

EXAMINATION OF HOUNSLOW LOCAL PLAN (2020 – 2041)

EXAMINATION HEARING STATEMENT – MATTER 9, QUESTIONS 7 & 8 DAY GROUP LTD

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SECTION 1 | INTRODUCTION AND SUMMARY

- 1.1 This Hearing Statement has been prepared by Firstplan Ltd on behalf of Day Group Ltd in response to Matter 9: Site Allocations, Questions 7 and 8. This is in respect only to 'Proposed Site Allocations in Great West Corridor' and specifically those located in proximity to the Safeguarded Minerals Railhead ('SMR') at Transport Avenue. These comprise: Sites: 5 (West Cross Campus), 6 (BSS Brentford), 7 (Profile West) and 118 (Former GSK Site).
- 1.2 Day Group operate the SMR and associated minerals and waste operations at Transport Avenue, which is identified within the Submission Local Plan and Policies Map as a '*Safeguarded Minerals Railhead and Associated Minerals Operations*'. A significant part but not all of the site is also allocated as SIL.
- 1.3 The representations made during the Local Plan Review process have been in respect of ensuring the Day Group site and operations at Transport Avenue are appropriately safeguarded by both policy text and in plan (diagrammatic) form. In addition, and critically the representations have sought to ensure that sites coming forward for development in the vicinity do not to prejudice the SMR under the 'Agent of Change' principle.
- 1.4 It is welcomed that over the consultation process the Council have responded positively to a number of the representations made. Most recently and following the Stage 1 Hearing Sessions there has been further engagement with the Council in response to the Inspectors' request to engage with Day Group and LBH has produced a Railhead Safeguarding Note (EX55) (20 March 2026). This now includes further agreed modifications as set out therein and within the Post Stage 1 Hearings Version of the Schedule of Suggested Modifications (EX57) (20 March 2026).
- 1.5 The identification of the site on the Policies Map and the policy approach under Policy EQ10, Minerals and supporting text now largely address how the safeguarded facility itself is identified and referenced. However, the issue of how site allocations in the vicinity of the SMR themselves conform with safeguarding and agent of change requirements still remains outstanding.
- 1.6 On this basis, in response to Matter 9, Questions 7 and 8 (and with specific reference to the sites identified in the vicinity of the SMR) the failure to make direct reference to the SMR and/or 'agent of change' principle in the 'Site Requirements' for these allocations is not consistent with national policy nor in general conformity with the London Plan. Modifications are therefore required to these Site Allocations to ensure 'soundness'.

SECTION 2 | RELEVANT SITE, SAFEGUARDING AND OTHER BACKGROUND INFORMATION

a) Site and Safeguarding Context

- 2.1 The Firstplan Regulation 19 response dated October 2024 deals fully with the issue of safeguarding of sites such as that at Transport Avenue. The background and supporting information as detailed in that response remains entirely pertinent and relevant to the consideration of this matter and specific questions (M9, Q7 & Q8).
- 2.2 These types of mineral/rail served sites comprise a scarce resource and are particularly difficult to replace. This is because of the costs involved in creating new railhead facilities and the difficulties in securing land where appropriate access to the rail and road network can be achieved. In London the situation is particularly acute given the scarcity of development land and competing higher value land uses. The introduction of residential or other noise sensitive development in close proximity to such sites can result in potential conflict which can affect their existing and future operations.
- 2.3 The importance of safeguarding rail served minerals sites is underpinned by policy requirements at both national level and within the London Plan. This reflects their essential role in delivering sustainable transport, reducing road congestion, reducing emissions, addressing environmental objectives and supporting growth.
- 2.4 The key National and London Plan policy requirements in the context of safeguarding of such sites and related agent of change considerations are detailed in full at Section 3 of the Firstplan Response – October 2024.
- 2.5 With regard to the NPPF 2023 this is with specific reference to paragraph 216 (e) – which requires that ‘planning policies’ should safeguard existing, planned and potential sites for (amongst other things): the bulk transport (by which is meant transport by rail or water) and handling of minerals and the manufacture of concrete and handling, processing and distribution of recycled aggregate material. All of these activities are undertaken at the Transport Avenue Day Group site. Similar safeguarding requirements are imposed by the London Plan under Policies SI10 ‘Aggregates’ and Policy T7 ‘Deliveries, Servicing and Construction’.
- 2.6 It is additionally noted that the Planning Practice Guidance (‘PPG’) under the heading of ‘Minerals’ specifically addresses the critical matter of **why** planning authorities should safeguard existing, planned and potential storage, handling and transport sites (Paragraph: 006 Reference ID: 27-006-20140306). This is to:
- ***ensure that sites for these purposes are available should they be needed; and***
 - ***prevent sensitive or inappropriate development that would conflict with the use of sites identified for these purposes.***

