

Slough Borough Council

Comment Date: Fri 04 Nov 2016

Dear Mr Taufiq,

Temporary closure of public footpath IVE/15/1, followed by the laying out of a site entrance, erection of new processing and concrete plants and related infrastructure, extraction of 2 million tonnes of sand and gravel, backfilling with inert waste and progressive restoration of the land to agriculture over a period of up to nine years.

Land North Of North Park Road Richings Park Langley Buckinghamshire SL0 9DJ

Thank you for recent consultation with respect to the above proposal. Please find below comments from Slough Borough Council regarding the proposed development.

Western Rail Link to Heathrow:

Slough Borough Council is concerned that the proposed development will have a negative impact on the delivery of the Western Rail Link to Heathrow (WRLtH) scheme, a nationally significant infrastructure project by way of its status in the Planning Act 2008 and, endorsed by Government through the National Infrastructure Delivery Plan 2016 - 2021, the High Level Output Specification 2012 and the Aviation Policy Framework 2013.

The proposed development has the potential to frustrate the WRLtH scheme, introducing unnecessary complexity resulting in increased costs to the public purse and delayed delivery date.

Slough Borough Council seeks assurances that, if the proposed development is granted approval, conditions be set on the applicant that mandates they enter in to a formal and legal agreement with Network Rail that safeguards the delivery of the WRLtH scheme.

Highways & Transport:

The Local Highway Authority have issued a holding objection to the proposal and detailed comments will be provided in due course, in summary

The Local Highway Authority requests the applicant transport material into and out of the site via Iver rail sidings by constructing a bridge over the railway or a tunnel under the railway line from their site. It would appear that the applicant has not properly investigated this option as it has commented that it would be unviable but has provided no supporting information to justify this statement.

The Local Highway Authority is concerned about the additional traffic passing through Brands Hill along the A4 London Road and the impact of the additional traffic on the network which is already operating at capacity.

A lorry routing scheme should be provided and if any Heavy Good Vehicles (HGVs) will be routed through Slough, this should be agreed in writing with Slough Borough Council's Local Highway Authority prior to determining this application.

Public Rights of Way Officer:

I am in complete agreement with the conditions Bucks CC's Strategic Access Officer, Jonathan Clark (letter dated 27th October 2016, Ref: JC) suggests and wholly support the need for improving the provision of footpaths in this area as described. These improvements are also consistent with the response made by the Slough Local Access Forum concerning the Local Plan consultation for Site 96 known as Gypsy Field, Market Lane.

Environmental Quality:

Slough Borough Council objects to this scheme due to the potential significant harmful impact of poor air quality, on our local residents health, as a direct result of additional CEMEX HDV movements

through our Brands Hill AQMA;

1) Sensitivity testing has been undertaken by the Cemex air quality consultant because as pointed out in 10.66 Analysis has shown a disparity between historical monitoring data and the projected background concentrations published by Defra (Carslaw, et al., 2011). Ambient air quality measurements show little evidence of the consistent downward trend in NO₂ and NO_x concentrations suggested by the emission inventory estimates. This trend can also be seen in the monitoring data presented in this assessment (Table 15 - which is SBC monitoring data) of the EIA modelling, Table 22 displays the results of this testing.

2) 10.71 The results of the sensitivity analysis for existing receptors are shown in Table 22. Exceedences of the annual mean NO₂ objective are predicted at receptors R5, R9, R12, R16 and R17 both without and with the proposed development. Exceedences of the annual mean NO₂ objective are caused by the proposed development at just one receptor, R4, where a marginal exceedence of 40.1 µg/m³ is predicted with the development.

3) 10.72 Without emissions reductions, and with regard to the impact descriptors set out in Table 13. The impacts on annual mean NO₂ concentrations are described as negligible to slight at most receptors; however, there is a risk of moderate impacts at receptors R1, R5 and R9.

4) There are predicted to moderate impacts as result in predicted air quality concentrations with the development at R1, R5, R9 and slight impacts at 7 other Slough residential receptors. Our professional judgement is that this is a significant impact and unacceptable with respect to the harm on Slough residents.

5) IAQM guidance which the consultant refers to 'Land Use Planning & Development Control: Planning for Air Quality - which explains the process of assessment, significance and mitigation and best practice Chapter 5 which align with AQAP, NPPF and our proposed Low Emission Requirements.

6) Cemex have not adequately considered avoidance measure (i.e. prevent HGV movement travelling through the Brands Hill AQMA alternative routing of HGVs or alternative means of transporting materials)

7) Cemex have not adequately considered mitigation and contributions to offset the harm and effect on Slough residents. Slough Borough Council takes the position that the impact is significant (measures can include, emission standards being applied to CEMEX HDV (EURO VI and upgrading to EURO VII as the site is being developed over 9 year period), and off-setting measures using the calculation in 5.12 of the IAQM guidance (referred to above) to determine the level of contribution S106 towards (Contributions toward promotions of EV car clubs, Contributions towards air quality monitoring, Contributions to low emission vehicle refuelling infrastructure; Provision of incentives for the uptake of low emission vehicles; Financial support to low emission public transport options; and Improvements to cycling and walking infrastructure. air quality monitoring, EV infrastructure, cycle infrastructure)

8) Cemex has not considered cumulative impact of consented schemes (M4 Smart motorway and its associated construction including the operation of a construction compound off Sutton Lane) has not been adequately considered within the Air Quality Assessment. We are of the view the cumulative impact of the scheme will cause additional harm to our residents. As a result the assessment is flawed.

The scheme should be refused because it is contrary to National Planning Policy Framework Paragraph 124 and is not consistent with our air quality action plan and proposed Low Emission Strategy.

Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.

Additionally, NPPF promotes the need for sustainable transport policies and development and the Cemex development has not considered these requirements in sufficient detail in red. Paragraph 32: All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether: the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure; safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 35:

Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to

- ~accommodate the efficient delivery of goods and supplies;
- ~give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
- ~create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;
- ~incorporate facilities for charging plug-in and other ultra-low emission vehicles; and
- ~consider the needs of people with disabilities by all modes of transport.

Local Plan Review:

The site west of the application site boundary that abuts the Slough Borough Council boundary has been put forward as a possible residential development site in response to the Local Plan Review call for sites.

Furthermore, consideration should also be given to the amenity of Slough residents in terms of noise and disturbance and any other matters arising from the proposed development.

Any development permitted must ensure that flood risk west of the site is not increased.

I would be grateful if you could please keep me updated regarding the progress on this application and whether this application will be going to Planning Committee.

Please do not hesitate to contact me should you wish to discuss the above.

Kind Regards,

Neetal Rajput
Development Management