details before the train servicing facility becomes operational.

(Reason: to ensure appropriate access and circulation for vehicles and pedestrians and to safeguard the amenity of the local area).

38. No development shall take place until foul and surface water drainage details incorporating the principles of sustainable urban drainage and including a timetable for implementation have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.

(Reason: To ensure that the surface and foul drainage systems have sufficient capacity to cope with the demand arising from the development so as to prevent increased risk of flooding and pollution of the water environment/improve water quality in accordance with Hounslow Unitary Development.)

39. Details of the external appearance of new train servicing facility buildings, including facing materials, shall be submitted to and approved in writing by the local planning authority before work on the buildings commences and the works shall be implemented in accordance with the approved details.

(Reason: to ensure that the external appearance of the facility is satisfactory).

40. For all areas of the former Feltham Marshalling Yard site undergoing works approved by this Order, a landscaping scheme, incorporating where appropriate ecological enhancement, mitigation and compensatory measures, shall be submitted to and approved in writing by the local planning authority before commencement of the works. All planting, seeding or turfing comprised in the approved landscaping details shall be carried out not later than the first planting and seeding seasons following completion of the depot facility.

(Reason: to ensure a satisfactory standard of visual amenity)

41. For the purposes of minimizing light spillage to adjacent residential properties, details of all proposed permanent external lighting at the servicing facility shall be submitted to and approved by the local planning authority, and implemented in accordance with the approved plans before the facility comes into operation.

(Reason: to safeguard the amenity of the local area and to minimise light spillage from the facility).

42. Noise attenuation measures shall be implemented such that noise sources from the proposed development, expressed as a Rating Level (assessed over a five minute reference period as defined in BS4142 1997) does not exceed the representative background level by more than 5dB during the night time period (23.00-07.00) at any dwelling adjacent to the servicing facility. This rating level shall apply to the following noise sources only on the development site:

- i. Stationary trains in the shunting area of the sidings
- ii. All operations carried out within buildings
- iii. Fixed plant items.

All works to comply with this condition shall be approved by the Local Planning Authority and shall be completed before the facility is brought into operation.

(Reason: to minimise possible noise nuisance to neighbouring properties).

43. Except on the turnouts and switches and crossings, continuous welded rail shall be used on all track leading to, and within, the maintenance facility.

(Reason: To protect the amenities of occupiers of nearby residential properties.)

44. As far as is reasonably practicable, all horn testing and all activities that could generate noise at a level that would be likely to give rise to complaints (assessed in accordance with BS4142:1997) shall be carried out within the maintenance building.

(Reason: To protect the amenities of occupiers of nearby residential properties.)

45. No loudspeakers or amplified address system shall be used outside the maintenance building without the prior written consent of the local planning authority.

(Reason: To protect the amenities of occupiers of nearby residential properties.)