- 2.7 The relevant Policy and PPG confirm that the safeguarding of sites such as that at Transport Avenue is not achieved merely by retaining the land on which they are located for that use. For safeguarding to be effective it must work in a twofold manner. It must seek to reserve safeguarded sites for a particular use as well as ensure that surrounding development does not prejudice the use of such sites for its safeguarded purposes in accordance with the Agent of Change principle.

b) Stage 1 Hearing Process and Agreed Position

- 2.8 It is welcomed that over the consultation process the Council have responded positively to a number of the representations made. This is in particular in terms of identifying the extent of the SMR site on the Policies Map (a significant change from the approach in the previous Local Plan review) and by proposing Modifications at

Submission stage to supporting text at paragraph 9.28 to Policy EQ10, Minerals, within Document S11 'Schedule of Suggested Modifications' (23 June 2025). Subsequently, and following the Stage 1 Hearing Sessions there has been further engagement with the Council in response to the Inspectors' request to engage with Day Group and LBH have produced a Railhead Safeguarding Note (EX55) (20 March 2026). This now includes further agreed modifications dealing principally with development within the SMR itself. The Post Stage 1 Hearings Version of the Schedule of Suggested Modifications (EX57) (20 March 2026) consolidates the modifications previously proposed in respect of EQ10 Minerals and those additionally agreed under references: **HLP_C9_01** and **EiP_C9_01**.

- 2.9 In the context of matters covered by the Rail Head Safeguarding Note (EX55) issues of soundness raised in respect of identification of the SMR site and how Policy EQ10 and supporting text address the safeguarding of the facility are considered by Day Group to have been addressed. The intent of the safeguarding approach is clearly stated under new (modified) para 9.29 which confirms that: *"By safeguarding the Minerals Railhead facility, the Council will ensure that any development either within the site or in the surrounding area does not prejudice the existing or future operation of the safeguarded site and the operations it supports"* (Modification code: **HLP_C9_01**). However, this intent is yet to be reflected in the Site Allocations themselves and remains a key outstanding matter.

c) Site Allocation 118, Former GSK Site – Application Proposals

- 2.10 Proposed Site Allocation 118 (Former GSK Site) was not specifically identified by Day Group at the Regulation 19 consultation response stage (October 2024) in the context of the SMR site largely due to distance separation and the fact that the site does not directly adjoin Transport Avenue (the access route) itself, as compared to Sites 6 and 7 for example.
- 2.11 Subsequently, an application was submitted for the GSK site comprising a hybrid application for phased mixed use redevelopment including residential uses and registered under App Ref: P/2025/2394, validated on 13 August 2025. On review of that application it was clear that the scale and height of development proposed (including buildings of up to 26 storeys), would result in unobstructed views towards the Transport Avenue area and its associated industrial activities.
- 2.12 The application submission documents were reviewed by Day Group's noise consultant WBM who concluded that the application should be objected to on the basis that the acoustic assessment was incomplete and inadequate. Day Group submitted an objection by letter dated 17 October 2025 on the grounds that the proposals had the potential to introduce noise sensitive uses, which had not been fully assessed in respect of the potential for noise impacts from existing activities at Transport Avenue.
- 2.13 Day Group together with SUEZ (another operator within Transport Avenue) engaged with LBH to review responses from the applicant and potential noise related conditions which would address their objections. The application has since been put to Committee, has a resolution to grant and it was accepted that appropriate noise conditions in the context of the SMR and other industrial uses at Transport Avenue were required. The wording of these are currently being finalised. The Committee Report indicates that it also proposed to attach an Informative advising the applicant to consult with Day Group and other owner/occupiers of Transport Avenue when preparing relevant applications (reserved matters or discharge of conditions, including those related to noise).
- 2.14 Whilst the application is subject to a resolution to grant there is of course no guarantee that this scheme will be built out and the clear possibility remains that revised/new proposals for this site could come forward. This could similarly raise concern for the existing and future operation of the SMR and associated industrial uses. On this basis there is an identified need to ensure that Site Allocation 118 is clear in terms of the need to have regard to the SMR.

SECTION 3 | RESPONSE TO MATTER 9: SITE ALLOCATIONS (GREAT WEST CORRIDOR) QUESTIONS 7 & 8

a) Site Requirements – Site Allocations 5, 6, 7 & 118

- 3.1 There is evidently no question that the minerals railhead site infrastructure and associated distribution/processing facilities at Transport Avenue should be safeguarded in accordance with NPPF and London Plan requirements. This has been accepted through the process of the Local Plan review, both in terms of the mapping of the site on the Policies Map and by Minerals Policy EQ10 and associated supporting text (including modifications). However, as the PPG makes clear the objective of safeguarding is not simply one of safeguarding a site for its specific use it is also critical to ensure that sensitive or inappropriate development does not come forward that would conflict with the use of such sites.
- 3.2 EQ10 itself as well as other policies in the Plan which were identified as being supported in the Firstplan Response 2024 (para 4.2) do assist both with safeguarding and agent of change considerations and wider development control requirements. However, a key missing element in the context of safeguarding requirements is that the relevant Site Allocations which could introduce sensitive development in the vicinity do not make any direct reference to the SMR. It is not clear from the Site Allocations that locating sensitive development not just in proximity to the SIL but specifically the SMR should be progressed in line with the agent of change principle.
- 3.3 For avoidance of doubt it is confirmed that no issue is raised with the principle of the Site Allocations identified coming forward, nor the range of uses proposed. The issue raised is simply one of the 'Site Requirements' supporting the on-going safeguarding of the SMR.
- 3.4 In short, in response to Matter 9, Questions 7 and 8 (and with specific reference to the sites identified in the vicinity of the SMR) the failure to make direct reference to the SMR and/or 'agent of change' principle in the Site Requirements is not consistent with national policy nor in general conformity with the London Plan. Modifications are therefore required to ensure these site allocations are sound.

b) Other Matters - Site Allocation 6 – BSS Brentford

- 3.5 In addition to the need for the 'Site Requirements' for Site Allocation 6 to reference the SMR issues were raised in the Firstplan October 2024 response in the context of this site allocation which comprises land in the ownership of Day Group.
- 3.6 These additional issues were detailed in full at paragraphs 4.27 – 4.31 of the Firstplan October 2024 Response and cross refer to additional information provided on this site at paragraphs 2.12 -2.13 of the 2024 Response.

i) Existing Use

- 3.7 It is reiterated again that the site allocation does not correctly identify the 'Existing Use' of the site. The site is not in industrial use. The site has two separate existing uses.
- **South-eastern half of site:** Storage and distribution (B8). Comprising a warehouse building, yard to rear and ancillary parking to the east.
 - **North-western half of site:** Parking (Suis Generis) use. Variously used by Day Group and/or other users.

3.8 A modification is required to ensure clarity/correction of the Site Allocation.

ii) Movement and Access

3.9 Under the heading '*Movement and Access*', the requirement for a '*clean air walking and cycling route*' is not clearly set out. The issues this potentially gives rise to are detailed at paragraphs 4.29-4.31 of the Firstplan October 2024 Response.

3.10 By reference to Local Plan Figure P1.1. Great West Corridor Place Policy (pg 25) a 'Clean Air Route' is shown as a blue dashed line bisecting Site 6 (north/south) and in parallel with 'Local Green Grid – Strategic Links Corridor' shown as yellow dashed line. Given the constrained configuration of the site if the walking/cycling routes either for clean air purposes and/or as part of a Green Grid are fixed routes (as defined at Figure P1.1), this creates uncertainty as to deliverability and has the potential to prejudice the effective layout of development. There are also practical difficulties in terms of crossing Transport Avenue in the location indicated due to level differences and the central island dividing the two parts of Transport Avenue at this point. Clarification has previously been requested in terms of how indicative or not this routing through the site is given Figure P1.1 comprises part of a Policy. Clarity on the issue is further required given that Policy P1: Great West Corridor - Part (V) is termed on the basis that it will '*Support the creation of 'clean air' pedestrian and cycle routes running parallel to the A4*'.

3.11 It is noted that whilst Site 6 can provide access from the Golden Mile Site on the west and Transport Avenue on the east – Site 6 does not (as incorrectly suggested in the Allocation text) about the footbridge over the River Brent to the Northeast (only Site 7 Profile West site does) so cannot provide access in that respect. Again, clarity is required in this context in terms of what this site can actually provide. It is further noted that the 'clean air walking route' requirements under the same heading of 'Movement and Access' for the West Cross Campus site is far more flexibly worded resulting in a lack of consistency in approach which does not appear to be justified.

3.12 A modification is required to ensure that it is clear that there is flexibility in terms of how pedestrian/clean air/green grid routes are secured in the development of this site.

SECTION 4 | REQUIRED MODIFICATIONS AND TESTS OF SOUNDNESS

a) Required Modifications

4.1 The following modifications are required to address the matters raised within this Hearing Statement and build on the modifications as proposed at Regulation 19 stage. The proposed modifications are shown in red bold/struck through.

i) West Cross Campus Site Allocation 5

4.2 West Cross Campus site Allocation 5 should be modified as follows:

- **Site Requirements:** Intensification and diversification of existing industrial uses should be appropriately located within the site in order to create a consistent and visible commercial frontage against the Great West Road and form an effective buffer between this and other non employment uses on the site. The development should seek to deliver a public plaza outside of the station and a green public open space within the development, in accordance with Place Policy P1, P1 (a) & GWC Masterplan. Proposals with housing co-located with or adjacent to employment uses **and/or with the potential to conflict with the existing industrial uses at Transport Avenue including the Safeguarded Minerals Railhead and Associated Minerals Operations**, should be provided in line with the agent of change principle.

ii) BSS Site Allocation 6

4.3 BSS Site Allocation 6 should be modified as follows:

- **Existing Use:** "~~Industrial Uses E(g) with Storage and distribution B8 (with ancillary yard space and car parking) to south-eastern half of site; and Parking (Suis Generis) to north-western half of site~~"
- **Movement and Access:** "Development of the site ~~must should~~ take into account the potential future delivery of the Golden Mile Station adjacent to the west of the site. **The site layout should consider potential new routes to facilitate including** provision of a clean air walking and cycling route across **or around** the site between the Golden Mile station site and **Transport Avenue the footbridge bridge over the River Bront to the Northeast of the Site as well as adjacent sites** to the east..."
- **Site Requirements:** "Intensification and diversification of existing ~~industrial~~ **storage and distribution** uses should be appropriately located within the site in order to create a consistent and visible commercial frontage against the Great West Road and Transport Avenue (with account taken of conflict on the function of the adjacent strategic industrial location, **including the Safeguarded Minerals Railhead and Associated Minerals Operations, in line with the agent of change principle**), and form a buffer between this and non-employment uses on the site..."

iii) Profile West Site Allocation Site 7

4.4 Profile West Allocation Site 7 should be modified as follows:

- **Site Requirements:** Introduction of industrial uses onto the site with supporting residential development. Intensification and diversification of existing industrial uses should be appropriately located within the site in order to create a commercial frontage against Transport Avenue (with account taken of conflict with the function of the adjacent strategic industrial location **including the Safeguarded Minerals Railhead and Associated Minerals**

Operations, in line with the agent of change principle) and form a buffer between this and non-employment uses on the site, which should be sheltered away from industrial frontages, access and servicing.

iv) Fomer GSK Site Allocation 118

4.5 Former GSK Site Allocation 118 should be modified as follows

— **Site Requirements:** The GSK site is to be.....

Development proposals should: *(insert additional bullet point at the end)*

- **Take account of the proximity of the Transport Avenue Strategic Industrial Location, including the Safeguarded Minerals Railhead and associated operations, and should be provided in accordance with the agent of change principle to ensure that existing industrial and minerals uses are not prejudiced.**

b) Tests of Soundness

4.6 In the absence of the modifications identified above, the Plan cannot be considered sound for the following reasons:

i) The Plan is not justified

- Whilst the Policies Map identifies the SMR itself, the failure to ensure that this safeguarding is appropriately reflected within Site Allocations in the surrounding area cannot be the most appropriate strategy.

ii) The Plan is not effective

- Whilst identification and Policy safeguarding of the SMR is very much supported, for the safeguarding to be effective (and therefore the Plan to be effective) there is an inherent requirement that the implications and requirements for development coming forward in the surrounding area, and in particular under Site Allocations, to appropriately reference the SMR and agent of change implications. If the SMR were to come under threat in the future then key policy objectives of the Plan, key requirements in the NPPF and London Plan, in terms of sustainable growth, sustainable travel, and promoting sustainable transfer of freight could be undermined.

iii) The Plan is not 'Consistent with National Policy' and not in 'Conformity with the London Plan'

- Where the Plan fails to appropriately underpin safeguarding requirements in respect of the minerals railhead and transfer of freight to more sustainable means more generally, it is not consistent with NPPF requirements that Plans should be prepared with the objective of contributing to the achievement of sustainable development (para 16(a)).
- In failing to make appropriate reference to the SMR and Agent of Change in the Site Allocations the Plan is not consistent with NPPF requirements that they should contain policies that are clearly written and unambiguous, so that it is evident how a decision maker should react to development proposals (para 16 (d)).

- The failure to reference the SMR in key Site Allocations is not consistent with NPPF requirements that planning policies should safeguard such sites (para 216 (e)). For the same reason it does not accord with aligned requirements in the London Plan.
- Lack of direct references to the SMR and 'agent of change' in the Site Allocations means that the Plan is not consistent with NPPF requirements that planning policies should ensure new development can be integrated effectively with existing businesses (NPPF para 193).

